

116TH CONGRESS
1ST SESSION

S. 1790

AN ACT

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

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

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF**
 7 **CONTENTS.**

8 (a) DIVISIONS.—This Act is organized into seven di-
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 11 thorizations.

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 13 izations.

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

17 (4) Division D—Funding Tables.

18 (5) Division E—Additional Provisions.

19 (6) Division F—Intelligence Authorizations for
 20 Fiscal Year 2020.

21 (7) Division G—Intelligence Authorizations for
 22 Fiscal Year 2018 and 2019.

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 24 this Act is as follows:

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- Sec. 6602. Sense of Senate on support for a robust and modern ICBM force to maximize the value of the nuclear triad of the United States.
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- Sec. 6605. Joint assessment of Department of Defense cyber red team capabilities, capacity, demand, and requirements.
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- Sec. 8101. Implementation of common financial reporting system for nuclear security enterprise.
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TITLE LXXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

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- Sec. 8520. Port operations, research, and technology.
- Sec. 8521. Assessment and report on strategic seaports.
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- Sec. 8524. Improvement of National Oceanographic Partnership Program.
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- Sec. 8532. Definitions.
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- Sec. 9302. Increase in employee compensation and benefits authorized by law.
- Sec. 9303. Improving the onboarding methodology for certain intelligence personnel.
- Sec. 9304. Intelligence community public-private talent exchange.
- Sec. 9305. Expansion of scope of protections for identities of covert agents.
- Sec. 9306. Inclusion of security risks in program management plans required for acquisition of major systems in National Intelligence Program.
- Sec. 9307. Paid parental leave.

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- Sec. 9311. Exclusivity, consistency, and transparency in security clearance procedures.
- Sec. 9312. Limitation on transfer of National Intelligence University.
- Sec. 9313. Improving visibility into the security clearance process.
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- Sec. 9321. Definitions.
- Sec. 9322. Inspector General external review panel.
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- Sec. 9404. Encouraging cooperative actions to detect and counter foreign influence operations.
- Sec. 9405. Oversight of foreign influence in academia.

- Sec. 9406. Director of National Intelligence report on fifth-generation wireless network technology.
- Sec. 9407. Annual report by Comptroller General of the United States on cybersecurity and surveillance threats to Congress.
- Sec. 9408. Director of National Intelligence assessment of foreign interference in elections.
- Sec. 9409. Study on feasibility and advisability of establishing Geospatial-Intelligence Museum and learning center.
- Sec. 9410. Report on death of Jamal Khashoggi.

DIVISION G—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEARS 2018 AND 2019

- Sec. 10001. Short title.
- Sec. 10002. Definitions.

TITLE CI—INTELLIGENCE ACTIVITIES

- Sec. 10101. Authorization of appropriations.
- Sec. 10102. Classified Schedule of Authorizations.
- Sec. 10103. Intelligence Community Management Account.

TITLE CII—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

- Sec. 10201. Authorization of appropriations.
- Sec. 10202. Computation of annuities for employees of the Central Intelligence Agency.

TITLE CIII—GENERAL INTELLIGENCE COMMUNITY MATTERS

- Sec. 10301. Restriction on conduct of intelligence activities.
- Sec. 10302. Increase in employee compensation and benefits authorized by law.
- Sec. 10303. Modification of special pay authority for science, technology, engineering, or mathematics positions and addition of special pay authority for cyber positions.
- Sec. 10304. Modification of appointment of Chief Information Officer of the Intelligence Community.
- Sec. 10305. Director of National Intelligence review of placement of positions within the intelligence community on the Executive Schedule.
- Sec. 10306. Supply Chain and Counterintelligence Risk Management Task Force.
- Sec. 10307. Consideration of adversarial telecommunications and cybersecurity infrastructure when sharing intelligence with foreign governments and entities.
- Sec. 10308. Cyber protection support for the personnel of the intelligence community in positions highly vulnerable to cyber attack.
- Sec. 10309. Modification of authority relating to management of supply-chain risk.
- Sec. 10310. Limitations on determinations regarding certain security classifications.
- Sec. 10311. Joint Intelligence Community Council.
- Sec. 10312. Intelligence community information technology environment.
- Sec. 10313. Report on development of secure mobile voice solution for intelligence community.
- Sec. 10314. Policy on minimum insider threat standards.
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TITLE CIV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

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- Sec. 10401. Authority for protection of current and former employees of the Office of the Director of National Intelligence.
- Sec. 10402. Designation of the program manager-information sharing environment.
- Sec. 10403. Technical modification to the executive schedule.
- Sec. 10404. Chief Financial Officer of the Intelligence Community.
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Subtitle B—Central Intelligence Agency

- Sec. 10411. Central Intelligence Agency subsistence for personnel assigned to austere locations.
- Sec. 10412. Expansion of security protective service jurisdiction of the Central Intelligence Agency.
- Sec. 10413. Repeal of foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.

Subtitle C—Office of Intelligence and Counterintelligence of Department of Energy

- Sec. 10421. Consolidation of Department of Energy Offices of Intelligence and Counterintelligence.
- Sec. 10422. Repeal of Department of Energy Intelligence Executive Committee and budget reporting requirement.

Subtitle D—Other Elements

- Sec. 10431. Plan for designation of counterintelligence component of Defense Security Service as an element of intelligence community.
- Sec. 10432. Notice not required for private entities.
- Sec. 10433. Framework for roles, missions, and functions of Defense Intelligence Agency.
- Sec. 10434. Establishment of advisory board for National Reconnaissance Office.
- Sec. 10435. Collocation of certain Department of Homeland Security personnel at field locations.

TITLE CV—ELECTION MATTERS

- Sec. 10501. Report on cyber attacks by foreign governments against United States election infrastructure.
- Sec. 10502. Review of intelligence community's posture to collect against and analyze Russian efforts to influence the Presidential election.
- Sec. 10503. Assessment of foreign intelligence threats to Federal elections.
- Sec. 10504. Strategy for countering Russian cyber threats to United States elections.
- Sec. 10505. Assessment of significant Russian influence campaigns directed at foreign elections and referenda.
- Sec. 10506. Foreign counterintelligence and cybersecurity threats to Federal election campaigns.
- Sec. 10507. Information sharing with State election officials.

- Sec. 10508. Notification of significant foreign cyber intrusions and active measures campaigns directed at elections for Federal offices.
- Sec. 10509. Designation of counterintelligence officer to lead election security matters.

TITLE CVI—SECURITY CLEARANCES

- Sec. 10601. Definitions.
- Sec. 10602. Reports and plans relating to security clearances and background investigations.
- Sec. 10603. Improving the process for security clearances.
- Sec. 10604. Goals for promptness of determinations regarding security clearances.
- Sec. 10605. Security Executive Agent.
- Sec. 10606. Report on unified, simplified, Governmentwide standards for positions of trust and security clearances.
- Sec. 10607. Report on clearance in person concept.
- Sec. 10608. Budget request documentation on funding for background investigations.
- Sec. 10609. Reports on reciprocity for security clearances inside of departments and agencies.
- Sec. 10610. Intelligence community reports on security clearances.
- Sec. 10611. Periodic report on positions in the intelligence community that can be conducted without access to classified information, networks, or facilities.
- Sec. 10612. Information sharing program for positions of trust and security clearances.
- Sec. 10613. Report on protections for confidentiality of whistleblower-related communications.

TITLE CVII—REPORTS AND OTHER MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers

- Sec. 10701. Limitation relating to establishment or support of cybersecurity unit with the Russian Federation.
- Sec. 10702. Report on returning Russian compounds.
- Sec. 10703. Assessment of threat finance relating to Russia.
- Sec. 10704. Notification of an active measures campaign.
- Sec. 10705. Notification of travel by accredited diplomatic and consular personnel of the Russian Federation in the United States.
- Sec. 10706. Report on outreach strategy addressing threats from United States adversaries to the United States technology sector.
- Sec. 10707. Report on Iranian support of proxy forces in Syria and Lebanon.
- Sec. 10708. Annual report on Iranian expenditures supporting foreign military and terrorist activities.
- Sec. 10709. Expansion of scope of committee to counter active measures and report on establishment of Foreign Malign Influence Center.

Subtitle B—Reports

- Sec. 10711. Technical correction to Inspector General study.
- Sec. 10712. Reports on authorities of the Chief Intelligence Officer of the Department of Homeland Security.
- Sec. 10713. Report on cyber exchange program.
- Sec. 10714. Review of intelligence community whistleblower matters.

- Sec. 10715. Report on role of Director of National Intelligence with respect to certain foreign investments.
- Sec. 10716. Report on surveillance by foreign governments against United States telecommunications networks.
- Sec. 10717. Biennial report on foreign investment risks.
- Sec. 10718. Modification of certain reporting requirement on travel of foreign diplomats.
- Sec. 10719. Semiannual reports on investigations of unauthorized disclosures of classified information.
- Sec. 10720. Congressional notification of designation of covered intelligence officer as persona non grata.
- Sec. 10721. Reports on intelligence community participation in vulnerabilities equities process of Federal Government.
- Sec. 10722. Inspectors General reports on classification.
- Sec. 10723. Reports on global water insecurity and national security implications and briefing on emerging infectious disease and pandemics.
- Sec. 10724. Annual report on memoranda of understanding between elements of intelligence community and other entities of the United States Government regarding significant operational activities or policy.
- Sec. 10725. Study on the feasibility of encrypting unclassified wireline and wireless telephone calls.
- Sec. 10726. Modification of requirement for annual report on hiring and retention of minority employees.
- Sec. 10727. Reports on intelligence community loan repayment and related programs.
- Sec. 10728. Repeal of certain reporting requirements.
- Sec. 10729. Inspector General of the Intelligence Community report on senior executives of the Office of the Director of National Intelligence.
- Sec. 10730. Briefing on Federal Bureau of Investigation offering permanent residence to sources and cooperators.
- Sec. 10731. Intelligence assessment of North Korea revenue sources.
- Sec. 10732. Report on possible exploitation of virtual currencies by terrorist actors.

Subtitle C—Other Matters

- Sec. 10741. Public Interest Declassification Board.
- Sec. 10742. Securing energy infrastructure.
- Sec. 10743. Bug bounty programs.
- Sec. 10744. Modification of authorities relating to the National Intelligence University.
- Sec. 10745. Technical and clerical amendments to the National Security Act of 1947.
- Sec. 10746. Technical amendments related to the Department of Energy.
- Sec. 10747. Sense of Congress on notification of certain disclosures of classified information.
- Sec. 10748. Sense of Congress on consideration of espionage activities when considering whether or not to provide visas to foreign individuals to be accredited to a United Nations mission in the United States.
- Sec. 10749. Sense of Congress on WikiLeaks.

1 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

2 In this Act, the term “congressional defense commit-
3 tees” has the meaning given that term in section
4 101(a)(16) of title 10, United States Code.

5 **SEC. 4. BUDGETARY EFFECTS OF THIS ACT.**

6 The budgetary effects of this Act, for the purposes
7 of complying with the Statutory Pay-As-You-Go Act of
8 2010, shall be determined by reference to the latest state-
9 ment titled “Budgetary Effects of PAYGO Legislation”
10 for this Act, jointly submitted for printing in the Congres-
11 sional Record by the Chairmen of the House and Senate
12 Budget Committees, provided that such statement has
13 been submitted prior to the vote on passage in the House
14 acting first on the conference report or amendment be-
15 tween the Houses.

16 **DIVISION A—DEPARTMENT OF**
17 **DEFENSE AUTHORIZATIONS**
18 **TITLE I—PROCUREMENT**
19 **Subtitle A—Authorization of**
20 **Appropriations**

21 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

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

Subtitle B—Army Programs

SEC. 111. SENSE OF SENATE ON ARMY'S APPROACH TO CAPABILITY DROPS 1 AND 2 OF THE DISTRIBUTED COMMON GROUND SYSTEM-ARMY PROGRAM.

It is the sense of the Senate that—

(1) the Senate approves of the approach of the Army to Capability Drops 1 and 2 of the Distributed Common Ground System-Army program, which has been in compliance with section 2377 of title 10, United States Code; and

(2) the Senate encourages the Under Secretary of Defense for Acquisition and Sustainment and other military departments and commands in the Department of Defense to review the efforts of the Army with Capability Drops 1 and 2 to inform future decisions about how to integrate commercial technology into the Distributed Common Ground System Enterprise and other national security systems.

1 **SEC. 112. AUTHORITY OF THE SECRETARY OF THE ARMY**
 2 **TO WAIVE CERTAIN LIMITATIONS RELATED**
 3 **TO THE DISTRIBUTED COMMON GROUND**
 4 **SYSTEM-ARMY INCREMENT 1.**

5 Section 113(d) of the National Defense Authorization
 6 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
 7 2028) is amended by striking “Secretary of Defense” both
 8 places it appears and inserting “Secretary of the Army”.

9 **Subtitle C—Navy Programs**

10 **SEC. 121. MODIFICATION OF PROHIBITION ON AVAIL-**
 11 **ABILITY OF FUNDS FOR NAVY WATERBORNE**
 12 **SECURITY BARRIERS.**

13 Section 130 of the John S. McCain National Defense
 14 Authorization Act for Fiscal Year 2019 (Public Law 115–
 15 232) is amended—

16 (1) in subsection (a) by striking “for fiscal year
 17 2019 may be obligated or expended to procure leg-
 18 acy waterborne security barriers for Navy ports”
 19 and inserting “for fiscal year 2019 or fiscal year
 20 2020 may be obligated or expended to procure leg-
 21 acy waterborne security barriers for Navy ports, in-
 22 cluding as replacements for legacy barriers”; and

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

25 “(d) NOTIFICATION.—Not later than 15 days after
 26 an exception is made pursuant to subsection (c)(2), the

1 Secretary of the Navy shall submit a written notification
2 to the congressional defense committees that includes—

3 “(1) the name and position of the government
4 official who determined exigent circumstances exist;

5 “(2) a description of the exigent circumstances;
6 and

7 “(3) a description of how waterborne security
8 will be maintained until new waterborne security
9 barriers are procured and installed.”.

10 **SEC. 122. CAPABILITIES BASED ASSESSMENT FOR NAVAL**
11 **VESSELS THAT CARRY FIXED-WING AIR-**
12 **CRAFT.**

13 (a) IN GENERAL.—Not later than 30 days after the
14 date of the enactment of this Act, the Secretary of the
15 Navy shall initiate a capabilities based assessment to begin
16 the process of identifying requirements for the naval ves-
17 sels that will carry fixed-wing aircraft following the ships
18 designated CVN-81 and LHA-9.

19 (b) ELEMENTS.—The assessment shall—

20 (1) conform with the Joint Capabilities Integra-
21 tion and Development System, including Chairman
22 of the Joint Chiefs of Staff Instruction 5123.01H;
23 and

24 (2) consider options for the vessels described
25 under subsection (a) that would enable greater com-

1 monality and interoperability of naval aircraft em-
2 barked on such naval vessels, including aircraft ar-
3 resting gear and launch catapults.

4 (c) NOTIFICATION REQUIREMENT.—Not later than
5 15 days after initiating the assessment required under
6 subsection (a), the Secretary of the Navy shall notify the
7 congressional defense committees of such action and the
8 associated schedule for completing the assessment and
9 generating an Initial Capabilities Document.

10 **SEC. 123. FORD-CLASS AIRCRAFT CARRIER COST LIMITA-**
11 **TION BASELINES.**

12 (a) IN GENERAL.—Chapter 633 of title 10, United
13 States Code, is amended by adding at the end the fol-
14 lowing new section:

15 **“§ 8692. Ford-class aircraft carrier cost limitation**
16 **baselines**

17 “(a) LIMITATION.—The total amounts obligated or
18 expended from funds authorized to be appropriated or oth-
19 erwise made available for Shipbuilding and Conversion,
20 Navy, or for any other procurement account, may not ex-
21 ceed the following amounts for the following aircraft car-
22 riers:

23 “(1) \$13,027,000,000 for the construction of
24 the aircraft carrier designated CVN–78.

1 “(2) \$11,398,000,000 for the construction of
2 the aircraft carrier designated CVN–79.

3 “(3) \$12,202,000,000 for the construction of
4 the aircraft carrier designated CVN–80.

5 “(4) \$12,451,000,000 for the construction of
6 the aircraft carrier designated CVN–81.

7 “(b) ADJUSTMENT OF LIMITATION AMOUNT.—The
8 Secretary of the Navy may adjust an amount set forth
9 in subsection (a) by the following:

10 “(1) The amounts of increases or decreases in
11 costs attributable to economic inflation after Sep-
12 tember 30, 2019.

13 “(2) The amounts of increases or decreases in
14 costs attributable to compliance with changes in
15 Federal, State, or local laws enacted after Sep-
16 tember 30, 2019.

17 “(3) The amounts of outfitting costs and post-
18 delivery costs incurred for that ship.

19 “(4) The amounts of increases or decreases in
20 costs of that ship that are attributable to insertion
21 of new technology into that ship, as compared to the
22 technology baseline as it was defined prior to Octo-
23 ber 1, 2019.

24 “(5) The amounts of increases or decreases to
25 cost required to correct deficiencies that may affect

1 the safety of the ship and personnel or otherwise
2 preclude the ship from safe operations and crew cer-
3 tification.

4 “(6) With respect to the aircraft carrier des-
5 ignated as CVN-78, the amounts of increases or de-
6 creases in costs of that ship that are attributable
7 solely to an urgent and unforeseen requirement iden-
8 tified as a result of the shipboard test program.

9 “(7) With respect to the aircraft carrier des-
10 ignated as CVN-79, the amounts of increases not
11 exceeding \$100,000,000 if the Chief of Naval Oper-
12 ations determines that achieving the amount set
13 forth in subsection (a)(2) would result in unaccept-
14 able reductions to the operational capability of the
15 ship.

16 “(c) LIMITATION ON TECHNOLOGY INSERTION COST
17 ADJUSTMENT.—The Secretary of the Navy may use the
18 authority under paragraph (4) of subsection (b) to adjust
19 the amount set forth in subsection (a) for a ship referred
20 to in that subsection with respect to insertion of new tech-
21 nology into that ship only if—

22 “(1) the Secretary determines, and certifies to
23 the congressional defense committees, that insertion
24 of the new technology would lower the life-cycle cost
25 of the ship; or

1 “(2) the Secretary determines, and certifies to
2 the congressional defense committees, that insertion
3 of the new technology is required to meet an emerg-
4 ing threat and the Secretary of Defense certifies to
5 those committees that such threat poses grave harm
6 to national security.

7 “(d) LIMITATION ON SHIPBOARD TEST PROGRAM
8 COST ADJUSTMENT.—The Secretary of the Navy may use
9 the authority under paragraph (6) of subsection (b) to ad-
10 just the amount set forth in subsection (a) for the aircraft
11 carrier designated CVN-78 for reasons relating to an ur-
12 gent and unforeseen requirement identified as a result of
13 the shipboard test program only if—

14 “(1) the Secretary determines, and certifies to
15 the congressional defense committees, that such re-
16 quirement was not known before the date of the sub-
17 mittal to Congress of the budget for fiscal year 2020
18 (as submitted pursuant to section 1105 of title 31,
19 United States Code);

20 “(2) the Secretary determines, and certifies to
21 the congressional defense committees, that waiting
22 on an action by Congress to raise the cost cap speci-
23 fied in subsection (a)(1) to account for such require-
24 ment will result in a delay in the date of initial oper-
25 ating capability of that ship; and

1 “(3) the Secretary submits to the congressional
2 defense committees a report setting forth a descrip-
3 tion of such requirement before the obligation of ad-
4 ditional funds pursuant to such authority.

5 “(e) EXCLUSION OF BATTLE AND INTERIM SPARES
6 FROM COST LIMITATION.—The Secretary of the Navy
7 shall exclude from the determination of the amounts set
8 forth in subsection (a), the costs of the following items:

9 “(1) CVN-78 class battle spares.

10 “(2) Interim spares.

11 “(f) WRITTEN NOTICE OF CHANGE IN AMOUNT.—
12 The Secretary of the Navy shall submit to the congres-
13 sional defense committees written notice of any change in
14 the amount set forth in subsection (a) determined to be
15 associated with a cost covered in subsection (b) not less
16 than 30 days prior to making such change.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 at the beginning of such chapter is amended by inserting
19 after the item relating to section 8691 the following new
20 item:

“§ 8692. Ford-class aircraft carrier cost limitation baselines.”.

21 (c) REPEAL OF SUPERSEDED PROVISION.—Section
22 122 of the John Warner National Defense Authorization
23 Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat.
24 2104) is repealed.

1 **SEC. 124. DESIGN AND CONSTRUCTION OF AMPHIBIOUS**
2 **TRANSPORT DOCK DESIGNATED LPD-31.**

3 (a) IN GENERAL.—The Secretary of the Navy may
4 enter into a contract for the design and construction of
5 the amphibious transport dock designated LPD-31 using
6 amounts authorized to be appropriated for the Depart-
7 ment of Defense for Shipbuilding and Conversion, Navy.

8 (b) USE OF INCREMENTAL FUNDING.—With respect
9 to the contract entered into under subsection (a), the Sec-
10 retary may use incremental funding to make payments
11 under the contract with amounts authorized to be appro-
12 priated in fiscal years 2019, 2020, and 2021.

13 (c) CONDITION FOR OUT-YEAR CONTRACT PAY-
14 MENTS.—The contract entered into under subsection (a)
15 shall provide that any obligation of the United States to
16 make a payment under such contract for any fiscal year
17 after fiscal year 2020 is subject to the availability of ap-
18 propriations for that purpose for such fiscal year.

19 **SEC. 125. LHA REPLACEMENT AMPHIBIOUS ASSAULT SHIP**
20 **PROGRAM.**

21 (a) AUTHORITY TO USE INCREMENTAL FUNDING.—
22 The Secretary of the Navy may enter into and incremen-
23 tally fund a contract for detail design and construction
24 of the LHA replacement ship designated LHA 9 and, sub-
25 ject to subsection (b), funds for payments under the con-
26 tract may be provided from amounts authorized to be ap-

1 appropriated for the Department of Defense for Shipbuilding
2 and Conversion, Navy, for fiscal years 2019 through 2025.

3 (b) **CONDITION FOR OUT-YEAR CONTRACT PAY-**
4 **MENTS.**—A contract entered into under subsection (a)
5 shall provide that any obligation of the United States to
6 make a payment under the contract for any subsequent
7 fiscal year is subject to the availability of appropriations
8 for that purpose for such subsequent fiscal year.

9 (c) **REPEAL OF OBSOLETE AUTHORITY.**—Section
10 125 of the John Warner National Defense Authorization
11 Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat.
12 2106) is repealed.

13 **SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR**
14 **THE LITTORAL COMBAT SHIP.**

15 (a) **LIMITATION.**—None of the amounts authorized to
16 be appropriated by this Act or otherwise made available
17 for the Department of Defense for fiscal year 2020 may
18 be used to exceed the total procurement quantity listed
19 in revision five of the Littoral Combat Ship acquisition
20 strategy unless the Under Secretary of Defense for Acqui-
21 sition and Sustainment submits to the congressional de-
22 fense committees the certification described in subsection
23 (b).

24 (b) **CERTIFICATION.**—The certification described in
25 this subsection is a certification by the Under Secretary

1 that awarding a contract for the procurement of a Littoral
2 Combat Ship that exceeds the total procurement quantity
3 listed in revision five of the Littoral Combat Ship acquisi-
4 tion strategy—

5 (1) is in the national security interests of the
6 United States;

7 (2) will not result in exceeding the low-rate ini-
8 tial production quantity approved in the Littoral
9 Combat Ship acquisition strategy in effect as of the
10 date of the certification; and

11 (3) is necessary to maintain a full and open
12 competition for the Guided Missile Frigate
13 (FFG(X)) with a single source award in fiscal year
14 2020.

15 (c) DEFINITION.—The term “revision five of the Lit-
16 toral Combat Ship acquisition strategy” means the fifth
17 revision of the Littoral Combat Ship acquisition strategy
18 approved by the Under Secretary of Defense for Acquisi-
19 tion and Sustainment on March 26, 2018.

20 **SEC. 127. LIMITATION ON THE NEXT NEW CLASS OF NAVY**
21 **LARGE SURFACE COMBATANTS.**

22 (a) IN GENERAL.—Milestone B approval may not be
23 granted for the next new class of Navy large surface com-
24 batants unless the class of Navy large surface combatants
25 incorporates prior to such approval—

1 (1) design changes identified during the full du-
2 ration of the combat system ship qualification trials
3 and operational test periods of the first Arleigh
4 Burke-class destroyer in the Flight III configuration
5 to complete such events; and

6 (2) final results of test programs of engineering
7 development models or prototypes for critical sys-
8 tems specified by the Senior Technical Authority
9 pursuant to section 8669b of title 10, United States
10 Code, as added by section 1017 of this Act, in their
11 final form, fit, and function and in a realistic envi-
12 ronment, which shall include a land-based engineer-
13 ing site if the propulsion system will utilize inte-
14 grated electric power technology, including electric
15 drive propulsion.

16 (b) LIMITATION.—The Secretary of the Navy may
17 not release a detail design or construction request for pro-
18 posals or obligate funds from the Shipbuilding and Con-
19 version, Navy account for the next new class of Navy large
20 surface combatants until the class of Navy large surface
21 combatants receives Milestone B approval and the mile-
22 stone decision authority notifies the congressional defense
23 committees, in writing, of the actions taken to comply with
24 the requirements under subsection (a).

25 (c) DEFINITIONS.—In this section:

1 (1) The term “Milestone B approval” has the
2 meaning given the term in section 2366(e)(7) of title
3 10, United States Code.

4 (2) The term “milestone decision authority”
5 means the official within the Department of Defense
6 designated with the overall responsibility and au-
7 thority for acquisition decisions for the program, in-
8 cluding authority to approve entry of the program
9 into the next phase of the acquisition process.

10 (3) The term “large surface combatants”
11 means Navy surface ships that are designed pri-
12 marily to engage in attacks against airborne, sur-
13 face, subsurface, and shore targets, excluding frig-
14 ates and littoral combat ships.

15 **SEC. 128. REFUELING AND COMPLEX OVERHAULS OF THE**
16 **U.S.S. JOHN C. STENNIS AND U.S.S. HARRY S.**
17 **TRUMAN.**

18 (a) REFUELING AND COMPLEX OVERHAUL.—The
19 Secretary of the Navy shall carry out the nuclear refueling
20 and complex overhaul of the U.S.S. John C. Stennis
21 (CVN-74) and U.S.S. Harry S. Truman (CVN-75).

22 (b) USE OF INCREMENTAL FUNDING.—With respect
23 to any contract entered into under subsection (a) for the
24 nuclear refueling and complex overhauls of the U.S.S.
25 John C. Stennis (CVN-74) and U.S.S. Harry S. Truman

1 (CVN-75), the Secretary may use incremental funding for
2 a period not to exceed six years after advance procurement
3 funds for such nuclear refueling and complex overhaul ef-
4 fort are first obligated.

5 (c) CONDITION FOR OUT-YEAR CONTRACT PAY-
6 MENTS.—Any contract entered into under subsection (a)
7 shall provide that any obligation of the United States to
8 make a payment under the contract for a fiscal year after
9 fiscal year 2020 is subject to the availability of appropria-
10 tions for that purpose for that later fiscal year.

11 **SEC. 129. REPORT ON CARRIER WING COMPOSITION.**

12 (a) IN GENERAL.—Not later than May 1, 2020, the
13 Secretary of the Navy shall submit to the congressional
14 defense committees a report on the optimal composition
15 of the carrier air wing in 2030 and 2040, including alter-
16 native force design concepts.

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

19 (1) Analysis and justification for the Navy's
20 stated goal of a 50/50 mix of 4th and 5th generation
21 aircraft for 2030.

22 (2) Analysis and justification for an optimal
23 mix of carrier aircraft for 2040.

1 (3) A plan for incorporating unmanned aerial
 2 vehicles and associated communication capabilities to
 3 effectively implement the future force design.

4 (c) BRIEFING.—Not later than March 1, 2020, the
 5 Secretary of the Navy shall provide the congressional de-
 6 fense committees a briefing on the report required under
 7 subsection (a).

8 **Subtitle D—Air Force Programs**

9 **SEC. 141. REQUIREMENT TO ALIGN AIR FORCE FIGHTER** 10 **FORCE STRUCTURE WITH NATIONAL DE-** 11 **FENSE STRATEGY AND REPORTS.**

12 (a) REQUIRED SUBMISSION OF STRATEGY.—Not
 13 later than March 1, 2020, the Secretary of the Air Force
 14 shall submit to the congressional defense committees a
 15 fighter force structure acquisition strategy that is aligned
 16 with the results of the reports submitted under subtitle
 17 D of title I of the National Defense Authorization Act for
 18 Fiscal Year 2018 (Public Law 115–91) and the Air
 19 Force’s stated requirements to meet the National Defense
 20 Strategy.

21 (b) ALIGNMENT WITH STRATEGY.—The Secretary of
 22 the Air Force may not deviate from the strategy submitted
 23 under subsection (a) until—

24 (1) the Secretary receives a waiver and jus-
 25 tification from the Secretary of Defense; and

1 (2) 30 days after notifying the congressional
2 defense committees of the proposed deviation.

3 **SEC. 142. REQUIREMENT TO ESTABLISH THE USE OF AN**
4 **AGILE DEVOPS SOFTWARE DEVELOPMENT**
5 **SOLUTION AS AN ALTERNATIVE FOR JOINT**
6 **STRIKE FIGHTER AUTONOMIC LOGISTICS IN-**
7 **FORMATION SYSTEM.**

8 (a) ESTABLISHMENT OF AN ALTERNATIVE AGILE
9 DEVOPS SOFTWARE DEVELOPMENT PROGRAM.—The
10 Secretary of Defense shall establish a software develop-
11 ment activity using Agile DevOps to create an alternative
12 solution for the Joint Strike Fighter Autonomic Logistics
13 Information System (ALIS).

14 (b) COMPETITIVE ANALYSIS.—The Secretary of De-
15 fense shall carry out a competitive analysis of the efforts
16 between Autonomic Logistics Information System, Auto-
17 nomic Logistics Information System—Next, and
18 Madhatter, including with respect to transition opportuni-
19 ties and timelines.

20 (c) BRIEFING.—Not later than September 30, 2020,
21 the Secretary of Defense, in consultation with the Sec-
22 retary of the Air Force, shall provide the congressional
23 defense committees a briefing on the findings of the Sec-
24 retary of Defense with respect to the competitive analysis
25 carried out under subsection (b).

1 **SEC. 143. REPORT ON FEASIBILITY OF MULTIYEAR CON-**
2 **TRACT FOR PROCUREMENT OF JASSM-ER**
3 **MISSILES.**

4 (a) IN GENERAL.—Not later than March 31, 2020,
5 the Secretary of the Air Force shall submit a report to
6 the congressional defense committees assessing the feasi-
7 bility of entering into a multiyear contract for procure-
8 ment of JASSM-ER missiles starting in fiscal year 2022.

9 (b) ELEMENTS.—The report required under sub-
10 section (a) shall include the following elements:

11 (1) An initial assessment of cost savings to the
12 Air Force from a multiyear contract.

13 (2) An analysis of at least two different
14 multiyear contract options that vary in either dura-
15 tion or quantity, at least one of which assumes a
16 maximum procurement of 550 missiles per year for
17 5 years.

18 (3) An assessment of how a multiyear contract
19 will impact the industrial base.

20 (4) An assessment of how a multiyear contract
21 will impact the Long Range Anti-Ship Missile.

22 (5) An assessment of how a multiyear contract
23 will impact the ability of the Air Force to develop
24 additional capabilities for the JASSM-ER missile.

1 **SEC. 144. AIR FORCE AGGRESSOR SQUADRON MODERNIZA-**
2 **TION.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) it is critical that the Air Force has the ca-
6 pability to train against an advanced air adversary
7 in order to be prepared for conflicts against a mod-
8 ern enemy force, and that in order to have this capa-
9 bility, the Air Force must have access to an ad-
10 vanced adversary force prior to United States adver-
11 saries fielding a 5th-generation operational capa-
12 bility; and

13 (2) the Air Force’s plan to use low-rate initial
14 production F–35As as aggressor aircraft reflects a
15 recognition of the need to field a modernized aggress-
16 sor fleet.

17 (b) REPORT.—

18 (1) IN GENERAL.—The Secretary of the Air
19 Force may not transfer any low-rate initial produc-
20 tion F–35 aircraft for use as aggressor aircraft until
21 the Chief of Staff of the Air Force submits to the
22 congressional defense committees a comprehensive
23 plan and report on the strategy for modernizing its
24 organic aggressor fleet.

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

1 (A) Potential locations for F-35A aggressor aircraft, including an analysis of installations that—

4 (i) have the size and availability of
5 airspace necessary to meet flying operations requirements;

7 (ii) have sufficient capacity and availability of range space;

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

11 (iv) meet or require minimal addition
12 to the environmental requirements associated with the basing action.

14 (B) An analysis of the potential cost and
15 benefits of expanding aggressor squadrons currently operating 18 Primary Assigned Aircraft
16 (PAA) to a level of 24 PAA each.

18 (C) An analysis of the cost and timelines
19 associated with modernizing the current Air
20 Force aggressor squadrons to include upgrading
21 aircraft radar, infrared search-and-track systems, radar warning receiver, tactical datalink,
22 threat-representative jamming pods, and other
23 upgrades necessary to provide a realistic advanced adversary threat.
25

1 **SEC. 145. AIR FORCE PLAN FOR COMBAT RESCUE HELI-**
2 **COPTER FIELDING.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that, given delays to Operational Loss Replacement
5 (OLR) program fielding and the on-time fielding of Com-
6 bat Rescue Helicopter (CRH), the Air National Guard
7 should retain additional HH–60G helicopters at Air Na-
8 tional Guard locations to meet their recommended primary
9 aircraft authorized (PAA) per the Air Force’s June 2018
10 report on Air National Guard HH–60 requirements.

11 (b) REPORT ON FIELDING PLAN.—

12 (1) IN GENERAL.—Not later than 45 days after
13 the date of the enactment of this Act, the Secretary
14 of the Air Force shall submit to the congressional
15 defense committees a report on its fielding plan for
16 the CRH program.

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

19 (A) A description of the differences in ca-
20 pabilities between the HH–60G, OLR, and
21 CRH helicopters.

22 (B) A description of the costs and risks as-
23 sociated with changing the CRH fielding plan
24 to reduce or eliminate inventory shortfalls.

1 (C) A description of the measures for ac-
2 celerating the program available within the cur-
3 rent contract.

4 (D) A description of the operational risks
5 and benefits associated with fielding the CRH
6 to the active component first, including—

7 (i) how the differing fielding plan may
8 affect deployment schedules;

9 (ii) what capabilities active-component
10 units deploying with the CRH will have
11 that reserve component units deploying
12 with OLR will not; and

13 (iii) an analysis of the potential costs
14 and benefits that could result from accel-
15 erating CRH fielding to all units through
16 additional funding in the future years de-
17 fense program.

18 (c) REPORT ON TRAINING PLAN.—

19 (1) IN GENERAL.—Not later than 45 days after
20 the date of the enactment of this Act, the Secretary
21 of the Air Force shall submit to the congressional
22 defense committees a report on the plan to sustain
23 training for initial-entry reserve component HH-
24 60G pilots once the active component of the Air
25 Force has received all of its CRH helicopters.

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

3 (A) Projected reserve component aircrew
4 initial HH–60G/OLR qualification training re-
5 quirements, by year.

6 (B) The number of legacy HH–60G/OLR
7 helicopters required to continue providing initial
8 HH–60G qualification training through the
9 150th Special Operations Wing at Kirtland Air
10 Force Base.

11 (C) The number of personnel required to
12 continue providing initial HH–60G/OLR quali-
13 fication training through the 150th Special Op-
14 erations Wing at Kirtland Air Force Base.

15 (D) The number of flying hours required
16 per pilot to perform “differences training” at
17 home station for initial entry HH–60 pilots re-
18 ceiving CRH training at Kirtland Air Force
19 Base to become qualified in the HH–60G/OLR
20 at their home station.

21 (E) The projected effect of using local fly-
22 ing training hours at reserve component units
23 on overall unit training readiness and ability to
24 meet Ready Aircrew Program requirements.

1 **SEC. 146. MILITARY TYPE CERTIFICATION FOR AT-6 AND A-**
2 **29 LIGHT ATTACK EXPERIMENTATION AIR-**
3 **CRAFT.**

4 The Secretary of the Air Force shall conduct a mili-
5 tary type certification for the AT-6 and A-29 light attack
6 experimentation aircraft pursuant to the DoD Directive
7 on Military Type Certificates, 5030.61.

8 **Subtitle E—Defense-wide, Joint,**
9 **and Multiservice Matters**

10 **SEC. 151. LIMITATION ON AVAILABILITY OF FUNDS FOR**
11 **COMMUNICATIONS SYSTEMS LACKING CER-**
12 **TAIN RESILIENCY FEATURES.**

13 (a) IN GENERAL.—Except as provided under sub-
14 section (b), none of the funds authorized to be appro-
15 priated by this Act or otherwise made available for the
16 Department of Defense for fiscal year 2020 may be used
17 for the procurement of a current or future Department
18 of Defense communication program of record unless the
19 communications equipment—

20 (1) provides the ability to deny geolocation of a
21 transmission that would allow enemy targeting of
22 the force;

23 (2) provides the ability to securely communicate
24 classified information in a jamming environment of
25 like-echelon forces; and

1 (3) utilizes a waveform that is made available
2 in the Department of Defense Waveform Informa-
3 tion Repository.

4 (b) WAIVER.—The Secretary of a military depart-
5 ment may waive the requirement under subsection (a) with
6 respect to a communications system upon certifying to the
7 congressional defense committees that the system will not
8 require resiliency due to its expected use.

9 **SEC. 152. F-35 SUSTAINMENT COST.**

10 (a) QUARTERLY REPORT.—The Under Secretary of
11 Defense for Acquisition and Sustainment shall include in
12 the quarterly report required under section 155 of the
13 John S. McCain National Defense Authorization Act for
14 Fiscal Year 2019 (Public Law 115–232)—

15 (1) sustainment cost data related to the F–35
16 program, including a comparison in itemized format
17 of the cost of legacy aircraft and the cost of the F–
18 35 program, based on a standardized set of criteria;
19 and

20 (2) a progress report on the extent to which the
21 goals developed pursuant to subsection (b) are being
22 achieved.

23 (b) COST REDUCTION PLAN.—

24 (1) IN GENERAL.—The Under Secretary of De-
25 fense for Acquisition and Sustainment shall develop

1 a plan for achieving significant reductions in the
2 cost to operate and maintain the F-35 aircraft.

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

5 (A) Specific changes in the management of
6 operation and support (O&S) cost to engender
7 continuous process improvement.

8 (B) Specific actions the Department will
9 implement in the near term to reduce O&S cost.

10 (C) Concrete timelines for implementing
11 the specific actions and process changes.

12 (3) REPORT.—Not later than 180 days after
13 the date of the enactment of this Act, the Under
14 Secretary shall submit to the congressional defense
15 committees a report on the baseline plan for achiev-
16 ing operation and support cost savings.

17 **SEC. 153. ECONOMIC ORDER QUANTITY CONTRACTING AU-**
18 **THORITY FOR F-35 JOINT STRIKE FIGHTER**
19 **PROGRAM.**

20 The Secretary of Defense is authorized to award
21 multiyear contracts for the procurement of F-35 aircraft
22 in economic order quantities for fiscal year 2021 (Lot 15)
23 through fiscal year 2023 (Lot 17).

1 **SEC. 154. REPEAL OF TACTICAL UNMANNED VEHICLE COM-**
 2 **MON DATA LINK REQUIREMENT.**

3 Section 141 of the National Defense Authorization
 4 Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat.
 5 3163) is hereby repealed.

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

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

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

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

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

19 **SEC. 211. DEVELOPMENT AND ACQUISITION STRATEGY TO**
 20 **PROCURE SECURE, LOW PROBABILITY OF DE-**
 21 **TECTION DATA LINK NETWORK CAPABILITY.**

22 (a) STRATEGY REQUIRED.—Not later than March 1,
 23 2020, the Chief of Staff of the Air Force and Chief of
 24 Naval Operations shall jointly submit to the congressional
 25 defense committees a joint development and acquisition
 26 strategy to procure a secure, low probability of detection

1 data link network capability, with the ability to effectively
2 operate in hostile jamming environments while preserving
3 the low observability characteristics of the relevant plat-
4 forms, including both existing and planned platforms.

5 (b) NETWORK CHARACTERISTICS.—The data link
6 network capability to be procured pursuant to the develop-
7 ment and acquisition strategy submitted under subsection
8 (a) shall—

9 (1) ensure that any network made with such ca-
10 pability will be low risk and affordable, with minimal
11 impact or change to existing host platforms and
12 minimal overall integration costs;

13 (2) use a non-proprietary and open systems ap-
14 proach compatible with the Rapid Capabilities Office
15 Open Mission Systems initiative of the Air Force
16 and the Future Airborne Capability Environment
17 initiative of the Navy; and

18 (3) provide for an architecture to connect, with
19 operationally relevant throughput and latency—

20 (A) fifth-generation combat aircraft;

21 (B) fifth-generation and fourth-generation
22 combat aircraft;

23 (C) fifth-generation and fourth-generation
24 combat aircraft and appropriate support air-
25 craft and other network nodes for command,

1 control, communications, intelligence, surveil-
2 lance, and reconnaissance purposes; and

3 (D) fifth-generation and fourth-generation
4 combat aircraft and their associated network-
5 enabled precision weapons.

6 (c) LIMITATION.—Of the funds authorized to be ap-
7 propriated by this Act or otherwise made available for fis-
8 cal year 2020 for operation and maintenance for the Of-
9 fice of the Secretary of the Air Force and for operations
10 and maintenance for the Office of the Secretary of the
11 Navy, not more than 50 percent may be obligated or ex-
12 pended until the date that is 15 days after the date on
13 which the Chief of Staff of the Air Force and Chief of
14 Naval Operations submit the development and acquisition
15 strategy required by subsection (a).

16 **SEC. 212. ESTABLISHMENT OF SECURE NEXT-GENERATION**
17 **WIRELESS NETWORK (5G) INFRASTRUCTURE**
18 **FOR THE NEVADA TEST AND TRAINING**
19 **RANGE AND BASE INFRASTRUCTURE.**

20 (a) ESTABLISHMENT REQUIRED.—Not later than
21 one year after the date of the enactment of this Act, the
22 Secretary of Defense shall establish secure fifth-generation
23 wireless network components and capabilities at no fewer
24 than two Department of Defense installations in accord-
25 ance with this section.

1 (b) FIRST INSTALLATION.—

2 (1) LOCATION.—The Secretary shall establish
3 components and capabilities under subsection (a) at
4 the Nevada Test and Training Range, which shall
5 serve as the Department’s Major Range and Test
6 Facility Base (MRTFB) for fifth-generation wireless
7 networking.

8 (2) OBJECTIVE.—The Secretary shall ensure
9 that the establishment of components and capabili-
10 ties under subsection (a) at the range described in
11 paragraph (1) of this subsection will allow the De-
12 partment to explore and demonstrate the utility of
13 using fifth-generation wireless networking technology
14 to enhance combat operations.

15 (3) PURPOSE.—The purpose of the establish-
16 ment of components and capabilities under sub-
17 section (a) at the range described in paragraph (1)
18 of this subsection is to demonstrate the following:

19 (A) The potential military utility of high
20 bandwidth, scalable, and low latency fifth-gen-
21 eration wireless networking technology.

22 (B) Advanced security technology that is
23 applicable to fifth-generation networks as well
24 as legacy Department command and control
25 networks.

1 (C) Secure interoperability with fixed and
2 wireless systems (legacy and future systems).

3 (D) Enhancements such as spectrum and
4 waveform diversity, frequency hopping and
5 spreading, and beam forming for military re-
6 quirements.

7 (E) Technology for dynamic network slic-
8 ing for specific use cases and applications re-
9 quiring varying levels of latency, scale, and
10 throughput.

11 (F) Technology for dynamic spectrum
12 sharing and network isolation.

13 (c) SECOND AND ADDITIONAL INSTALLATIONS.—

14 (1) LOCATION.—The location of the second and
15 any additional installations for establishment of
16 components and capabilities under subsection (a)
17 shall be at such Department installation or installa-
18 tions as the Secretary considers appropriate for the
19 purpose set forth in paragraph (2) of this sub-
20 section.

21 (2) PURPOSES.—The purpose of the second and
22 any additional installations for establishment of
23 components and capabilities under subsection (a) is
24 to explore and demonstrate infrastructure implemen-
25 tations of the following:

1 (A) Base infrastructure installation of high
2 bandwidth, scalable, and low latency fifth-gen-
3 eration wireless networking technology.

4 (B) Applications for secure fifth-generation
5 wireless network capabilities for the Depart-
6 ment, such as the following:

7 (i) Interactive augmented reality or
8 synthetic training environments.

9 (ii) Internet of things devices.

10 (iii) Autonomous systems.

11 (iv) Advanced manufacturing through
12 the following:

13 (I) Department-sponsored centers
14 for manufacturing innovation (as de-
15 fined in section 34(c) of the National
16 Institute of Standards and Tech-
17 nology Act (15 U.S.C. 278s(c))).

18 (II) Department research and de-
19 velopment organizations.

20 (III) Manufacturers in the de-
21 fense industrial base of the United
22 States.

1 **SEC. 213. LIMITATION AND REPORT ON INDIRECT FIRE**
2 **PROTECTION CAPABILITY INCREMENT 2 EN-**
3 **DURING CAPABILITY.**

4 (a) **LIMITATION AND REPORT.**—None of the funds
5 authorized to be appropriated by this Act or otherwise
6 made available for fiscal year 2020 for the Army may be
7 obligated or expended for research, development, test, and
8 evaluation for the Indirect Fire Protection Capability In-
9 crement 2 enduring capability until the Secretary of the
10 Army submits to the congressional defense committees a
11 report on the Indirect Fire Protection Capability Incre-
12 ment 2 program that contains the following:

13 (1) An assessment of whether the requirements
14 previously established for the program meet the an-
15 ticipated threat at the time of planned initial oper-
16 ating capability and fully operating capability.

17 (2) A list of candidate systems considered to
18 meet the Indirect Fire Protection Capability Incre-
19 ment 2 requirement, including those fielded or in de-
20 velopment by the Army, the Missile Defense Agency,
21 and other elements of the Department of Defense.

22 (3) An assessment of each candidate system's
23 capability against representative threats.

24 (4) An assessment of other relevant specifica-
25 tions of each candidate system, including cost of de-

(5) A plan for how the Army will integrate the chosen system or systems into the Integrated Air and Missile Defense Battle Command System.

(b) CERTIFICATION REQUIRED.—Not later than 10 days after the date on which the President submits the annual budget request of the President for fiscal year 2021 pursuant to section 1105 of title 31, United States Code, the Secretary of the Army shall, without delegation, submit to the congressional defense committees a certification that identifies a program of record contained within that budget request that will meet the requirement in Department of Defense Directive 5100.01 to conduct air and missile defense to support joint campaigns as it applies to defense against supersonic cruise missiles.

17 SEC. 214. ELECTROMAGNETIC SPECTRUM SHARING RE-
18 SEARCH AND DEVELOPMENT PROGRAM.

(a) PROGRAM ESTABLISHMENT.—The Secretary of Defense, in consultation with the Administrator of the National Telecommunications and Information Administration, and the Federal Communications Commission shall jointly establish an electromagnetic spectrum sharing research and development program to promote the establishment of innovative technologies and techniques to facili-

1 tate electromagnetic spectrum sharing between fifth-gen-
2 eration wireless networking technologies, Federal systems,
3 and other non-Federal incumbent systems.

4 (b) ESTABLISHMENT OF TEST BEDS.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, the Sec-
7 retary, in coordination with the Administrator and
8 the Commission, shall, as part of the program estab-
9 lished under subsection (a), establish at least two
10 test beds to demonstrate the potential for cohabita-
11 tion between fifth-generation wireless networking
12 technologies, other incumbent non-Federal systems,
13 and Federal systems.

14 (2) CO-LOCATION OF TEST BEDS.—The test
15 beds established under paragraph (1) may be co-lo-
16 cated, if a single geographic location can provide a
17 sufficient diversity of Federal systems. If not, test
18 beds established under this subsection shall coordi-
19 nate to share results and best practices identified in
20 each location.

21 (c) DEVELOPMENT OF DEPARTMENT OF DEFENSE
22 INTEGRATED SPECTRUM AUTOMATION ENTERPRISE
23 STRATEGY.—

24 (1) IN GENERAL.—Not later than May 1, 2020,
25 the Secretary and the Administrator of the National

1 Telecommunications and Information Administra-
2 tion, in consultation with the Federal Communica-
3 tions Commission, shall jointly propose an integrated
4 spectrum automation enterprise strategy for the De-
5 partment of Defense to address management of elec-
6 tromagnetic spectrum, including both Federal and
7 non-Federal spectrum that is shared by the Depart-
8 ment of Defense or could be used for national secu-
9 rity missions in the future, including on a shared
10 basis.

11 (2) MATTERS ENCOMPASSED.—The strategy de-
12 veloped under subparagraph (A) shall encompass
13 cloud-based databases, artificial intelligence, system
14 certification processes, public facing application pro-
15 gramming interfaces and online tools, and electro-
16 magnetic spectrum compatibility analyses for shar-
17 ing of electromagnetic spectrum.

18 (d) PERIODIC BRIEFINGS.—Not later than 180 days
19 after the date of the enactment of this Act and not less
20 frequently than once every 180 days thereafter until the
21 Secretary submits the report required by subsection (e),
22 the Secretary, in consultation with the Administrator and
23 the Commission, shall brief the appropriate committees of
24 Congress on the progress of the test beds established
25 under subsection (b).

1 (e) REPORT.—

2 (1) IN GENERAL.—Not later than October 1,
3 2022, the Secretary, in consultation with the Admin-
4 istrator and the Commission, shall submit to the ap-
5 propriate committees of Congress a report on the re-
6 sults of the test beds established under subsection
7 (b).

8 (2) RECOMMENDATIONS.—The report sub-
9 mitted under paragraph (1) shall include rec-
10 ommendations to facilitate sharing frameworks in
11 the bands of electromagnetic spectrum that are the
12 subject of the test beds.

13 (f) APPROPRIATE COMMITTEES OF CONGRESS.—In
14 this subsection, the term “appropriate committees of Con-
15 gress” means—

16 (1) the Committee on Armed Services and the
17 Committee on Commerce, Science, and Transpor-
18 tation of the Senate; and

19 (2) the Committee on Armed Services and the
20 Committee on Energy and Commerce of the House
21 of Representatives.

22 **SEC. 215. SENSE OF THE SENATE ON THE ADVANCED BAT-**
23 **TLE MANAGEMENT SYSTEM.**

24 It is the sense of the Senate that—

1 (1) the Senate supports the vision of the Air
2 Force for the Advanced Battle Management System
3 (ABMS) as a system of systems that can integrate
4 air, space, and other systems to detect, track, target,
5 and direct effects against threats in all domains;

6 (2) such a capability will be essential to the
7 ability of the Air Force to operate effectively as part,
8 and in support, of the Joint Force, especially in the
9 highly-contested operating environments established
10 by near-peer competitors;

11 (3) the Senate is concerned that the Air Force
12 has not moved quickly enough over the past year to
13 begin defining the requirements and maturing the
14 technologies that will be essential for the Advanced
15 Battle Management System, especially in light of the
16 pending retirement of the Joint Surveillance and
17 Target Attack Radar System (JSTARS) aircraft
18 that the Advanced Battle Management System is
19 conceived, in part, to replace;

20 (4) the Senate understands that the Air Force
21 is moving deliberately to analyze alternative concepts
22 for the Advanced Battle Management System and
23 adopt an architectural approach to its design;

24 (5) the Advanced Battle Management System,
25 as a multidomain system of systems, must have a

1 central command and control capability that can in-
2 tegrate these systems into a unified warfighting ca-
3 pability;

4 (6) emerging technologies, such as artificial in-
5 telligence and automated sensor fusion, should be
6 built into the command and control capability for
7 the Advanced Battle Management System from the
8 start;

9 (7) such technologies would improve the ability
10 of the Advanced Battle Management System to sup-
11 port human operators with—

12 (A) the rapid processing and fusion of
13 multidomain sensor data;

14 (B) the highly-automated identification,
15 classification, tracking, and targeting of threats
16 in all domains;

17 (C) the creation of a real-time common op-
18 erating picture from multidomain intelligence;
19 and the ability to direct effects on the battle-
20 field at machine-to-machine speeds from all of
21 the systems comprising the Advanced Battle
22 Management System; and

23 (8) for an effort as ambitious and complex as
24 the Advanced Battle Management System, the Sen-
25 ate encourages the Air Force to use existing acqui-

1 tion authorities to begin a rapid prototyping effort
 2 to refine the requirements and software-intensive
 3 technologies that will be integral to the command
 4 and control capability of the Advanced Battle Man-
 5 agement System.

6 **SEC. 216. MODIFICATION OF PROOF OF CONCEPT COMMER-**
 7 **CIALIZATION PROGRAM.**

8 (a) MAKING THE PROGRAM PERMANENT.—

9 (1) IN GENERAL.—Section 1603 of the Na-
 10 tional Defense Authorization Act for Fiscal Year
 11 2014 (Public Law 113–66; 10 U.S.C. 2359 note) is
 12 amended by striking subsection (g).

13 (2) CONFORMING AMENDMENTS.—Such section
 14 is further amended—

15 (A) in the section heading, by striking
 16 “**PILOT**”;

17 (B) in subsection (a)—

18 (i) by striking “PILOT”; and

19 (ii) by striking “Pilot”; and

20 (C) by striking “pilot” each place it ap-
 21 pears.

22 (b) ADDITIONAL IMPROVEMENTS.—Such section, as
 23 amended by subsection (a), is further amended—

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 sub-
18 section (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 Au-
14 thorization Act for Fiscal Year 2018 (Public Law
15 115–91; 10 U.S.C. 2359 note).

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

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

1 **SEC. 217. MODIFICATION OF DEFENSE QUANTUM INFORMA-**
2 **TION SCIENCE AND TECHNOLOGY RESEARCH**
3 **AND DEVELOPMENT PROGRAM.**

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

7 (1) in subsection (b)—

8 (A) in paragraph (2)—

9 (i) by inserting “and international”
10 after “interagency”; and

11 (ii) by striking “private sector” insert-
12 ing “private-sector and international”; and

13 (B) in paragraph (6), by inserting “, work-
14 force,” after “including facilities”;

15 (2) in subsection (c)—

16 (A) in paragraph (2), by striking
17 “sciences;” and inserting the following:
18 “sciences, including through coordination
19 with—

20 “(A) the National Quantum Coordination
21 Office;

22 “(B) the National Science and Technology
23 Council Quantum Information Science Sub-
24 committee;

25 “(C) other Federal agencies;

1 “(D) other elements and offices of the De-
2 partment of Defense; and

3 “(E) appropriate private-sector organiza-
4 tions;”;

5 (B) in paragraph (3), by striking “and” at
6 the end;

7 (C) by redesignating paragraph (4) as
8 paragraph (5); and

9 (D) by inserting after paragraph (3) the
10 following new paragraph (4):

11 “(4) develop, in coordination with appropriate
12 Federal entities, a taxonomy for quantum science ac-
13 tivities and requirements for relevant technology and
14 standards; and”;

15 (3) in subsection (d)(2)(D), by inserting “a
16 roadmap and” after “including”.

17 **SEC. 218. TECHNOLOGY AND NATIONAL SECURITY FELLOW-**
18 **SHIP.**

19 (a) FELLOWSHIP PROGRAM.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, the Sec-
22 retary of Defense, acting through the Under Sec-
23 retary of Defense for Research and Engineering,
24 shall establish a civilian fellowship program designed
25 to place eligible individuals within the Department of

1 Defense and Congress to increase the number of na-
2 tional security professionals with science, technology,
3 engineering, and mathematics credentials employed
4 by the Department and Congress.

5 (2) DESIGNATION.—The fellowship program es-
6 tablished under paragraph (1) shall be known as the
7 “Technology and National Security Fellowship” (in
8 this section referred to as the “fellows program”).

9 (3) ASSIGNMENTS.—Each individual selected
10 for participation in the fellows program shall be as-
11 signed to a one year position within—

12 (A) the Department of Defense; or

13 (B) a congressional office with emphasis
14 on Armed Forces and national security matters.

15 (4) PAY AND BENEFITS.—Each individual as-
16 signed to a position under paragraph (3)—

17 (A) shall be compensated at a rate of basic
18 pay that is equivalent to the rate of basic pay
19 payable for a position at level 10 of the General
20 Schedule; and

21 (B) shall be treated as an employee of the
22 United States during the assignment.

23 (b) ELIGIBLE INDIVIDUALS.—For purposes of this
24 section, and subject to subsection (e), an eligible individual
25 is any individual who—

1 (1) is a citizen of the United States; and

2 (2) either—

3 (A) expects to be awarded an under-
4 graduate or graduate degree that, as deter-
5 mined by the Secretary, focuses on science,
6 technology, engineering, or mathematics course
7 work not later than 180 days after the date on
8 which the individual submits an application for
9 participation in the fellows program; or

10 (B) possesses an undergraduate or grad-
11 uate degree that, as determined by the Sec-
12 retary, focuses on science, technology, engineer-
13 ing, or mathematics course work that was
14 awarded not earlier than one year before the
15 date on which the individual submits an appli-
16 cation for participation in the fellows program.

17 (c) APPLICATION.—Each individual seeking to par-
18 ticipate in the fellows program shall submit to the Sec-
19 retary an application therefor at such time and in such
20 manner as the Secretary shall specify.

21 (d) COORDINATION.—In carrying out this section, the
22 Secretary may consider working through the following en-
23 tities:

24 (1) The National Security Innovation Network.

1 (2) Other Department of Defense or public and
2 private sector organizations, as determined appro-
3 priate by the Secretary.

4 (e) MODIFICATIONS TO FELLOWS PROGRAM.—The
5 Secretary may modify the terms and procedures of the fel-
6 lows program in order to better achieve the goals of the
7 program and to support workforce needs of the Depart-
8 ment of Defense.

9 (f) CONSULTATION.—The Secretary may consult with
10 the heads of the agencies, components, and other elements
11 of the Department of Defense, Members and committees
12 of Congress, and such institutions of higher education and
13 private entities engaged in work on national security and
14 emerging technologies as the Secretary considers appro-
15 priate for purposes of the fellows program, including with
16 respect to assignments in the fellows program.

17 **SEC. 219. DIRECT AIR CAPTURE AND BLUE CARBON RE-**
18 **MOVAL TECHNOLOGY PROGRAM.**

19 (a) PROGRAM REQUIRED.—

20 (1) IN GENERAL.—The Secretary of Defense, in
21 coordination with the Secretary of Homeland Secu-
22 rity, the Secretary of Energy, and the heads of such
23 other Federal agencies as the Secretary of Defense
24 considers appropriate, shall carry out a program on
25 research, development, testing, evaluation, study,

1 and demonstration of technologies related to blue
2 carbon capture and direct air capture.

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

5 (A) To develop technologies that capture
6 carbon dioxide from seawater and the air to
7 turn such carbon dioxide into clean fuels to en-
8 hance fuel and energy security.

9 (B) To develop and demonstrate tech-
10 nologies that capture carbon dioxide from sea-
11 water and the air to reuse such carbon dioxide
12 to create products for military uses.

13 (C) To develop direct air capture tech-
14 nologies for use—

15 (i) at military installations or facilities
16 of the Department of Defense; or

17 (ii) in modes of transportation by the
18 Navy or the Coast Guard.

19 (3) PHASES.—The program established under
20 paragraph (1) shall be carried out in two phases as
21 follows:

22 (A) The first phase shall consist of re-
23 search and development and shall be carried out
24 as described in subsection (b).

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

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

12 (b) RESEARCH AND DEVELOPMENT PHASE.—

13 (1) IN GENERAL.—During the research and de-
14 velopment phase of the Program, the Secretary of
15 Defense shall conduct research and development in
16 pursuit of the goals set forth in subsection (a)(2).

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

22 (A) at military installations or facilities of
23 the Department of Defense; or

24 (B) in modes of transportation by the
25 Navy or the Coast Guard.

1 (3) DURATION.—The Secretary shall carry out
2 the research and development phase of the Program
3 during a four-year period commencing not later than
4 90 days after the date of the enactment of this Act.

5 (4) GRANTS AUTHORIZED.—The Secretary may
6 carry out the research and development phase of the
7 Program through the award of grants to private per-
8 sons and eligible laboratories.

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

15 (6) FUNDING FOR FISCAL YEAR 2020.—(A) The
16 amount authorized to be appropriated for fiscal year
17 2020 by section 201 for research, development, test,
18 and evaluation is hereby increased by \$8,000,000,
19 with the amount of the increase to be available for
20 the research and development phase of the Program.

21 (B) The amount authorized to be appropriated
22 for fiscal year 2020 by section 301 for operation and
23 maintenance is hereby decreased by \$8,000,000,
24 with the amount of the decrease to be taken from
25 amounts available for printing.

(7) AUTHORIZATION OF APPROPRIATIONS FOR FUTURE FISCAL YEARS.—There is authorized to be appropriated to carry out the research and development phase of the Program \$10,000,000 for each of fiscal years 2021 through 2023.

(c) TESTING AND EVALUATION PHASE.—

(1) IN GENERAL.—During the testing and evaluation phase of the Program, the Secretary shall, in pursuit of the goals set forth in subsection (a)(2), conduct tests and evaluations of the technologies researched and developed during the research and development phase of the Program.

(2) DIRECT AIR CAPTURE.—The testing and evaluation phase of the Program may include demonstration projects for direct air capture to produce fuels for use—

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

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

(3) DURATION.—The Secretary shall carry out the testing and evaluation phase of the Program during the three-year period commencing on the date of the completion of the research and development phase described in subsection (b), except that

1 the testing and evaluation phase of the Program
2 with respect to direct air capture may commence at
3 such time after a front end engineering and design
4 study demonstrates to the Secretary that commence-
5 ment of such phase is appropriate.

6 (4) GRANTS AUTHORIZED.—The Secretary may
7 carry out the testing and evaluation phase of the
8 Program through the award of grants to private per-
9 sons and eligible laboratories.

10 (5) LOCATIONS.—The Secretary shall carry out
11 the testing and evaluation phase of the Program at
12 military installations or facilities of the Department
13 of Defense.

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

19 (7) AUTHORIZATION OF APPROPRIATIONS.—
20 There is authorized to be appropriated to carry out
21 the testing and evaluation phase of the Program
22 \$15,000,000 for each of fiscal years 2024 through
23 2026.

24 (d) DEFINITIONS.—In this section:

1 (1) The term “blue carbon capture” means the
2 removal of dissolved carbon dioxide from seawater
3 through engineered or inorganic processes, including
4 filters, membranes, or phase change systems.

5 (2)(A) The term “direct air capture”, with re-
6 spect to a facility, technology, or system, means that
7 the facility, technology, or system uses carbon cap-
8 ture equipment to capture carbon dioxide directly
9 from the air.

10 (B) The term “direct air capture” does not in-
11 clude any facility, technology, or system that cap-
12 tures carbon dioxide—

13 (i) that is deliberately released from a nat-
14 urally occurring subsurface spring; or

15 (ii) using natural photosynthesis.

16 (3) The term “eligible laboratory” means—

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

20 (B) a laboratory of the Department of De-
21 fense.

Subtitle C—Reports and Other Matters

SEC. 231. NATIONAL SECURITY EMERGING BIOTECH- NOLOGIES RESEARCH AND DEVELOPMENT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Defense shall carry out a research and development program on applications of emerging biotechnologies for the national security purposes set forth in subsection (b).

(b) NATIONAL SECURITY PURPOSES.—The national security purposes set forth in this subsection are as follows:

(1) To ensure military understanding and relevancy of applications of emerging biotechnologies in meeting national security requirements.

(2) To coordinate all research and development relating to emerging biotechnologies within the Department of Defense and to provide for interagency cooperation and collaboration on research and development relating to emerging biotechnologies between the Department and other departments and agencies of the United States and appropriate private sector entities that are involved in research and development relating to emerging biotechnologies.

1 (3) To develop and manage a portfolio of fun-
2 damental and applied emerging biotechnologies re-
3 search initiatives that is stable, consistent, and bal-
4 anced across scientific disciplines.

5 (4) To collect, synthesize, and disseminate crit-
6 ical information on research and development relat-
7 ing to emerging biotechnologies within the national
8 security establishment.

9 (5) To establish and support appropriate re-
10 search, innovation, and the industrial base, including
11 facilities and infrastructure, to support the needs of
12 Department missions and scientific workforce relat-
13 ing to emerging biotechnologies.

14 (6) To develop a technical basis to inform the
15 intelligence community on the analysis needs of the
16 Department with respect to emerging biotech-
17 nologies.

18 (c) ADMINISTRATION.—In carrying out the program
19 required by subsection (a), the Secretary shall act through
20 the Under Secretary of Defense for Research and Engi-
21 neering, who shall supervise the planning, management,
22 and coordination of the program. The Under Secretary,
23 in consultation with the Secretaries of the military depart-
24 ments and the heads of participating Defense Agencies

1 and other departments and agencies of the United States,
2 shall—

3 (1) prescribe a set of long-term challenges and
4 a set of broad technical goals for the program;

5 (2) develop a coordinated and integrated re-
6 search and investment plan for meeting near-, mid-
7 , and long-term challenges for achieving broad tech-
8 nical goals that build upon the Department’s invest-
9 ment in emerging biotechnologies research and de-
10 velopment, commercial sector and global invest-
11 ments, and other United States Government invest-
12 ments in emerging biotechnologies fields;

13 (3) not later than 180 days after the date of
14 the enactment of this Act, develop and continuously
15 update guidance, including classification guidance
16 for defense-related emerging biotechnologies activi-
17 ties, and policies for restricting access to research to
18 minimize the effects of loss of intellectual property
19 in basic and applied emerging biotechnologies and
20 information considered sensitive to the leadership of
21 the United States in the field of emerging biotech-
22 nologies; and

23 (4) develop memoranda of agreement, joint
24 funding agreements, and other cooperative arrange-

1 ments necessary for meeting long-term challenges
2 and achieving specific technical goals.

3 (d) REPORT.—

4 (1) IN GENERAL.—Not later than December 31,
5 2020, the Secretary shall submit to the congres-
6 sional defense committees a report on the program
7 carried out under subsection (a).

8 (2) ELEMENTS.—The report required by para-
9 graph (1) shall include the following:

10 (A) An assessment of the potential na-
11 tional security risks of emerging biotechnologies
12 technologies.

13 (B) An assessment of the efforts of foreign
14 powers to use emerging biotechnologies for mili-
15 tary applications and other purposes.

16 (C) A description of the knowledge-base of
17 the Department with respect to emerging bio-
18 technologies, plans to defend against potential
19 national security threats posed by emerging bio-
20 technologies, and any plans of the Secretary to
21 enhance such knowledge-base.

22 (D) A plan that describes how the Sec-
23 retary intends to use emerging biotechnologies
24 for military applications and to meet other
25 needs of the Department.

1 (E) A description of activities undertaken
2 consistent with this section, including funding
3 for activities consistent with the section.

4 (F) Such other matters as the Secretary
5 considers appropriate.

6 (3) FORM.—The report submitted under para-
7 graph (1) shall be submitted in unclassified form,
8 but may include a classified annex.

9 (e) DEFINITION OF EMERGING BIOTECH-
10 NOLOGIES.—In this section, the term “emerging biotech-
11 nologies” includes the following:

12 (1) Engineered biology, which is the application
13 of engineering design principles and practices to bio-
14 logical, genetic, molecular, and cellular systems to
15 enable novel functions and capabilities.

16 (2) Neurotechnology, which refers to central
17 and peripheral nervous system interfaces that lever-
18 age structural, computational, and mathematical
19 modeling to develop devices that decode neural activ-
20 ity (identify how it corresponds to a particular be-
21 havior or cognitive state, such as sensorimotor func-
22 tion, memory, or neuropsychiatric function) and use
23 this information to deliver targeted interventions or
24 therapies to facilitate performance.

1 (3) Performance enhancement, namely tech-
 2 nologies that augment human physiology at the cel-
 3 lular, molecular, and physiological levels giving the
 4 end user novel or enhanced physical and psycho-
 5 logical capabilities.

6 (4) Gene editing, including tools that facilitate
 7 deoxyribonucleic acid (DNA) sequence deletion, re-
 8 placement, or insertion into cellular or organismal
 9 genetic material, thereby modulating genetic func-
 10 tion for applications that include treating and pre-
 11 venting disease, and improving function of biological
 12 systems.

13 (5) Biomolecular sequencing and synthesis,
 14 namely the processes by which biomolecular compo-
 15 nents (such as deoxyribonucleic acid and ribonucleic
 16 acid) can be measured (sequencing) or generated
 17 (synthesis) for uses in engineering biology, biomanu-
 18 facturing, and other medical and nonmedical appli-
 19 cations.

20 **SEC. 232. CYBER SCIENCE AND TECHNOLOGY ACTIVITIES**

21 **ROADMAP AND REPORTS.**

22 (a) ROADMAP FOR SCIENCE AND TECHNOLOGY AC-
 23 TIVITIES TO SUPPORT DEVELOPMENT OF CYBER CAPA-
 24 BILITIES.—

1 (1) ROADMAP REQUIRED.—The Secretary of
2 Defense, acting through the Under Secretary of De-
3 fense for Research and Engineering, shall develop a
4 roadmap for science and technology activities of the
5 Department of Defense to support development of
6 cyber capabilities to meet Department needs and
7 missions.

8 (2) GOAL OF CONSISTENCY.—The Secretary
9 shall develop the roadmap required by paragraph (1)
10 to ensure consistency with appropriate Federal inter-
11 agency, industry, and academic activities.

12 (3) SCOPE.—The roadmap required by para-
13 graph (1) shall—

14 (A) cover the development of capabilities
15 that will likely see operational use within the
16 next 25 years or earlier; and

17 (B) address cyber operations and cyberse-
18 curity.

19 (4) CONSULTATION.—The Secretary shall de-
20 velop the roadmap required by paragraph (1) in con-
21 sultation with the following:

22 (A) The Chief Information Officer of the
23 Department.

24 (B) The secretaries and chiefs of the mili-
25 tary departments.

1 (C) The Director of Operational Test and
2 Evaluation.

3 (D) The Commander of the United States
4 Cyber Command.

5 (E) The Director of the National Security
6 Agency.

7 (F) The Director of the Defense Informa-
8 tion Systems Agency.

9 (G) The Director of the Defense Advanced
10 Research Projects Agency.

11 (H) The Director of the Defense Digital
12 Service.

13 (5) FORM.—The Secretary shall develop the
14 roadmap required by paragraph (1) in unclassified
15 form, but may include a classified annex.

16 (6) PUBLICATION.—The Secretary shall make
17 available to the public the unclassified form of the
18 roadmap developed pursuant to paragraph (1).

19 (b) ANNUAL REPORT ON CYBER SCIENCE AND
20 TECHNOLOGY ACTIVITIES.—

21 (1) ANNUAL REPORTS REQUIRED.—In fiscal
22 years 2021, 2022, and 2023, the Under Secretary of
23 Defense for Research and Engineering submit to the
24 Congressional Defense Committees a report on the
25 science and technology activities within the Depart-

1 ment of Defense relating to cyber matters during the
2 previous fiscal year, the current fiscal year, and the
3 following fiscal year.

4 (2) CONTENTS.—Each report submitted pursu-
5 ant to paragraph (1) shall include, for the period
6 covered by the report, a description and listing of
7 the science and technology activities of the Depart-
8 ment relating to cyber matters, including the fol-
9 lowing:

10 (A) Extramural science and technology ac-
11 tivities.

12 (B) Intramural science and technology ac-
13 tivities.

14 (C) Major and minor military construction
15 activities.

16 (D) Major prototyping and demonstration
17 programs.

18 (E) A list of agreements and activities
19 transition capabilities to acquisition activities,
20 including—

21 (i) national security systems;

22 (ii) business systems; and

23 (iii) enterprise and network systems.

24 (F) Efforts to enhance the national tech-
25 nical cybersecurity workforce, including specific

1 programs to support education, training, intern-
2 ships, and hiring.

3 (G) Efforts to perform cooperative activi-
4 ties with international partners.

5 (H) Efforts under the Small Business In-
6 novation Research and the Small Business
7 Technology Transfer Program, including esti-
8 mated amounts in the request for the following
9 fiscal year.

10 (I) Efforts to encourage partnerships be-
11 tween the Department of Defense and univer-
12 sities participating in the National Centers of
13 Academic Excellence in Cyber Operations and
14 Cyber Defense.

15 (3) TIMING.—Each report submitted pursuant
16 to paragraph (1) shall be submitted concurrently
17 with the annual budget request of the President sub-
18 mitted pursuant to section 1105 of title 31, United
19 States Code.

20 (4) FORM.—The report submitted under para-
21 graph (1) shall be submitted in unclassified form,
22 but may include a classified annex.

1 **SEC. 233. REQUIRING CERTAIN MICROELECTRONICS PROD-**
2 **UCTS AND SERVICES MEET TRUSTED SUPPLY**
3 **CHAIN AND OPERATIONAL SECURITY STAND-**
4 **ARDS.**

5 (a) PURCHASES.—

6 (1) IN GENERAL.—To protect the United States
7 from intellectual property theft and to ensure na-
8 tional security and public safety in the application of
9 new generations of wireless network technology and
10 microelectronics, beginning on January 1, 2022, the
11 Secretary of Defense shall—

12 (A) ensure that each critical microelec-
13 tronics product and service that the Depart-
14 ment of Defense purchases on or after such
15 date meets the trusted supply chain and oper-
16 ational security standards established pursuant
17 to subsection (b), except in a case in which the
18 Department seeks to purchase a critical micro-
19 electronics product or service, but—

20 (i) no such product or service is avail-
21 able for purchase that meets such stand-
22 ards; or

23 (ii) no such product or service is avail-
24 able for purchase that—

25 (I) meets such standards; and

1 (II) is available at a price that
2 the Secretary does not consider pro-
3 hibitively expensive; and

4 (B) to the maximum extent practicable, en-
5 sure that each microelectronics product and
6 service, other than a critical microelectronics
7 product and service, that is purchased by the
8 Department of Defense on or after such date
9 meets the trusted supply chain and operational
10 security standards established pursuant to sub-
11 section (b).

12 (2) CRITICAL MICROELECTRONICS PRODUCTS
13 AND SERVICES.—For purposes of this section, a crit-
14 ical microelectronics product or service is a micro-
15 electronics product, or a service based on such a
16 product, that is designated by the Secretary as crit-
17 ical to meeting national security needs.

18 (b) TRUSTED SUPPLY CHAIN AND OPERATIONAL SE-
19 CURITY STANDARDS.—

20 (1) STANDARDS REQUIRED.—Not later than
21 January 1, 2021, the Secretary shall establish trust-
22 ed supply chain and operational security standards
23 for the purchase of microelectronics products and
24 services by the Department.

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

4 (A) The Secretary of Homeland Security,
5 the Secretary of State, the Secretary of Com-
6 merce, and the Director of the National Insti-
7 tute of Standards and Technology.

8 (B) Suppliers of microelectronics products
9 and services from the United States and allies
10 and partners of the United States.

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

15 (D) Representatives of the United States
16 insurance industry.

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

22 (4) GENERAL APPLICABILITY.—The standards
23 established pursuant to paragraph (1) shall be, to
24 the greatest extent practicable, generally applicable
25 to the trusted supply chain and operational security

1 needs and use cases of the United States Govern-
2 ment and commercial industry, such that the stand-
3 ards could be widely adopted by government and
4 commercial industry.

5 (5) ANNUAL REVIEW.—Not later than October
6 1 of each year, the Secretary shall review the stand-
7 ards established pursuant to paragraph (1) and
8 issue updates or modifications as the Secretary con-
9 siders necessary or appropriate.

10 (c) ENSURING ABILITY TO SELL COMMERCIALY.—

11 (1) IN GENERAL.—The Secretary shall, to the
12 greatest extent practicable, ensure that suppliers of
13 microelectronics products for the Federal Govern-
14 ment who meet the standards established under sub-
15 section (b) are able and incentivized to sell products
16 commercially that are produced on the same produc-
17 tion lines as the microelectronics products supplied
18 to the Federal Government.

19 (2) EFFECT OF REQUIREMENTS AND ACQUISI-
20 TIONS.—The Secretary shall, to the greatest extent
21 practicable, ensure that the requirements of the De-
22 partment and the acquisition by the Department of
23 microelectronics enable the success of a dual-use
24 microelectronics industry.

1 (d) MAINTAINING COMPETITION AND INNOVATION.—

2 The Secretary shall take such actions as the Secretary
3 considers necessary and appropriate, within the Sec-
4 retary’s authorized activities to maintain the health of the
5 defense industrial base, to ensure that—

6 (1) providers of microelectronics products and
7 services that meet the standards established under
8 subsection (b) are exposed to competitive market
9 pressures to achieve competitive pricing and sus-
10 tained innovation; and

11 (2) the industrial base of microelectronics prod-
12 ucts and services that meet the standards estab-
13 lished under subsection (b) includes providers pro-
14 ducing in or belonging to countries that are allies or
15 partners of the United States.

16 **SEC. 234. TECHNICAL CORRECTION TO GLOBAL RESEARCH**
17 **WATCH PROGRAM.**

18 Section 2365 of title 10, United States Code, is
19 amended—

20 (1) in subsections (a) and (d)(2), by striking
21 “Assistant Secretary of Defense for Research and
22 Engineering” both places it appears and inserting
23 “Under Secretary of Defense for Research and En-
24 gineering”;

(2) in subsections (d)(3) and (e), by striking “Assistant Secretary” both places it appears and inserting “Under Secretary of Defense for Research and Engineering”; and

(3) in subsection (d), by striking “Assistant Secretary” both places it appears and inserting “Under Secretary”.

SEC. 235. ADDITIONAL TECHNOLOGY AREAS FOR EXPEDITED ACCESS TO TECHNICAL TALENT.

Section 217(e) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2358 note) is amended—

(1) by redesignating paragraph (27) as paragraph (29); and

(2) by inserting after paragraph (26) the following new paragraph (27):

“(27) Rapid prototyping.

“(28) Infrastructure resilience.”.

SEC. 236. SENSE OF THE SENATE AND PERIODIC BRIEFINGS ON THE SECURITY AND AVAILABILITY OF FIFTH-GENERATION (5G) WIRELESS NETWORK TECHNOLOGY AND PRODUCTION.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

1 (1) use of fifth-generation (5G) wireless net-
2 works and associated technology will be a foundation
3 for future warfighting applications for the Depart-
4 ment of Defense;

5 (2) the commercial implementation of fifth-gen-
6 eration wireless networks will provide the high speed
7 and capacity necessary for the Internet of Things,
8 advanced manufacturing, autonomous machines, the
9 application of artificial intelligence, and smart cities,
10 and it is critical that the Department of Defense uti-
11 lize these new capabilities;

12 (3) protecting the innovation and technology
13 that enables these revolutionary developments is es-
14 sential for security of the Department of Defense
15 mission, and will require improved security of the
16 microelectronics supply chain and of the design and
17 operation of networks based on fifth-generation wire-
18 less network technology;

19 (4) securing fifth-generation wireless networks
20 and associated technology is required due to the in-
21 creased effects of military processes that will be en-
22 abled on fifth-generation wireless networks;

23 (5) the Department of Defense can no longer
24 rely on fabricationless business models in which
25 microelectronics manufacturing is located in coun-

1 tries with vulnerable supply chains or adversarial na-
2 tions known for predatory industrial espionage and
3 posing a military threat to the United States or on
4 small-scale manufacturing of trusted microelec-
5 tronics in dedicated facilities;

6 (6) the Department of Defense should leverage
7 its large procurement budget, sophisticated under-
8 standing of the threats to microelectronics supply
9 chains, as well as experience establishing require-
10 ments for the secure production of microelectronics
11 and working with trusted foundries to create a se-
12 cure, competitive, and innovative manufacturing
13 base in cooperation with industry; and

14 (7) the Secretary of Defense should act expedi-
15 tiously to achieve the goals enumerated in this sub-
16 section using resources and authorities available to
17 the Department, while encouraging interagency plan-
18 ning for a whole-of-government strategy.

19 (b) PERIODIC BRIEFINGS.—

20 (1) IN GENERAL.—Not later than March 15,
21 2020, and not less frequently than once every three
22 months thereafter until March 15, 2022, the Sec-
23 retary of Defense shall brief the congressional de-
24 fense committees on how the Department of De-
25 fense—

1 (A) is using secure fifth-generation wire-
2 less network technology;

3 (B) is reshaping the Department's policy
4 for producing and procuring secure microelec-
5 tronics; and

6 (C) working in the interagency and inter-
7 nationally to develop common policies and ap-
8 proaches.

9 (2) ELEMENTS.—Each briefing under para-
10 graph (1) shall contain information on—

11 (A) efforts to ensure a secure supply chain
12 for fifth-generation wireless network equipment
13 and microelectronics;

14 (B) the continued availability of electro-
15 magnetic spectrum for warfighting needs;

16 (C) planned implementation of fifth-gen-
17 eration wireless network infrastructure in
18 warfighting networks, base infrastructure, de-
19 fense-related manufacturing, and logistics;

20 (D) steps taken to work with allied and
21 partner countries to protect critical networks
22 and supply chains; and

23 (E) such other topics as the Secretary con-
24 siders relevant.

1 **SEC. 237. TRANSFER OF COMBATING TERRORISM TECH-**
2 **NICAL SUPPORT OFFICE.**

3 (a) TRANSFER REQUIRED.—Not later than March 1,
4 2020, the Secretary of Defense shall transfer responsibil-
5 ities for the authority, direction, and control of the Com-
6 bating Terrorism Technical Support Office from the As-
7 sistant Secretary of Defense for Special Operations and
8 Low Intensity Conflict to the Under Secretary of Defense
9 for Research and Engineering.

10 (b) REPORT REQUIRED.—

11 (1) IN GENERAL.—Not later than the date that
12 is 30 days before the date of the transfer of respon-
13 sibilities required by subsection (a), the Secretary
14 shall submit to the congressional defense committees
15 a report on such transfer.

16 (2) CONTENTS.—The report submitted under
17 paragraph (1) shall include the following:

18 (A) An assessment of the relevance of the
19 roles, responsibilities, and objectives of the
20 Combating Terrorism Technical Support Office
21 to supporting implementation of the National
22 Defense Strategy and recommendations, if any,
23 for changes to the roles, responsibilities, and
24 objectives of the Combating Terrorism Tech-
25 nical Support Office for the purpose of sup-

1 porting implementation of the National Defense
2 Strategy.

3 (B) An articulation of any anticipated effi-
4 ciencies resulting from the transfer of respon-
5 sibilities as described in subsection (a).

6 (C) Such other matters as the Secretary
7 considers relevant.

8 **SEC. 238. BRIEFING ON COOPERATIVE DEFENSE TECH-**
9 **NOLOGY PROGRAMS AND RISKS OF TECH-**
10 **NOLOGY TRANSFER TO CHINA OR RUSSIA.**

11 (a) BRIEFING REQUIRED.—Not later than March 1,
12 2020, the Secretary of Defense, in consultation with the
13 Director of National Intelligence, shall provide the con-
14 gressional defense committees a briefing, and documents
15 as appropriate, on current cooperative defense technology
16 programs of the Department of Defense with any country
17 the Secretary assesses to be engaged in significant defense
18 or other advanced technology cooperation with the Peo-
19 ple’s Republic of China or the Russian Federation.

20 (b) MATTERS TO BE ADDRESSED.—The briefing re-
21 quired by subsection (a) shall address the following mat-
22 ters:

23 (1) Whether any current cooperative defense
24 technology programs of the Department of Defense

1 increase the risk of technology transfer to the Peo-
2 ple's Republic of China or the Russian Federation.

3 (2) What actions the Department of Defense
4 has taken to mitigate the risk of technology transfer
5 to the People's Republic of China or the Russian
6 Federation with respect to current cooperative de-
7 fense technology programs.

8 (3) Such recommendations as the Secretary
9 may have for legislative or administrative action to
10 prevent technology transfer to the People's Republic
11 of China or the Russian Federation with respect to
12 cooperative defense technology programs, especially
13 as it relates to capabilities the Secretary assesses to
14 be critical to maintain or restore the comparative
15 military advantage of the United States.

16 (c) NOTIFICATION REQUIRED.—The Secretary shall
17 provide the congressional committees a written notifica-
18 tion not later than 15 days after any decision to suspend
19 or terminate a cooperative defense technology program
20 due to the risk or occurrence of technology transfer to the
21 People's Republic of China or the Russian Federation.

22 **SEC. 239. MODIFICATION OF AUTHORITY FOR PRIZES FOR**
23 **ADVANCED TECHNOLOGY ACHIEVEMENTS.**

24 Section 2374a(a) of title 10, United States Code, is
25 amended by striking “Assistant Secretary of Defense for

1 Research and Engineering” and inserting “Under Sec-
 2 retary of Defense for Research and Engineering, the
 3 Under Secretary of Defense for Acquisition and
 4 Sustainment,”.

5 **SEC. 240. USE OF FUNDS FOR STRATEGIC ENVIRONMENTAL**
 6 **RESEARCH PROGRAM, ENVIRONMENTAL SE-**
 7 **CURITY TECHNICAL CERTIFICATION PRO-**
 8 **GRAM, AND OPERATIONAL ENERGY CAPA-**
 9 **BILITY IMPROVEMENT.**

10 Of the funds authorized to be appropriated for fiscal
 11 year 2020 for the use of the Department of Defense for
 12 research, development, test, and evaluation, as specified
 13 in the funding table in section 4201 for the Strategic En-
 14 vironmental Research Program, Operational Energy Ca-
 15 pability Improvement, and the Environmental Security
 16 Technical Certification Program, the Secretary of Defense
 17 shall expend amounts as follows:

18 (1) Not less than \$10,000,000 on the develop-
 19 ment and demonstration of long duration on-site en-
 20 ergy battery storage for distributed energy assets.

21 (2) Not less than \$10,000,000 on the develop-
 22 ment, demonstration, and validation of non-fluorine
 23 based firefighting foams.

24 (3) Not less than \$10,000,000 on the develop-
 25 ment, demonstration, and validation of secure

1 microgrids for both installations and forward oper-
 2 ating bases.

3 (4) Not less than \$5,000,000 on the develop-
 4 ment, demonstration, and validation of technologies
 5 that can harvest potable water from air.

6 **SEC. 241. FUNDING FOR THE SEA-LAUNCHED CRUISE MIS-**
 7 **SILE-NUCLEAR ANALYSIS OF ALTERNATIVES.**

8 (a) AVAILABILITY OF FUNDING.—Of the amount au-
 9 thorized to be appropriated for fiscal year 2020 by section
 10 201 for research, development, test, and evaluation, at
 11 least \$5,000,000 shall be available for the analysis of al-
 12 ternatives for the Sea-Launched Cruise Missile–Nuclear.

13 (b) PROGRAM OF RECORD.—The Secretary of De-
 14 fense shall make the Sea-Launched Cruise Missile–Nu-
 15 clear a program of record.

16 **SEC. 242. REVIEW AND ASSESSMENT PERTAINING TO TRAN-**
 17 **SITION OF DEPARTMENT OF DEFENSE-ORIGI-**
 18 **NATED DUAL-USE TECHNOLOGY.**

19 (a) IN GENERAL.—The Under Secretary of Defense
 20 for Research and Engineering shall—

21 (1) conduct a review of the Department of De-
 22 fense science and technology enterprise’s intellectual
 23 property and strategy for awarding exclusive com-
 24 mercial rights to industry partners; and

1 (2) assess whether its practices are encouraging
2 or constraining technology diffusion where desirable.

3 (b) ELEMENTS.—The review and assessment re-
4 quired by subsection (a) shall include consideration of the
5 following:

6 (1) The retention or relinquishment by the De-
7 partment of intellectual property rights and the ef-
8 fect thereof.

9 (2) The granting by the Department of exclu-
10 sive commercial rights and the effect thereof.

11 (3) The potential of research prizes, vice pay-
12 ment and exclusive commercial rights, on contract as
13 remuneration for science and technology activities.

14 (4) The potential of science and technology pro-
15 grams with intellectual property strategies that do
16 not include commercialization monopolies.

17 (5) The potential of establishing price ceilings
18 for licenses and commercial sale mandates to dis-
19 courage selective commercial hoarding.

20 (6) The activities of the Department in effect
21 on the day before the date of the enactment of this
22 Act to promulgate to approved users in the commer-
23 cial sector the intellectual property that the Depart-
24 ment retains and their potential applications.

1 (7) Such other major factors as may inhibit the
2 diffusion of Department-funded technology in the
3 commercial sector where desirable.

4 (c) UNIVERSITY PARTNERSHIP.—In carrying out
5 subsection (a), the Under Secretary shall partner with a
6 business school or law school of a university with resident
7 economics and intellectual property expertise.

8 (d) REPORT.—

9 (1) IN GENERAL.—Not later than May 1, 2020,
10 the Under Secretary shall submit to the congres-
11 sional defense committees a report on the findings of
12 the Under Secretary with respect to the review and
13 assessment required by subsection (a).

14 (2) RECOMMENDATIONS.—The report required
15 by paragraph (1) shall include such recommenda-
16 tions as the Under Secretary may have for legisla-
17 tive or administrative action to improve the diffusion
18 of the intellectual property and technology of the
19 science and technology enterprise of the Depart-
20 ment.

1 **TITLE III—OPERATION AND**
2 **MAINTENANCE**

3 **Subtitle A—Authorization of**
4 **Appropriations**

5 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

6 Funds are hereby authorized to be appropriated for
7 fiscal year 2020 for the use of the Armed Forces and other
8 activities and agencies of the Department of Defense for
9 expenses, not otherwise provided for, for operation and
10 maintenance, as specified in the funding table in section
11 4301.

12 **Subtitle B—Energy and**
13 **Environment**

14 **SEC. 311. USE OF OPERATIONAL ENERGY COST SAVINGS OF**
15 **DEPARTMENT OF DEFENSE.**

16 Section 2912 of title 10, United States Code, is
17 amended—

18 (1) in subsection (a), by striking “subsection
19 (b)” and inserting “subsection (b) or (c), as the case
20 may be,”;

21 (2) in subsection (b), in the matter preceding
22 paragraph (1), by striking “The Secretary of De-
23 fense” and inserting “Except as provided in sub-
24 section (c) with respect to operational energy cost
25 savings, the Secretary of Defense”;

1 (3) by redesignating subsection (c) as sub-
2 section (d); and

3 (4) by inserting after subsection (b) the fol-
4 lowing new subsection (c):

5 “(c) USE OF OPERATIONAL ENERGY COST SAV-
6 INGS.—The amount that remains available for obligation
7 under subsection (a) that relates to operational energy
8 cost savings realized by the Department shall be used for
9 the implementation of additional operational energy resil-
10 ience, efficiencies, mission assurance, energy conservation,
11 or energy security within the department, agency, or in-
12 strumentality that realized that savings.”.

13 **SEC. 312. USE OF PROCEEDS FROM SALES OF ELECTRICAL**
14 **ENERGY GENERATED FROM GEOTHERMAL**
15 **RESOURCES.**

16 Section 2916(b) of title 10, United States Code, is
17 amended—

18 (1) in paragraph (1), by striking “Except as
19 provided in paragraph (3), proceeds” and inserting
20 “Proceeds”; and

21 (2) by striking paragraph (3).

1 **SEC. 313. ENERGY RESILIENCE PROGRAMS AND ACTIVITIES.**
2

3 (a) MODIFICATION OF ANNUAL ENERGY MANAGE-
4 MENT AND RESILIENCE REPORT.—Section 2925(a) of
5 title 10, United States Code, is amended—

6 (1) in the subsection heading, by inserting
7 “AND READINESS” after “MISSION ASSURANCE”;

8 (2) in the matter preceding paragraph (1), by
9 inserting “The Secretary shall ensure that mission
10 operators of critical facilities provide to personnel of
11 military installations any information necessary for
12 the completion of such report.” after “by the Sec-
13 retary.”;

14 (3) in paragraph (4), in the matter preceding
15 subparagraph (A), by striking “megawatts” and in-
16 serting “electric and thermal loads”; and

17 (4) in paragraph (5), by striking “megawatts”
18 and inserting “electric and thermal loads”.

19 (b) FUNDING FOR ENERGY PROGRAM OFFICES.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, the Sec-
22 retaries of the military departments shall submit to
23 the congressional defense committees a report stat-
24 ing whether the program offices specified in para-
25 graph (2) are funded—

1 (A) at proper levels to ensure that the en-
2 ergy resilience requirements of the Department
3 of Defense are met; and

4 (B) at levels that are not less than in any
5 previous fiscal year.

6 (2) PROGRAM OFFICES SPECIFIED.—The pro-
7 gram offices specified in this paragraph are the fol-
8 lowing:

9 (A) The Power Reliability Enhancement
10 Program of the Army.

11 (B) The Office of Energy Initiatives of the
12 Army.

13 (C) The Office of Energy Assurance of the
14 Air Force.

15 (D) The Resilient Energy Program Office
16 of the Navy.

17 (3) FUNDING PLAN.—

18 (A) IN GENERAL.—The Secretaries of the
19 military departments shall include in the report
20 submitted under paragraph (1) a funding plan
21 for the next five fiscal years beginning after the
22 date of the enactment of this Act to ensure that
23 funding levels are, at a minimum, maintained
24 during that period.

1 (B) ELEMENTS.—The funding plan under
2 subparagraph (A) shall include, for each fiscal
3 year covered by the plan, an identification of
4 the amounts to be used for the accomplishment
5 of energy resilience goals and objectives.

6 (c) ESTABLISHMENT OF TARGETS FOR WATER
7 USE.—The Secretary of Defense shall, where life-cycle
8 cost-effective, improve water use efficiency and manage-
9 ment by the Department of Defense, including storm
10 water management, by—

11 (1) installing water meters and collecting and
12 using water balance data of buildings and facilities
13 to improve water conservation and management;

14 (2) reducing industrial, landscaping, and agri-
15 cultural water consumption in gallons by two percent
16 annually through fiscal year 2030 relative to a base-
17 line of such consumption by the Department in fiscal
18 year 2010; and

19 (3) installing appropriate sustainable infra-
20 structure features on installations of the Depart-
21 ment to help with storm water and wastewater man-
22 agement.

1 **SEC. 314. NATIVE AMERICAN INDIAN LANDS ENVIRON-**
2 **MENTAL MITIGATION PROGRAM.**

3 (a) IN GENERAL.—Chapter 160 of title 10, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 2712. Native American lands environmental mitiga-**
7 **tion program**

8 “(a) ESTABLISHMENT.—The Secretary of Defense
9 may establish and carry out a program to mitigate the
10 environmental effects of actions by the Department of De-
11 fense on Indian lands and culturally connected locations.

12 “(b) PROGRAM ACTIVITIES.—The activities that may
13 be carried out under the program established under sub-
14 section (a) are the following:

15 “(1) Identification, investigation, and docu-
16 mentation of suspected environmental effects attrib-
17 utable to past actions by the Department of De-
18 fense.

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

23 “(3) Direct mitigation actions that the Sec-
24 retary determines are necessary and appropriate to
25 mitigate the adverse environmental effects of past
26 actions by the Department.

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

5 “(5) Training, technical assistance, and admin-
6 istrative support to facilitate the meaningful partici-
7 pation of Indian tribes in mitigation actions under
8 the program.

9 “(6) Development and execution of a policy gov-
10 erning consultation with Indian tribes that have
11 been or may be affected by action by the Depart-
12 ment, including training personnel of the Depart-
13 ment to ensure compliance with the policy.

14 “(c) COOPERATIVE AGREEMENTS.—(1) In carrying
15 out the program established under subsection (a), the Sec-
16 retary of Defense may enter into a cooperative agreement
17 with an Indian tribe or an instrumentality of tribal govern-
18 ment.

19 “(2) Notwithstanding chapter 63 of title 31, a coop-
20 erative agreement under this section may be used to ac-
21 quire property or services for the direct benefit of the
22 United States Government.

23 “(3) A cooperative agreement under this section for
24 the procurement of severable services may begin in one

1 fiscal year and end in another fiscal year only if the total
2 period of performance does not exceed two calendar years.

3 “(d) DEFINITIONS.—In this section:

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

5 “(A) any land located within the bound-
6 aries and a part of an Indian reservation, pueb-
7 lo, or rancheria;

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

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

13 “(D) lands and waters upon which any
14 Federally recognized Indian tribe has rights re-
15 served by treaty, act of Congress, or action by
16 the President.

17 “(2) The term ‘Indian tribe’ has the meaning
18 given such term in section 2701(d)(4)(A) of this
19 title.

20 “(3) The term ‘culturally connected location’
21 means a location or place that has demonstrable sig-
22 nificance to Indians or Alaska Natives based on its
23 association with the traditional beliefs, customs, and
24 practices of a living community, including locations
25 or places where religious, ceremonial, subsistence,

1 medicinal, economic, or other lifeways practices have
 2 historically taken place.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
 4 at the beginning of chapter 160 of such title is amended
 5 by inserting after the item relating to section 2711 the
 6 following new item:

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

7 **SEC. 315. REIMBURSEMENT OF ENVIRONMENTAL PROTEC-**
 8 **TION AGENCY FOR CERTAIN COSTS IN CON-**
 9 **NECTION WITH THE TWIN CITIES ARMY AM-**
 10 **MUNITION PLANT, MINNESOTA.**

11 (a) TRANSFER AMOUNT.—Notwithstanding section
 12 2215 of title 10, United States Code, the Secretary of De-
 13 fense may transfer to the Administrator of the Environ-
 14 mental Protection Agency—

15 (1) in fiscal year 2020, not more than
 16 \$890,790; and

17 (2) in each of fiscal years 2021 through 2026,
 18 not more than \$150,000.

19 (b) PURPOSE OF REIMBURSEMENT.—The amount
 20 authorized to be transferred under subsection (a) is to re-
 21 imburse the Environmental Protection Agency for costs
 22 the Agency has incurred and will incur relating to the re-
 23 sponse actions performed at the Twin Cities Army Ammu-
 24 nition Plant, Minnesota, through September 30, 2025.

1 (c) INTERAGENCY AGREEMENT.—The reimburse-
 2 ment described in subsection (b) is intended to satisfy cer-
 3 tain terms of the interagency agreement entered into by
 4 the Department of the Army and the Environmental Pro-
 5 tection Agency for the Twin Cities Army Ammunition
 6 Plant that took effect in December 1987 and that pro-
 7 vided for the recovery of expenses by the Agency from the
 8 Department of the Army.

9 **SEC. 316. PROHIBITION ON USE OF PERFLUOROALKYL SUB-**
 10 **STANCES AND POLYFLUOROALKYL SUB-**
 11 **STANCES FOR LAND-BASED APPLICATIONS**
 12 **OF FIREFIGHTING FOAM.**

13 (a) LIMITATION.—After October 1, 2022, no funds
 14 of the Department of Defense may be obligated or ex-
 15 pended to procure firefighting foam that contains in excess
 16 of one part per billion of perfluoroalkyl substances and
 17 polyfluoroalkyl substances.

18 (b) PROHIBITION ON USE AND DISPOSAL OF EXIST-
 19 ING STOCKS.—Not later than October 1, 2023, the Sec-
 20 retary of Defense shall—

21 (1) cease the use of firefighting foam containing
 22 in excess of one part per billion of perfluoroalkyl
 23 substances and polyfluoroalkyl substances; and

1 (2) dispose of all existing stocks of such fire-
2 fighting foam in accordance with the Solid Waste
3 Disposal Act (42 U.S.C. 6901 et seq.).

4 (c) EXEMPTION FOR SHIPBOARD USE.—Subsections
5 (a) and (b) shall not apply to firefighting foam for use
6 solely onboard ocean-going vessels.

7 (d) DEFINITIONS.—In this section:

8 (1) PERFLUOROALKYL SUBSTANCES.—The
9 term “perfluoroalkyl substances” means aliphatic
10 substances for which all of the H atoms attached to
11 C atoms in the nonfluorinated substance from which
12 they are notionally derived have been replaced by F
13 atoms, except those H atoms whose substitution
14 would modify the nature of any functional groups
15 present.

16 (2) POLYFLUOROALKYL SUBSTANCES.—The
17 term “polyfluoroalkyl substances” means aliphatic
18 substances for which all H atoms attached to at
19 least one (but not all) C atoms have been replaced
20 by F atoms, in such a manner that they contain the
21 perfluoroalkyl moiety C_nF_{2n+1} — (for example,
22 $C_8F_{17}CH_2CH_2OH$).

1 **SEC. 317. TRANSFER AUTHORITY FOR FUNDING OF STUDY**
 2 **AND ASSESSMENT ON HEALTH IMPLICATIONS**
 3 **OF PER- AND POLYFLUOROALKYL SUB-**
 4 **STANCES CONTAMINATION IN DRINKING**
 5 **WATER BY AGENCY FOR TOXIC SUBSTANCES**
 6 **AND DISEASE REGISTRY.**

7 Section 316(a)(2)(B)(ii) of the National Defense Au-
 8 thorization Act for Fiscal Year 2018 (Public Law 115–
 9 91; 131 Stat. 1350), as amended by section 315(a) of the
 10 John S. McCain National Defense Authorization Act for
 11 Fiscal Year 2019 (Public Law 115–232), is amended by
 12 striking “2019 and 2020” and inserting “2019, 2020, and
 13 2021”.

14 **SEC. 318. COOPERATIVE AGREEMENTS WITH STATES TO**
 15 **ADDRESS CONTAMINATION BY**
 16 **PERFLUOROALKYL AND POLYFLUOROALKYL**
 17 **SUBSTANCES.**

18 (a) COOPERATIVE AGREEMENTS.—

19 (1) IN GENERAL.—Upon request from the Gov-
 20 ernor or chief executive of a State, the Secretary of
 21 Defense shall work expeditiously, pursuant to section
 22 2701(d) of title 10, United States Code, to finalize
 23 a cooperative agreement, or amend an existing coop-
 24 erative agreement to address testing, monitoring, re-
 25 moval, and remedial actions relating to the contami-
 26 nation or suspected contamination of drinking, sur-

1 face, or ground water from PFAS originating from
2 activities of the Department of Defense by providing
3 the mechanism and funding for the expedited review
4 and approval of documents of the Department re-
5 lated to PFAS investigations and remedial actions
6 from an active or decommissioned military installa-
7 tion, including a facility of the National Guard.

8 (2) MINIMUM STANDARDS.—A cooperative
9 agreement finalized or amended under paragraph
10 (1) shall meet or exceed the most stringent of the
11 following standards for PFAS in any environmental
12 media:

13 (A) An enforceable State standard, in ef-
14 fect in that State, for drinking, surface, or
15 ground water, as described in section
16 121(d)(2)(A)(ii) of the Comprehensive Environ-
17 mental Response, Compensation, and Liability
18 Act of 1980 (42 U.S.C. 9621(d)(2)(A)(ii)).

19 (B) An enforceable Federal standard for
20 drinking, surface, or ground water, as described
21 in section 121(d)(2)(A)(i) of the Comprehensive
22 Environmental Response, Compensation, and
23 Liability Act of 1980 (42 U.S.C.
24 9621(d)(2)(A)(i)).

1 (b) REPORT.—Beginning on February 1, 2020, if a
2 cooperative agreement is not finalized or amended under
3 subsection (a) within one year after the request from the
4 Governor or chief executive under that subsection, and an-
5 nually thereafter, the Secretary of Defense shall submit
6 to the appropriate committees and Members of Congress
7 a report—

8 (1) explaining why the agreement has not been
9 finalized or amended, as the case may be; and

10 (2) setting forth a projected timeline for final-
11 izing or amending the agreement.

12 (c) DEFINITIONS.—In this section:

13 (1) APPROPRIATE COMMITTEES AND MEMBERS
14 OF CONGRESS.—The term “appropriate committees
15 and Members of Congress” means—

16 (A) the congressional defense committees;

17 (B) the Senators who represent a State
18 impacted by PFAS contamination described in
19 subsection (a)(1); and

20 (C) the Members of the House of Rep-
21 resentatives who represent a district impacted
22 by such contamination.

23 (2) FULLY FLUORINATED CARBON ATOM.—The
24 term “fully fluorinated carbon atom” means a car-

1 bon atom on which all the hydrogen substituents
2 have been replaced by fluorine.

3 (3) PFAS.—The term “PFAS” means
4 perfluoroalkyl and polyfluoroalkyl substances that
5 are man-made chemicals with at least one fully
6 fluorinated carbon atom.

7 (4) STATE.—The term “State” has the mean-
8 ing given the term in section 101 of the Comprehen-
9 sive Environmental Response, Compensation, and
10 Liability Act of 1980 (42 U.S.C. 9601).

11 **SEC. 319. MODIFICATION OF DEPARTMENT OF DEFENSE**
12 **ENVIRONMENTAL RESTORATION AUTHORI-**
13 **TIES TO INCLUDE FEDERAL GOVERNMENT**
14 **FACILITIES USED BY NATIONAL GUARD.**

15 (a) DEFINITION OF FACILITY.—Section 2700(2) of
16 title 10, United States Code, is amended—

17 (1) by striking “The terms” and inserting “(A)
18 The terms”; and

19 (2) by adding at the end the following new sub-
20 paragraph:

21 “(B) The term ‘facility’ includes real property
22 that is owned by, leased to, or otherwise possessed
23 by the United States at locations at which military
24 activities are conducted under this title or title 32
25 (including real property owned or leased by the Fed-

1 eral Government that is licensed to and operated by
 2 a State for training for the National Guard).”.

3 (b) INCLUSION OF POLLUTANTS AND CONTAMINANTS
 4 IN ENVIRONMENTAL RESPONSE ACTIONS.—Section
 5 2701(c) of such title is amended by inserting “or pollut-
 6 ants or contaminants” after “hazardous substances” each
 7 place it appears.

8 (c) ESTABLISHMENT OF ENVIRONMENTAL RESTORA-
 9 TION ACCOUNTS.—Section 2703(a) of such title is amend-
 10 ed by adding at the end the following new paragraphs:

11 “(6) An account to be known as the ‘Environ-
 12 mental Restoration Account, Army National Guard’
 13 (for real property owned or leased by the Federal
 14 Government that is licensed to and operated by a
 15 State for training for the Army National Guard).

16 “(7) An account to be known as the ‘Environ-
 17 mental Restoration Account, Air National Guard’
 18 (for real property owned or leased by the Federal
 19 Government that is licensed to and operated by a
 20 State for training for the Air National Guard).”.

21 **SEC. 320. BUDGETING OF DEPARTMENT OF DEFENSE RE-**
 22 **LATING TO EXTREME WEATHER.**

23 (a) IN GENERAL.—The Secretary of Defense shall in-
 24 clude in the annual budget submission of the President
 25 under section 1105(a) of title 31, United States Code—

1 (1) a dedicated budget line item for adaptation
2 to, and mitigation of, effects of extreme weather on
3 military networks, systems, installations, facilities,
4 and other assets and capabilities of the Department
5 of Defense; and

6 (2) an estimate of the anticipated adverse im-
7 pacts to the readiness of the Department and the fi-
8 nancial costs to the Department during the year cov-
9 ered by the budget of the loss of, or damage to, mili-
10 tary networks, systems, installations, facilities, and
11 other assets and capabilities of the Department, in-
12 cluding loss of or obstructed access to training
13 ranges, as a result extreme weather events.

14 (b) DISAGGREGATION OF IMPACTS AND COSTS.—The
15 estimate under subsection (a)(2) shall set forth the ad-
16 verse readiness impacts and financial costs under that
17 subsection by military department, Defense Agency, and
18 other component or element of the Department.

19 (c) EXTREME WEATHER DEFINED.—In this section,
20 the term “extreme weather” means recurrent flooding,
21 drought, desertification, wildfires, and thawing perma-
22 frost.

1 **SEC. 321. PILOT PROGRAM FOR AVAILABILITY OF WORK-**
2 **ING-CAPITAL FUNDS FOR INCREASED COM-**
3 **BAT CAPABILITY THROUGH ENERGY OPTIMI-**
4 **ZATION.**

5 (a) IN GENERAL.—Notwithstanding section 2208 of
6 title 10, United States Code, the Secretary of Defense and
7 the military departments may use a working capital fund
8 established pursuant to that section for expenses directly
9 related to conducting a pilot program for energy optimiza-
10 tion initiatives described in subsection (b).

11 (b) ENERGY OPTIMIZATION INITIATIVES.—Energy
12 optimization initiatives covered by the pilot program in-
13 clude the research, development, procurement, installa-
14 tion, and sustainment of technologies or weapons system
15 platforms, and the manpower required to do so, that would
16 improve the efficiency and maintainability, extend the use-
17 ful life, lower maintenance costs, or provide performance
18 enhancement of the weapon system platform or major end
19 item.

20 (c) LIMITATION ON CERTAIN PROJECTS.—Funds
21 may not be used pursuant to subsection (a) for—

- 22 (1) any product improvement that significantly
23 changes the performance envelope of an end item; or
24 (2) any single component with an estimated
25 total cost in excess of \$10,000,000.

1 (d) LIMITATION IN FISCAL YEAR PENDING TIMELY
2 REPORT.—If during any fiscal year the report required
3 by paragraph (1) of subsection (e) is not submitted by
4 the date specified in paragraph (2) of that subsection,
5 funds may not be used pursuant to subsection (a) during
6 the period—

7 (1) beginning on the date specified in such
8 paragraph (2); and

9 (2) ending on the date of the submittal of the
10 report.

11 (e) ANNUAL REPORT.—

12 (1) IN GENERAL.—The Secretary of Defense
13 shall submit an annual report to the congressional
14 defense committees on the use of the authority
15 under subsection (a) during the preceding fiscal
16 year.

17 (2) DEADLINE FOR SUBMITTAL.—The report
18 required by paragraph (1) in a fiscal year shall be
19 submitted not later than 60 days after the date of
20 the submittal to Congress of the budget of the Presi-
21 dent for the succeeding fiscal year pursuant to sec-
22 tion 1105 of title 31, United States Code.

23 (3) RECOMMENDATION.—In the case of the re-
24 port required to be submitted under paragraph (1)
25 during fiscal year 2020, the report shall include the

1 recommendation of the Secretary of Defense and the
2 military departments regarding whether the author-
3 ity under subsection (a) should be made permanent.

4 (f) SUNSET.—The authority under subsection (a)
5 shall expire on October 1, 2024.

6 **SEC. 322. REPORT ON EFFORTS TO REDUCE HIGH ENERGY**
7 **INTENSITY AT MILITARY INSTALLATIONS.**

8 (a) REPORT.—

9 (1) REPORT REQUIRED.—Not later than Sep-
10 tember 1, 2020, the Under Secretary of Defense for
11 Acquisition and Sustainment, in conjunction with
12 the assistant secretaries responsible for installations
13 and environment for the military departments and
14 the Defense Logistics Agency, shall submit to the
15 congressional defense committees a report detailing
16 the efforts to achieve cost savings at military instal-
17 lations with high energy intensity.

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

20 (A) A comprehensive, installation-specific
21 assessment of feasible and mission-appropriate
22 energy initiatives supporting energy production
23 and consumption at military installations with
24 high energy intensity.

1 (B) An assessment of current sources of
2 energy in areas with high energy intensity and
3 potential future sources that are technologically
4 feasible, cost-effective, and mission-appropriate
5 for military installations.

6 (C) A comprehensive implementation strat-
7 egy to include required investment for feasible
8 energy efficiency options determined to be the
9 most beneficial and cost-effective, where appro-
10 priate, and consistent with priorities of the De-
11 partment of Defense.

12 (D) An explanation on how the military de-
13 partments are working collaboratively in order
14 to leverage lessons learned on potential energy
15 efficiency solutions.

16 (E) An assessment of the extent to which
17 activities administered under the Federal En-
18 ergy Management Program of the Department
19 of Energy could be used to assist with the im-
20 plementation strategy under subparagraph (C).

21 (F) An assessment of State and local part-
22 nership opportunities that could achieve effi-
23 ciency and cost savings, and any legislative au-
24 thorities required to carry out such partner-
25 ships or agreements.

1 (3) COORDINATION WITH STATE, LOCAL, AND
 2 OTHER ENTITIES.—In preparing the report required
 3 under paragraph (1), the Under Secretary of De-
 4 fense for Acquisition and Sustainment may work in
 5 conjunction and coordinate with the States con-
 6 taining areas of high energy intensity, local commu-
 7 nities, and other Federal agencies.

8 (b) DEFINITION.—In this section, the term “high en-
 9 ergy intensity” means costs for the provision of energy by
 10 kilowatt of electricity or British Thermal Unit of heat or
 11 steam for a military installation in the United States that
 12 is in the highest 20 percent of all military installations
 13 for a military department.

14 **SEC. 323. TECHNICAL AND GRAMMATICAL CORRECTIONS**
 15 **AND REPEAL OF OBSOLETE PROVISIONS RE-**
 16 **LATING TO ENERGY.**

17 (a) TECHNICAL AND GRAMMATICAL CORRECTIONS.—

18 (1) TECHNICAL CORRECTIONS.—Title 10,
 19 United States Code, is amended—

20 (A) in section 2913(c), by striking “gov-
 21 ernment” and inserting “government or”; and

22 (B) in section 2926(d)(1), in the second
 23 sentence, by striking “Defense Agencies” and
 24 inserting “the Defense Agencies”.

1 (2) GRAMMATICAL CORRECTIONS.—Such title is
2 further amended—

3 (A) in section 2922a(d), by striking “resil-
4 ience are prioritized and included” and insert-
5 ing “energy resilience are included as critical
6 factors”; and

7 (B) in section 2925(a)(3), by striking “im-
8 pacting energy” and all that follows through
9 the period at the end and inserting “degrading
10 energy resilience at military installations (ex-
11 cluding planned outages for maintenance rea-
12 sons), whether caused by on- or off-installation
13 disruptions, including the total number of out-
14 ages and their locations, the duration of each
15 outage, the financial effect of each outage,
16 whether or not the mission was affected, the
17 downtimes (in minutes or hours) the mission
18 can afford based on mission requirements and
19 risk tolerances, the responsible authority man-
20 aging the utility, and measures taken to miti-
21 gate the outage by the responsible authority.”.

22 (b) CLARIFICATION OF APPLICABILITY OF CON-
23 FLICTING AMENDMENTS MADE BY 2018 DEFENSE AU-
24 THORIZATION ACT.—Section 2911(e) of such title is
25 amended—

1 (1) by striking paragraphs (1) and (2) and in-
 2 serting the following new paragraphs:

3 “(1) Opportunities to reduce the current rate of
 4 consumption of energy, the future demand for en-
 5 ergy, and the requirement for the use of energy.

6 “(2) Opportunities to enhance energy resilience
 7 to ensure the Department of Defense has the ability
 8 to prepare for and recover from energy disruptions
 9 that affect mission assurance on military installa-
 10 tions.”; and

11 (2) by striking the second paragraph (13).

12 (c) CONFORMING AND CLERICAL AMENDMENTS.—

13 (1) HEADING AMENDMENT.—The heading of
 14 section 2926 of such title is amended to read as fol-
 15 lows:

16 **“§ 2926. Operational energy”.**

17 (2) CLERICAL AMENDMENT.—The table of sec-
 18 tions at the beginning of chapter 173 of such title
 19 is amended by striking the item relating to section
 20 2926 and inserting the following new item:

“2926. Operational energy.”.

Subtitle C—Logistics and Sustainment

SEC. 331. REQUIREMENT FOR MEMORANDA OF UNDER- STANDING BETWEEN THE AIR FORCE AND THE NAVY REGARDING DEPOT MAINTENANCE.

Before the Secretary of the Navy transfers any maintenance action on a platform to a depot under the jurisdiction of the Secretary of the Air Force or the Secretary of the Air Force transfers any maintenance action on a platform to a depot under the jurisdiction of the Secretary of the Navy, the Air Logistics Complex Commander and the Commander of Naval Air Systems Command shall enter into a joint memorandum of understanding that lists out responsibilities for work and technical oversight responsibilities for such maintenance.

SEC. 332. MODIFICATION TO LIMITATION ON LENGTH OF OVERSEAS FORWARD DEPLOYMENT OF NAVAL VESSELS.

Section 323 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) by redesignating subsection (c) as subsection (d); and

1 (2) by inserting after subsection (b) the fol-
 2 lowing new subsection (c):

3 “(c) EXTENSION OF LIMITATION ON LENGTH OF
 4 OVERSEAS FORWARD DEPLOYMENT FOR U.S.S. SHILOH
 5 (CG-67).—Notwithstanding subsection (b), the Secretary
 6 of the Navy shall ensure that the U.S.S. Shiloh (CG-67)
 7 is assigned a homeport in the United States by not later
 8 than September 30, 2023.”.

9 **Subtitle D—Reports**

10 **SEC. 341. REPORT ON MODERNIZATION OF JOINT PACIFIC** 11 **ALASKA RANGE COMPLEX.**

12 (a) REPORT REQUIRED.—Not later than May 1,
 13 2020, the Secretary of the Air Force shall submit to the
 14 congressional defense committees a report on the long-
 15 term modernization of the Joint Pacific Alaska Range
 16 Complex (in this section referred to as the “JPARC”).

17 (b) ELEMENTS.—The report required under sub-
 18 section (a) shall include the following:

19 (1) An assessment of the requirement for the
 20 JPARC to provide realistic training against modern
 21 adversaries, including 5th generation adversary air-
 22 craft and ground threats, and any current limita-
 23 tions compared to those requirements.

24 (2) An assessment of the requirement for
 25 JPARC to provide a realistic anti-access area denial

1 training environment and any current limitations
2 compared to those requirements.

3 (3) An assessment of the requirement to mod-
4 ernize the JPARC to provide realistic threats in a
5 large-scale, combined-arms near-peer environment
6 and any current limitations in meeting that require-
7 ment. The assessment should include—

8 (A) target sets;

9 (B) early warning and surveillance sys-
10 tems;

11 (C) threat systems;

12 (D) real-time communications capacity and
13 security;

14 (E) instrumentation and enabling mission
15 data fusion capabilities; and

16 (F) such other range deficiencies as the
17 Secretary of the Air Force considers appro-
18 priate to identify.

19 (4) A plan for balancing coalition training
20 against training only for members of the Armed
21 Forces of the United States at the JPARC.

1 **Subtitle E—Other Matters**

2 **SEC. 351. STRATEGY TO IMPROVE INFRASTRUCTURE OF** 3 **CERTAIN DEPOTS OF THE DEPARTMENT OF** 4 **DEFENSE.**

5 (a) STRATEGY REQUIRED.—Not later than October
6 1, 2020, the Secretary of Defense shall submit to the con-
7 gressional defense committees a comprehensive strategy
8 for improving the depot infrastructure of the military de-
9 partments with the objective of ensuring that all covered
10 depots have the capacity and capability to support the
11 readiness and material availability goals of current and fu-
12 ture weapon systems of the Department of Defense.

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

15 (1) A comprehensive review of the conditions
16 and performance at each covered depot, including
17 the following:

18 (A) An assessment of the current status of
19 the following elements:

20 (i) Cost and schedule performance of
21 the depot.

22 (ii) Material availability of weapon
23 systems supported at the depot and the
24 impact of the performance of the depot on
25 that availability.

1 (iii) Work in progress and non-oper-
2 ational items awaiting depot maintenance.

3 (iv) The condition of the depot.

4 (v) The backlog of restoration and
5 modernization projects at the depot.

6 (vi) The condition of equipment at the
7 depot.

8 (B) An identification of analytically based
9 goals relating to the elements identified in sub-
10 paragraph (A).

11 (2) A business-case analysis that assesses in-
12 vestment alternatives comparing cost, performance,
13 risk, and readiness outcomes and recommends an
14 optimal investment approach across the Department
15 of Defense to ensure covered depots efficiently and
16 effectively meet the readiness goals of the Depart-
17 ment, including an assessment of the following alter-
18 natives:

19 (A) The minimum investment necessary to
20 meet investment requirements under section
21 2476 of title 10, United States Code.

22 (B) The investment necessary to ensure
23 the current inventory of facilities at covered de-
24 pots can meet the mission-capable, readiness,

1 and contingency goals of the Secretary of De-
2 fense.

3 (C) The investment necessary to execute
4 the depot infrastructure optimization plans of
5 each military department.

6 (D) Any other strategies for investment in
7 covered depots, as identified by the Secretary.

8 (3) A plan to improve conditions and perform-
9 ance of covered depots that identifies the following:

10 (A) The approach of the Secretary of De-
11 fense for achieving the goals outlined in para-
12 graph (1)(B).

13 (B) The resources and investments re-
14 quired to implement the plan.

15 (C) The activities and milestones required
16 to implement the plan.

17 (D) A results-oriented approach to as-
18 sess—

19 (i) the progress of each military de-
20 partment in achieving such goals; and

21 (ii) the progress of the Department in
22 implementing the plan.

23 (E) Organizational roles and responsibil-
24 ities for implementing the plan.

1 (F) A process for conducting regular man-
2 agement review and coordination of the
3 progress of each military department in imple-
4 menting the plan and achieving such goals.

5 (G) The extent to which the Secretary has
6 addressed recommendations made by the Comp-
7 troller General of the United States relating to
8 depot operations during the five-year period
9 preceding the date of submittal of the strategy
10 under this section.

11 (H) Risks to implementing the plan and
12 mitigation strategies to address those risks.

13 (c) ANNUAL REPORT ON PROGRESS.—As part of the
14 annual budget submission of the President under section
15 1105(a) of title 31, United States Code, the Secretary of
16 Defense shall submit to the congressional defense commit-
17 tees a report describing the progress made in—

18 (1) implementing the strategy under subsection
19 (a); and

20 (2) achieving the goals outlined in subsection
21 (b)(1)(B).

22 (d) COMPTROLLER GENERAL REPORTS.—

23 (1) ASSESSMENT OF STRATEGY.—Not later
24 than January 1, 2021, the Comptroller General of
25 the United States shall submit to the congressional

1 defense committees a report assessing the extent to
2 which the strategy under subsection (a) meets the
3 requirements of this section.

4 (2) ASSESSMENT OF IMPLEMENTATION.—Not
5 later than April 1, 2022, the Comptroller General
6 shall submit to the congressional defense committees
7 a report setting forth an assessment of the extent to
8 which the strategy under subsection (a) has been ef-
9 fectively implemented by each military department
10 and the Secretary of Defense.

11 (e) COVERED DEPOT DEFINED.—In this section, the
12 term “covered depot” has the meaning given that term
13 in section 2476(e) of title 10, United States Code.

14 **SEC. 352. LIMITATION ON USE OF FUNDS REGARDING THE**
15 **BASING OF KC-46A AIRCRAFT OUTSIDE THE**
16 **CONTINENTAL UNITED STATES.**

17 (a) REPORT.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of the enactment of this Act, the Sec-
20 retary of the Air Force shall submit to Congress a
21 report on the projected plan and timeline for stra-
22 tegic basing of the KC-46A aircraft outside the con-
23 tinental United States.

24 (2) ELEMENTS.—In considering basing options
25 in the report required by paragraph (1), the Sec-

1 retary of the Air Force shall consider locations
2 that—

3 (A) support day-to-day air refueling oper-
4 ations, operations plans of the combatant com-
5 mands, and flexibility for contingency oper-
6 ations, and have—

7 (i) a strategic location that is essen-
8 tial to the defense of the United States
9 and its interests;

10 (ii) receivers for boom or probe-and-
11 drogue combat training opportunities with
12 joint and international partners; and

13 (iii) sufficient airfield and airspace
14 availability and capacity to meet require-
15 ments; and

16 (B) possess facilities that—

17 (i) take full advantage of existing in-
18 frastructure to provide—

19 (I) runways, hangars, and air-
20 crew and maintenance operations; and

21 (II) sufficient fuel receipt, stor-
22 age, and distribution for a five-day
23 peacetime operating stock; and

24 (ii) minimize overall construction and
25 operational costs.

1 (b) LIMITATION ON USE OF FUNDS.—Not more than
 2 85 percent of the funds authorized to be appropriated by
 3 this Act or otherwise made available for fiscal year 2020
 4 for the Air Force for operation and maintenance for the
 5 Management Headquarters Program (Program Element
 6 92398F) may be obligated or expended until the Secretary
 7 of the Air Force submits the report required by subsection
 8 (a) unless the Secretary of the Air Force certifies to Con-
 9 gress that the use of additional funds is mission essential.

10 **SEC. 353. PREVENTION OF ENCROACHMENT ON MILITARY**
 11 **TRAINING ROUTES AND MILITARY OPER-**
 12 **ATIONS AREAS.**

13 Section 183a of title 10, United States Code, is
 14 amended—

15 (1) in subsection (c)(6)—

16 (A) by striking “radar or airport surveil-
 17 lance radar operated” and inserting “radar, air-
 18 port surveillance radar, or wide area surveil-
 19 lance over-the-horizon radar operated”; and

20 (B) by inserting “Any setback for a project
 21 pursuant to the previous sentence shall not be
 22 more than what is determined to be necessary
 23 by a technical analysis conducted by the Lin-
 24 coln Laboratory at the Massachusetts Institute

1 of Technology or any successor entity.” after
2 “mitigation options.”;

3 (2) in subsection (d)—

4 (A) in paragraph (2)(E), by striking “to a
5 Deputy Secretary of Defense, an Under Sec-
6 retary of Defense, or a Principal Deputy Under
7 Secretary of Defense” and inserting “to the
8 Deputy Secretary of Defense, an Under Sec-
9 retary of Defense, or a Deputy Under Secretary
10 of Defense”;

11 (B) by redesignating paragraph (3) as
12 paragraph (4); and

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

15 “(3) The governor of a State may recommend
16 to the Secretary of Defense additional geographical
17 areas of concern within that State. Any such rec-
18 ommendation shall be submitted for notice and com-
19 ment pursuant to paragraph (2)(C).”;

20 (3) in subsection (e)(3), by striking “an under
21 secretary of defense, or a deputy under secretary of
22 defense” and inserting “an Under Secretary of De-
23 fense, or a Deputy Under Secretary of Defense”;

24 (4) in subsection (f), by striking “from an ap-
25 plicant for a project filed with the Secretary of

1 Transportation pursuant to section 44718 of title
2 49” and inserting “from an entity requesting a re-
3 view by the Clearinghouse under this section”; and
4 (5) in subsection (h)—

5 (A) by redesignating paragraphs (3), (4),
6 (5), (6), and (7) as paragraphs (4), (5), (6),
7 (7), and (9), respectively;

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

10 “(3) The term ‘governor’, with respect to a
11 State, means the chief executive officer of the
12 State.”;

13 (C) in paragraph (7), as redesignated by
14 subparagraph (A), by striking “by the Federal
15 Aviation Administration” and inserting “by the
16 Administrator of the Federal Aviation Adminis-
17 tration”; and

18 (D) by inserting after paragraph (7), as
19 redesignated by subparagraph (A), the following
20 new paragraph:

21 “(8) The term ‘State’ means the several States,
22 the District of Columbia, the Commonwealth of
23 Puerto Rico, the Commonwealth of the Northern
24 Mariana Islands, Guam, the United States Virgin
25 Islands, and American Samoa.”.

1 **SEC. 354. EXPANSION AND ENHANCEMENT OF AUTHORI-**
 2 **TIES ON TRANSFER AND ADOPTION OF MILI-**
 3 **TARY ANIMALS.**

4 (a) TRANSFER AND ADOPTION GENERALLY.—Sec-
 5 tion 2583 of title 10, United States Code, is amended—

6 (1) in subsection (a)—

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

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

11 (2) in subsection (b)—

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

14 (B) in the first sentence, by striking
 15 “adoption” and inserting “transfer or adop-
 16 tion”; and

17 (C) in the second sentence, striking
 18 “adoptability” and inserting “transferability or
 19 adoptability”;

20 (3) in subsection (c)(1)—

21 (A) in the matter preceding subparagraph
 22 (A)—

23 (i) by inserting “transfer or” before
 24 “adoption”; and

25 (ii) by inserting “, by” after “rec-
 26 ommended priority”;

1 (B) in subparagraphs (A) and (B), by in-
 2 serting “adoption” before “by”;

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

5 (D) in subparagraph (C), by striking “by”
 6 and inserting “transfer to”; and
 7 (4) in subsection (e)—

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

10 (B) in paragraphs (1) and (2), by striking
 11 “transferred” each place it appears and insert-
 12 ing “transferred or adopted”; and

13 (C) in paragraph (2), by striking “trans-
 14 fer” each place it appears and inserting “trans-
 15 fer or adoption”.

16 (b) VETERINARY SCREENING AND CARE FOR MILI-
 17 TARY WORKING DOGS TO BE RETIRED.—Such section is
 18 further amended—

19 (1) by redesignating subsections (f), (g), and
 20 (h) as subsections (g), (h), and (i), respectively; and

21 (2) by inserting after subsection (e) the fol-
 22 lowing new subsection (f):

23 “(f) VETERINARY SCREENING AND CARE FOR MILI-
 24 TARY WORKING DOGS TO BE RETIRED.—(1)(A) If the
 25 Secretary of the military department concerned deter-

1 mines that a military working dog should be retired, such
2 Secretary shall transport the dog to the Veterinary Treat-
3 ment Facility at Lackland Air Force Base, Texas.

4 “(B) In the case of a contract working dog to be re-
5 tired, transportation required by subparagraph (A) is sat-
6 isfied by the transfer of the dog to the 341st Training
7 Squadron at the end of the dog’s service life as required
8 by section 2410r of this title and assignment of the dog
9 to the Veterinary Treatment Facility referred to in that
10 subparagraph.

11 “(2)(A) The Secretary of Defense shall ensure that
12 each dog transported as described in paragraph (1) to the
13 Veterinary Treatment Facility referred to in that para-
14 graph is provided with a full veterinary screening, and nec-
15 essary veterinary care (including surgery for any mental,
16 dental, or stress-related illness), before transportation of
17 the dog in accordance with subsection (g).

18 “(B) For purposes of this paragraph, stress-related
19 illness includes illness in connection with post-traumatic
20 stress, anxiety that manifests in a physical ailment, obses-
21 sive compulsive behavior, and any other stress-related ail-
22 ment.

23 “(3) Transportation is not required under paragraph
24 (1), and screening and care is not required under para-
25 graph (2), for a military working dog located outside the

1 United States if the Secretary of the military department
 2 concerned determines that transportation of the dog to the
 3 United States would not be in the best interests of the
 4 dog for medical reasons.”.

5 (c) COORDINATION OF SCREENING AND CARE RE-
 6 QUIREMENTS WITH TRANSPORTATION REQUIREMENTS.—
 7 Subsection (g) of such section, as redesignated by sub-
 8 section (b)(1) of this section, is amended to read as fol-
 9 lows:

10 “(g) TRANSPORTATION OF RETIRING MILITARY
 11 WORKING DOGS.—Upon completion of veterinary screen-
 12 ing and care for a military working dog to be retired pur-
 13 suant to subsection (f), the Secretary of the military de-
 14 partment concerned shall—

15 “(1) if the dog was at a location outside the
 16 United States immediately prior to transportation
 17 for such screening and care and a United States cit-
 18 izen or member of the armed forces living abroad
 19 agrees to adopt the dog, transport the dog to such
 20 location for adoption; or

21 “(2) for any other dog, transport the dog—

22 “(A) to the 341st Training Squadron;

23 “(B) to another location within the United
 24 States for transfer or adoption under this sec-
 25 tion.”.

1 (d) PRESERVATION OF POLICY ON TRANSFER OF
2 MILITARY WORKING DOGS TO LAW ENFORCEMENT
3 AGENCIES.—Subsection (h) of such section, as so redesign-
4 nated, is amended in paragraph (3) by striking “adoption
5 of military working dogs” and all that follows through the
6 period at the end and inserting “transfer of military work-
7 ing dogs to law enforcement agencies before the end of
8 the dogs’ useful working lives.”.

9 (e) CLARIFICATION OF HORSES TREATABLE AS MILI-
10 TARY ANIMALS.—Subsection (i) of such section, as so re-
11 designated, is amended by striking paragraph (2) and in-
12 serting the following new paragraph (2):

13 “(2) An equid (horse, mule, or donkey) owned
14 by the Department of Defense.”.

15 (f) CONTRACT TERM FOR CONTRACT WORKING
16 DOGS.—Section 2410r(a) of title 10, United States Code,
17 is amended—

18 (1) by inserting “, and shall contain a contract
19 term,” after “shall require”;

20 (2) by inserting “and assigned for veterinary
21 screening and care in accordance with section 2583
22 of this title” after “341st Training Squadron”; and

23 (3) by striking “section 2583 of this title” and
24 inserting “such section”.

1 **SEC. 355. LIMITATION ON CONTRACTING RELATING TO DE-**
2 **FENSE PERSONAL PROPERTY PROGRAM.**

3 (a) CONTRACTING PROHIBITION.—The Secretary of
4 Defense may not enter into or award any single or mul-
5 tiple-award contract to a single-source or multiple-vendor
6 commercial provider for the management of the Defense
7 Personal Property Program during the period beginning
8 on the date of the enactment of this Act and ending on
9 the date that is 60 days after the date on which the Comp-
10 troller General of the United States submits to the con-
11 gressional defense committees a report on the administra-
12 tion of the Defense Personal Property Program, which
13 was requested by the Committee on Armed Services of the
14 Senate to be submitted to the congressional defense com-
15 mittees not later than February 15, 2020.

16 (b) REVIEW OF PROPOSALS.—Nothing in this section
17 shall be construed as preventing the Secretary of Defense
18 from reviewing or evaluating any solicited or unsolicited
19 proposals to improve the Defense Personal Property Pro-
20 gram.

21 **SEC. 356. PROHIBITION ON SUBJECTIVE UPGRADES BY**
22 **COMMANDERS OF UNIT RATINGS IN MONTH-**
23 **LY READINESS REPORTING ON MILITARY**
24 **UNITS.**

25 (a) IN GENERAL.—The Chairman of the Joint Chiefs
26 of Staff shall modify Chairman of the Joint Chiefs of Staff

1 Instruction (CJCSI) 3401.02B, on Force Readiness Re-
2 porting, to prohibit the commander of a military unit who
3 is responsible for monthly reporting of the readiness of
4 the unit under the instruction from making any upgrade
5 of the overall rating of the unit (commonly referred to as
6 the “C-rating”) for such reporting purposes based in
7 whole or in part on subjective factors.

8 (b) WAIVER.—

9 (1) IN GENERAL.—The modification required
10 by subsection (a) shall authorize an officer in a gen-
11 eral or flag officer grade in the chain of command
12 of a commander described in that subsection to
13 waive the prohibition described in that subsection in
14 connection with readiness reporting on the unit con-
15 cerned if the officer considers the waiver appropriate
16 in the circumstances.

17 (2) REPORTING ON WAIVERS.—Each report on
18 personnel and unit readiness submitted to Congress
19 for a calendar year quarter pursuant to section 482
20 of title 10, United States Code, shall include infor-
21 mation on each waiver, if any, issued pursuant to
22 paragraph (1) during such calendar year quarter.

1 **SEC. 357. EXTENSION OF TEMPORARY INSTALLATION RE-**
2 **UTILIZATION AUTHORITY FOR ARSENALS,**
3 **DEPOTS, AND PLANTS.**

4 Section 345(d) of the National Defense Authorization
5 Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.
6 2667 note) is amended by striking “September 30, 2020”
7 and inserting “September 30, 2025”.

8 **SEC. 358. CLARIFICATION OF FOOD INGREDIENT REQUIRE-**
9 **MENTS FOR FOOD OR BEVERAGES PROVIDED**
10 **BY THE DEPARTMENT OF DEFENSE.**

11 (a) IN GENERAL.—Before making any final rule,
12 statement, or determination regarding the limitation or
13 prohibition of any food or beverage ingredient in military
14 food service, military medical foods, commissary food, or
15 commissary food service, the Secretary of Defense shall
16 publish in the Federal Register a notice of a preliminary
17 rule, statement, or determination (in this section referred
18 to as a “proposed action”) and provide opportunity for
19 public comment.

20 (b) MATTERS TO BE INCLUDED.—The Secretary
21 shall include in any notice published under subsection (a)
22 the following:

23 (1) The date and contact information for the
24 appropriate office at the Department of Defense.

25 (2) A summary of the notice.

1 (3) A date for comments to be submitted and
2 specific methods for submitting comments.

3 (4) A description of the substance of the pro-
4 posed action.

5 (5) Findings and a statement of reason sup-
6 porting the proposed action.

7 **SEC. 359. TECHNICAL CORRECTION TO DEADLINE FOR**
8 **TRANSITION TO DEFENSE READINESS RE-**
9 **PORTING SYSTEM STRATEGIC.**

10 Section 358(c) of the John S. McCain National De-
11 fense Authorization Act for Fiscal Year 2019 (Public Law
12 115–232) is amended by striking “October 1, 2019” and
13 inserting “October 1, 2020”.

14 **TITLE IV—MILITARY**
15 **PERSONNEL AUTHORIZATIONS**
16 **Subtitle A—Active Forces**

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

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

- 20 (1) The Army, 480,000.
21 (2) The Navy, 340,500.
22 (3) The Marine Corps, 186,200.
23 (4) The Air Force, 332,800.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

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

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

(2) The Army Reserve, 189,500.

(3) The Navy Reserve, 59,000.

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

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

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

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

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

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

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty

1 (other than for training or for unsatisfactory partici-
2 pation in training) without their consent at the end
3 of the fiscal year.

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

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

14 Within the end strengths prescribed in section
15 411(a), the reserve components of the Armed Forces are
16 authorized, as of September 30, 2020, the following num-
17 ber of Reserves to be serving on full-time active duty or
18 full-time duty, in the case of members of the National
19 Guard, for the purpose of organizing, administering, re-
20 cruiting, instructing, or training the reserve components:

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

23 (2) The Army Reserve, 16,511.

24 (3) The Navy Reserve, 10,155.

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

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

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

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

6 (a) IN GENERAL.—The authorized number of mili-
7 tary technicians (dual status) as of the last day of fiscal
8 year 2020 for the reserve components of the Army and
9 the Air Force (notwithstanding section 129 of title 10,
10 United States Code) shall be the following:

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

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

14 (3) For the Air National Guard of the United
15 States, 13,569.

16 (4) For the Air Force Reserve, 8,938.

17 (b) VARIANCE.—Notwithstanding section 115 of title
18 10, United States Code, the end strength prescribed by
19 subsection (a) for a reserve component specified in that
20 subsection may be increased—

21 (1) by 3 percent, upon determination by the
22 Secretary of Defense that such action is in the na-
23 tional interest; and

24 (2) by 2 percent, upon determination by the
25 Secretary of the military department concerned that

1 such action would enhance manning and readiness in
2 essential units or in critical specialties or ratings.

3 (c) LIMITATION.—Under no circumstances may a
4 military technician (dual status) employed under the au-
5 thority of this section be coerced by a State into accepting
6 an offer of realignment or conversion to any other military
7 status, including as a member of the Active, Guard, and
8 Reserve program of a reserve component. If a military
9 technician (dual status) declines to participate in such re-
10 alignment or conversion, no further action will be taken
11 against the individual or the individual's position.

12 (d) ADJUSTMENT OF AUTHORIZED STRENGTH.—

13 (1) IN GENERAL.—If, at the end of fiscal year
14 2019, the Air National Guard of the United States
15 does not meet its full-time support realignment goals
16 for such fiscal year (as presented in the justification
17 materials of the Department of Defense in support
18 of the budget of the President for such fiscal year
19 under section 1105 of title 31, United States Code),
20 the authorized number of military technicians (dual
21 status) of the Air National Guard of the United
22 States under subsection (a)(3) shall be increased by
23 the number equal to difference between—

24 (A) 3,190, which is the number of military
25 technicians (dual status) positions in the Air

1 National Guard of the United States sought to
2 be converted to the Active, Guard, and Reserve
3 program of the Air National Guard during fis-
4 cal year 2019; and

5 (B) the number of realigned positions
6 achieved in the Air National Guard by the end
7 of fiscal year 2019.

8 (2) LIMITATION.—The increase under para-
9 graph (1) in the authorized number of military tech-
10 nician (dual status) positions described in that para-
11 graph may not exceed 2,292.

12 (3) DECREASE IN AUTHORIZED NUMBER OF
13 ANGUS RESERVES ON ACTIVE DUTY IN SUPPORT OF
14 THE RESERVES.—In the event of an adjustment to
15 the authorized number military technicians (dual
16 status) of the Air National Guard of the United
17 States under this subsection, the number of mem-
18 bers of the Air National Guard of the United States
19 authorized by section 412(5) to be on active duty as
20 of September 30, 2020, shall be decreased by the
21 number equal to the number of such adjustment.

22 (e) CERTIFICATION.—Not later than January 1,
23 2020, the Chief of the National Guard Bureau shall cer-
24 tify to the Committees on Armed Services of the Senate
25 and House of Representatives the number of positions re-

1 aligned from a military technician (dual status) position
 2 to a position in the Active, Guard, and Reserve program
 3 of a reserve component in fiscal year 2019.

4 (f) DEFINITIONS.—In subsections (c), (d), and (e):

5 (1) The term “realigned position” means any
 6 military technician (dual status) position which has
 7 been converted or realigned to a position in an Ac-
 8 tive, Guard, and Reserve program of a reserve com-
 9 ponent under the full time support rebalancing plan
 10 of the Armed Force concerned, regardless of whether
 11 such position is encumbered.

12 (2) The term “Active, Guard, and Reserve pro-
 13 gram”, in the case of a reserve component, means
 14 the program of the reserve component under which
 15 Reserves serve on full-time active duty or full-time
 16 duty, in the case of members of the National Guard,
 17 for the purpose of organizing, administering, recruit-
 18 ing, instructing, or training such reserve component.

19 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
 20 **THORIZED TO BE ON ACTIVE DUTY FOR**
 21 **OPERATIONAL SUPPORT.**

22 During fiscal year 2020, the maximum number of
 23 members of the reserve components of the Armed Forces
 24 who may be serving at any time on full-time operational

1 support duty under section 115(b) of title 10, United
 2 States Code, is the following:

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

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

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

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

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

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

11 **SEC. 415. AUTHORIZED STRENGTHS FOR MARINE CORPS**

12 **RESERVES ON ACTIVE DUTY.**

13 (a) OFFICERS.—Section 12011(a)(1) of title 10,
 14 United States Code, is amended by striking that part of
 15 the table pertaining to the Marine Corps Reserve and in-
 16 serting the following:

17 “Marine Corps Reserve:

2,400	143	105	34
2,500	149	109	35
2,600	155	113	36
2,700	161	118	37
2,800	167	122	39
2,900	173	126	41
3,000	179	130	42”.

18 (b) SENIOR ENLISTED MEMBERS.—Section 12012(a)
 19 of title 10, United States Code, is amended by striking
 20 that part of the table pertaining to the Marine Corps Re-
 21 serve and inserting the following:

22 “Marine Corps Reserve:

2,400	106	24
2,500	112	25
2,600	116	26
2,700	121	27
2,800	125	28
2,900	130	29
3,000	134	30".

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on October 1, 2019, and shall
3 apply with respect to fiscal years beginning on or after
4 that date.

5 **Subtitle C—Authorization of** 6 **Appropriations**

7 **SEC. 421. MILITARY PERSONNEL.**

8 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
9 are hereby authorized to be appropriated for fiscal year
10 2020 for the use of the Armed Forces and other activities
11 and agencies of the Department of Defense for expenses,
12 not otherwise provided for, for military personnel, as spec-
13 ified in the funding table in section 4401.

14 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
15 thorization of appropriations in subsection (a) supersedes
16 any other authorization of appropriations (definite or in-
17 definite) for such purpose for fiscal year 2020.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. REPEAL OF CODIFIED SPECIFICATION OF AUTHORIZED STRENGTHS OF CERTAIN COMMISSIONED OFFICERS ON ACTIVE DUTY.

Effective as of October 1, 2020, the text of section 523 of title 10, United States Code, is amended to read as follows:

“The total number of commissioned officers serving on active duty in the Army, Air Force, or Marine Corps in each of the grades of major, lieutenant colonel, or colonel, or in the Navy in each of the grades of lieutenant commander, commander, or captain, at the end of any fiscal year shall be as specifically authorized by Act of Congress for such fiscal year.”.

SEC. 502. MAKER OF ORIGINAL APPOINTMENTS IN A REGULAR OR RESERVE COMPONENT OF COMMISSIONED OFFICERS PREVIOUSLY SUBJECT TO ORIGINAL APPOINTMENT IN OTHER TYPE OF COMPONENT.

(a) MAKER OF REGULAR APPOINTMENTS IN TRANSFER FROM RESERVE ACTIVE-STATUS LIST TO ACTIVE-DUTY LIST.—Section 531(c) of title 10, United States

1 Code, is amended by striking “the Secretary concerned”
2 and inserting “the Secretary of Defense”.

3 (b) MAKER OF RESERVE APPOINTMENTS IN TRANS-
4 FER FROM ACTIVE-DUTY LIST TO RESERVE ACTIVE-STA-
5 TUS LIST.—Subsection (b) of section 12203 of such title
6 is amended by striking “the Secretary concerned” and in-
7 serting “the Secretary of Defense”.

8 (c) TREATMENT OF REGULAR APPOINTMENT AS
9 CONSTRUCTIVE RESERVE APPOINTMENT TO FACILITATE
10 TRANSFER FROM ACTIVE DUTY LIST TO RESERVE AC-
11 TIVE-STATUS LIST.—Such section 12203 is further
12 amended—

13 (1) by redesignating subsection (c) as sub-
14 section (d); and

15 (2) by inserting after subsection (b) the fol-
16 lowing new subsection (c):

17 “(c) For purposes of appointments under this section,
18 an officer who receives an original appointment as a reg-
19 ular commissioned officer in a grade under section 531
20 of this title that is made on or after the date of the enact-
21 ment of the National Defense Authorization Act for Fiscal
22 Year 2020 shall be deemed also to have received an origi-
23 nal appointment as a reserve commissioned officer in such
24 grade.”.

1 **SEC. 503. FURNISHING OF ADVERSE INFORMATION ON OF-**
2 **FICERS TO PROMOTION SELECTION BOARDS.**

3 (a) EXPANSION OF GRADES OF OFFICERS FOR
4 WHICH INFORMATION IS FURNISHED.—Section 615(a)(3)
5 of title 10, United States Code, is amended—

6 (1) by inserting “(A)” after “(3)”;

7 (2) in subparagraph (A), as designated by para-
8 graph (1), by striking “a grade above colonel or, in
9 the case of the Navy, captain,” and inserting “a
10 grade specified in subparagraph (B)”;

11 (3) by adding at the end the following new sub-
12 paragraph:

13 “(B) A grade specified in this subparagraph is as fol-
14 lows:

15 “(i) In the case of a regular officer, a grade
16 above captain or, in the case of the Navy, lieutenant.

17 “(ii) In the case of a reserve officer, a grade
18 above lieutenant colonel or, in the case of the Navy,
19 commander.”.

20 (b) FURNISHING AT EVERY PHASE OF CONSIDER-
21 ATION.—Such section is further amended by adding at the
22 end the following new subparagraph:

23 “(C) The standards and procedures referred to in
24 subparagraph (A) shall require the furnishing to the selec-
25 tion board, and to each individual member of the board,
26 the information described in that paragraph with regard

1 to an officer in a grade specified in subparagraph (B) at
 2 each stage or phase of the selection board, concurrent with
 3 the screening, rating, assessment, evaluation, discussion,
 4 or other consideration by the board or member of the offi-
 5 cial military personnel file of the officer, or of the officer.”.

6 (c) EFFECTIVE DATE.—The amendments made by
 7 this section shall take effect on the date of the enactment
 8 of this Act, and shall apply with respect to the proceedings
 9 of promotion selection boards convened under section
 10 611(a) of title 10, United States Code, after that date.

11 **SEC. 504. LIMITATION ON NUMBER OF OFFICERS REC-**
 12 **COMMENDABLE FOR PROMOTION BY PRO-**
 13 **MOTION SELECTION BOARDS.**

14 (a) IN GENERAL.—Section 616 of title 10, United
 15 States Code is amended—

16 (1) by redesignating subsections (d), (e), (f),
 17 and (g) as subsections (e), (f), (g), and (h), respec-
 18 tively; and

19 (2) by inserting after subsection (c) the fol-
 20 lowing new subsection (d):

21 “(d) The number of officers recommended for pro-
 22 motion by a selection board convened under section 611(a)
 23 of this title may not exceed the number equal to 95 per-
 24 cent of the number of officers included in the promotion

1 zone established under section 623 of this title for consid-
 2 eration by the board.”.

3 (b) EFFECTIVE DATE.—The amendments made by
 4 this section shall take effect on the date of the enactment
 5 of this Act, and shall apply with respect to consideration
 6 by promotion selection boards convened under section
 7 611(a) of title 10, United States Code, of promotion zones
 8 that are established under section 623 of that title on or
 9 after that date.

10 **SEC. 505. EXPANSION OF AUTHORITY FOR CONTINUATION**
 11 **ON ACTIVE DUTY OF OFFICERS IN CERTAIN**
 12 **MILITARY SPECIALTIES AND CAREER**
 13 **TRACKS.**

14 Section 637a(a) of title 10, United States Code, is
 15 amended by inserting “separation or” after “provided for
 16 the”.

17 **SEC. 506. HIGHER GRADE IN RETIREMENT FOR OFFICERS**
 18 **FOLLOWING REOPENING OF DETERMINA-**
 19 **TION OR CERTIFICATION OF RETIRED**
 20 **GRADE.**

21 (a) ADVICE AND CONSENT OF SENATE REQUIRED
 22 FOR HIGHER GRADE.—Section 1370(f) of title 10, United
 23 States Code, is amended—

24 (1) by redesignating paragraph (5) as para-
 25 graph (6); and

1 (2) by inserting after paragraph (4) the fol-
2 lowing new paragraph (5):

3 “(5) If the retired grade of an officer is proposed to
4 be increased through the reopening of the determination
5 or certification of officer’s retired grade, the increase in
6 the retired grade shall be made by the Secretary of De-
7 fense, by and with the advice and consent of the Senate.”.

8 (b) RECALCULATION OF RETIRED PAY.—Paragraph
9 (6) of such section, as redesignated by subsection (a)(1),
10 is amended—

11 (1) by inserting “or increased” after “reduced”;

12 (2) by inserting “as a result of the reduction or
13 increase” after “any modification of the retired pay
14 of the officer”;

15 (3) by inserting “or increase” after “the reduc-
16 tion”; and

17 (4) by adding at the end the following new sen-
18 tence: “An officer whose retired grade is increased
19 as described in the preceding sentence shall not be
20 entitled to an increase in retired pay for any period
21 before the effective date of the increase.”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall take effect on the date of the enactment
24 of this Act, and shall apply to an increase in the retired
25 grade of an officer that occurs through a reopening of the

1 determination or certification of the officer's retired grade
2 of officer on or after that date, regardless of when the
3 officer retired.

4 **SEC. 507. AVAILABILITY ON THE INTERNET OF CERTAIN IN-**
5 **FORMATION ABOUT OFFICERS SERVING IN**
6 **GENERAL OR FLAG OFFICER GRADES.**

7 (a) AVAILABILITY REQUIRED.—

8 (1) IN GENERAL.—The Secretary of each mili-
9 tary department shall make available on an Internet
10 website of such department available to the public
11 information specified in paragraph (2) on each offi-
12 cer in a general or flag officer grade under the juris-
13 diction of such Secretary, including any such officer
14 on the reserve active-status list.

15 (2) INFORMATION.—The information on an of-
16 ficer specified by this paragraph to be made avail-
17 able pursuant to paragraph (1) is the information as
18 follows:

19 (A) The officer's name.

20 (B) The officer's current grade, duty posi-
21 tion, command or organization, and location of
22 assignment.

23 (C) A summary list of the officer's past
24 duty assignments while serving in a general or
25 flag officer grade.

1 (b) ADDITIONAL PUBLIC NOTICE ON CERTAIN OFFI-
2 CERS.—Whenever an officer in a grade of O–7 or above
3 is assigned to a new billet or reassigned from a current
4 billet, the Secretary of the military department having ju-
5 risdiction of such officer shall make available on an Inter-
6 net website of such department available to the public a
7 notice of such assignment or reassignment.

8 (c) LIMITATION ON WITHHOLDING OF CERTAIN IN-
9 FORMATION OR NOTICE.—

10 (1) LIMITATION.—The Secretary of a military
11 department may not withhold the information or no-
12 tice specified in subsections (a) and (b) from public
13 availability pursuant to subsection (a), unless and
14 until the Secretary notifies the Committees on
15 Armed Services of the Senate and the House of Rep-
16 resentatives in writing of the information or notice
17 that will be so withheld, together with justification
18 for withholding the information or notice from public
19 availability.

20 (2) LIMITED DURATION OF WITHHOLDING.—
21 The Secretary concerned may withhold from the
22 public under paragraph (1) information or notice on
23 an officer only on the bases of individual risk to the
24 officer or in the interest of national security, and
25 may continue to withhold such information or notice

1 only for so long as the basis for withholding remains
2 in force.

3 **Subtitle B—Reserve Component** 4 **Management**

5 **SEC. 511. REPEAL OF REQUIREMENT FOR REVIEW OF CER-**
6 **TAIN ARMY RESERVE OFFICER UNIT VA-**
7 **CANCY PROMOTIONS BY COMMANDERS OF**
8 **ASSOCIATED ACTIVE DUTY UNITS.**

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

12 **Subtitle C—General Service** 13 **Authorities**

14 **SEC. 515. MODIFICATION OF AUTHORITIES ON MANAGE-**
15 **MENT OF DEPLOYMENTS OF MEMBERS OF**
16 **THE ARMED FORCES AND RELATED UNIT OP-**
17 **ERATING AND PERSONNEL TEMPO MATTERS.**

18 (a) LIMITATION ON SCOPE OF DELEGATIONS OF AP-
19 PROVAL OF EXCEPTIONS TO DEPLOYMENT THRESH-
20 OLDS.—Paragraph (3) of subsection (a) of section 991 of
21 title 10, United States Code, is amended by striking “be
22 delegated to—” and all that follows and inserting “be del-
23 egated to a civilian officer of the Department of Defense
24 appointed by the President, by and with the advice and
25 consent of the Senate.”.

1 (b) SEPARATE POLICIES ON DWELL TIME FOR REG-
 2 ULAR AND RESERVE MEMBERS.—Paragraph (4) of such
 3 subsection is amended—

4 (1) by striking “addresses the amount” and in-
 5 serting “addresses each of the following:

6 “(1) The amount”;

7 (2) in paragraph (1), as designated by para-
 8 graph (1) of this subsection, by inserting “regular”
 9 before “member”; and

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

12 “(2) The amount of dwell time a reserve mem-
 13 ber of the armed forces remains at the member’s
 14 permanent duty station after completing a deploy-
 15 ment of 30 days or more in length.”.

16 (c) REPEAL OF AUTHORITY TO PRESCRIBE ALTER-
 17 NATIVE DEFINITION OF “DEPLOYMENT”.—Subsection (b)
 18 of such section is amended by striking paragraph (4).

19 **SEC. 516. REPEAL OF REQUIREMENT THAT PARENTAL**
 20 **LEAVE BE TAKEN IN ONE INCREMENT.**

21 (a) IN GENERAL.—Subsection (i) of section 701 of
 22 title 10, United States Code, is amended—

23 (1) by striking paragraph (5); and

24 (2) by redesignating paragraphs (6) through
 25 (10) as paragraphs (5) through (9), respectively.

1 (b) CONFORMING AMENDMENTS.—Subsection (j)(4)
2 of such section is amended—

3 (1) by striking “paragraphs (6) through (10)”
4 and inserting “paragraphs (5) through (9)”; and

5 (2) by striking “paragraph (9)(B)” and insert-
6 ing “paragraph (8)(B)”.

7 **SEC. 517. DIGITAL ENGINEERING AS A CORE COMPETENCY**
8 **OF THE ARMED FORCES.**

9 (a) POLICY.—

10 (1) IN GENERAL.—It shall be a policy of the
11 Department of Defense to promote and maintain
12 digital engineering as a core competency of the civil-
13 ian and military workforces of the Department,
14 which policy shall be achieved by—

15 (A) the recruitment, development, and re-
16 tention of civilian employees and members of
17 the Armed Forces with aptitude, experience,
18 proficient expertise, or a combination thereof in
19 digital engineering in and to the Department;

20 (B) at the discretion of the Secretaries of
21 the military departments, the development and
22 maintenance of civilian and military career
23 tracks on digital engineering, and related digital
24 competencies (including data science, machine
25 learning, software engineering, software product

1 management, and artificial intelligence product
2 management) for civilian employees of the De-
3 partment and members of the Armed Forces,
4 including the development and maintenance of
5 training, education, talent management, incen-
6 tives, and promotion policies in support of
7 members at all levels of such career tracks; and

8 (C) the development and application of ap-
9 propriate readiness standards and metrics to
10 measure and report on the overall capability,
11 capacity, use, and readiness of digital engineer-
12 ing civilian and military workforces to develop
13 and deliver operational capabilities, leverage
14 modern digital engineering technologies, develop
15 advanced capabilities to support military mis-
16 sions, and employ modern business practices.

17 (2) DIGITAL ENGINEERING.—For purposes of
18 this section, digital engineering is the discipline and
19 set of skills involved in the creation, processing,
20 transmission, integration, and storage of digital
21 data.

22 (b) RESPONSIBILITY.—Not later than 180 days after
23 the date of the enactment of this Act, the Secretary of
24 Defense shall appoint a civilian official of the Department
25 of Defense, at a level no lower than Assistant Secretary

1 of Defense, for the development and discharge of the pol-
2 icy set forth in subsection (a). The official so designated
3 shall be known as the “Chief Digital Engineering Recruit-
4 ment and Management Officer of the Department of De-
5 fense” (in this section referred to as the “Officer”).

6 (c) DUTIES.—In developing and providing for the dis-
7 charge of the policy set forth in subsection (a), the Officer
8 shall, in consultation with the Secretaries of the military
9 departments, do the following:

10 (1) Develop recruitment programs with various
11 core initiatives, programs, activities, and mecha-
12 nisms to identify and recruit civilians employees of
13 the Department of Defense and members of the
14 Armed Forces with demonstrated aptitude, interest,
15 proficient expertise, or a combination thereof, in dig-
16 ital engineering particularly, and in science, tech-
17 nology, engineering, and mathematics (STEM) gen-
18 erally, including initiatives, programs, activities, and
19 mechanisms to target populations of individuals not
20 typically aware of opportunities in the Armed Forces
21 for a digital engineering career.

22 (2) Develop and maintain education, training,
23 doctrine, and professional development activities to
24 support digital engineering skills of civilian employ-

1 ees of the Department and members of the Armed
2 Forces.

3 (3) Coordinate and synchronize digital force
4 management activities throughout the Department,
5 advise the Secretary of Defense on all matters per-
6 taining to the health and readiness of digital forces,
7 convene a Department-wide executive steering group,
8 and submit to Congress an annual report on the
9 readiness of digital forces and progress toward
10 achieving the policy.

11 (4) Create a Department-wide mechanism to
12 track digital expertise in the workforce, develop and
13 maintain organizational policies, strategies, and
14 plans sufficient to build, maintain, and refresh inter-
15 nal capacity at scale, and report to the Secretary
16 quarterly on the health and readiness of digital
17 forces.

18 (5) Assist the military departments in design-
19 ing, developing, and executing programs and incen-
20 tives to retain, track, and oversee digital expertise
21 among civilian employees of the Department and
22 members of the Armed Forces on active duty.

23 (6) At the request of the Chief of Staff of an
24 Armed Force, or the head of another component or
25 element of the Department, undertake an executive

1 search for key leadership positions in digital engi-
2 neering in such Armed Force, component, or ele-
3 ment, and develop and deploy agile hiring and com-
4 petitive compensation processes to fill such positions.

5 (7) Identify necessary changes in authorities,
6 policies, resources, or a combination thereof to fur-
7 ther the policy.

8 (8) Develop a definition for digital engineering
9 consistent with and aligned to Department needs
10 and processes.

11 (d) PLAN.—Not later than June 1, 2020, the Sec-
12 retary of Defense shall submit to the Committees on
13 Armed Services of the Senate and the House of Represent-
14 atives a plan to meet the requirements of this section. The
15 plan shall set forth the following:

16 (1) An identification of the Officer.

17 (2) A timeline for full implementation of the re-
18 quirements of this section.

19 (3) A description of the career tracks author-
20 ized by this section for both the civilian and military
21 workforces of the Department of Defense.

22 (4) Recommendations for such legislative or ad-
23 ministrative action as the Secretary considers appro-
24 priate in connection with implementation of such re-
25 quirements.

1 **SEC. 518. MODIFICATION OF NOTIFICATION ON MANNING**
2 **OF AFLOAT NAVAL FORCES.**

3 (a) TIMING OF NOTIFICATION.—Subsection (a) of
4 section 525 of the John S. McCain National Defense Au-
5 thorization Act for Fiscal Year 2019 (Public Law 115–
6 232) is amended—

7 (1) in the matter preceding paragraph (1), by
8 striking “not later than 15 days after any of the fol-
9 lowing conditions are met:” and inserting “not later
10 than 30 days after the end of each fiscal year quar-
11 ter, of each covered ship (if any) that, as of the last
12 day of such fiscal year quarter, met either condition
13 as follows:”; and

14 (2) in paragraphs (1) and (2), by striking “is
15 less” and inserting “was less”.

16 (b) DEFINITIONS OF MANNING FIT AND MANNING
17 FILL.—Subsection (d) of such section is amended in para-
18 graphs (1) and (2) by striking “the billets authorized” and
19 inserting “the ship manpower document requirement.”.

20 **SEC. 519. REPORT ON EXPANSION OF THE CLOSE AIRMAN**
21 **SUPPORT TEAM APPROACH OF THE AIR**
22 **FORCE TO THE OTHER ARMED FORCES.**

23 (a) REPORT REQUIRED.—Not later than 180 days
24 after the date of the enactment of this Act, the Secretaries
25 of the military departments shall jointly submit to the
26 Committees on Armed Services of the Senate and the

1 House of Representatives a report setting forth an assess-
2 ment of the Secretaries of the feasibility and advisability
3 of expanding the Close Airman Support (CAS) team ap-
4 proach of the Air Force to the other Armed Forces under
5 the jurisdiction of such Secretaries.

6 (b) CLOSE AIRMAN SUPPORT TEAM APPROACH.—

7 The Close Airman Support team approach of the Air
8 Force referred to in subsection (a) is an approach by
9 which personnel associated with an Air Force squadron,
10 and led by a senior enlisted member of the squadron, take
11 actions to improve relationships and communication
12 among members of the squadron in order to promote posi-
13 tive social behaviors among such members as a squadron,
14 including an embrace of proactive pursuit of needed assist-
15 ance.

16 (c) SCOPE OF REPORT.—If the Secretaries determine
17 that expansion of the Close Airman Support team ap-
18 proach to the other Armed Forces is feasible and advis-
19 able, the report under subsection (a) shall include a de-
20 scription of the manner in which the approach will be car-
21 ried out in the other Armed Forces, including the manner,
22 if any, in which the approach will be modified in the other
23 Armed Forces to take into account the unique cir-
24 cumstances of such Armed Forces.

1 **Subtitle D—Military Justice and** 2 **Related Matters**

3 **PART I—MATTERS RELATING TO INVESTIGA-** 4 **TION, PROSECUTION, AND DEFENSE OF SEX-** 5 **UAL ASSAULT GENERALLY**

6 **SEC. 521. DEPARTMENT OF DEFENSE-WIDE POLICY AND** 7 **MILITARY DEPARTMENT-SPECIFIC PRO-** 8 **GRAMS ON REINVIGORATION OF THE PRE-** 9 **VENTION OF SEXUAL ASSAULT INVOLVING** 10 **MEMBERS OF THE ARMED FORCES.**

11 (a) **POLICY REQUIRED.**—Not later than 180 days
12 after the date of the enactment of this Act, the Secretary
13 of Defense shall develop and issue a comprehensive policy
14 for the Department to reinvigorate the prevention of sex-
15 ual assault involving members of the Armed Forces.

16 (b) **POLICY ELEMENTS.**—

17 (1) **IN GENERAL.**—The policy required by sub-
18 section (a) shall include the following:

19 (A) Education and training for members of
20 the Armed Forces on the prevention of sexual
21 assault.

22 (B) Elements for programs designed to en-
23 courage and promote healthy relationships
24 among members of the Armed Forces.

1 (C) Elements for programs designed to
2 empower and enhance the role of non-commis-
3 sioned officers in the prevention of sexual as-
4 sault.

5 (D) Elements for programs to foster social
6 courage among members of the Armed Forces
7 to encourage and promote intervention in situa-
8 tions in order to prevent sexual assault.

9 (E) Processes and mechanisms designed to
10 address behaviors among members of the
11 Armed Forces that are included in the con-
12 tinuum of harm that frequently results in sex-
13 ual assault.

14 (F) Elements for programs designed to ad-
15 dress alcohol abuse, including binge drinking,
16 among members of the Armed Forces.

17 (G) Such other elements, processes, mech-
18 anisms, and other matters as the Secretary of
19 Defense considers appropriate.

20 (2) CONTINUUM OF HARM RESULTING IN SEX-
21 UAL ASSAULT.—For purposes of paragraph (1)(E),
22 the continuum of harm that frequently results in
23 sexual assault includes hazing, sexual harassment,
24 and related behaviors (including language choices,
25 off-hand statements, jokes, and unconscious atti-

1 tudes or biases) that create a permissive climate for
2 sexual assault.

3 (c) PROGRAMS REQUIRED.—Not later than 180 days
4 after the issuance of the policy required by subsection (a),
5 each Secretary of a military department shall develop and
6 implement for each Armed Force under the jurisdiction
7 of such Secretary a program to reinvigorate the prevention
8 of sexual assaults involving members of the Armed Forces.
9 Each program shall include the elements, processes, mech-
10 anisms, and other matters developed by the Secretary of
11 Defense pursuant to subsection (a) tailored to the require-
12 ments and circumstances of the Armed Force or Armed
13 Forces concerned.

14 **SEC. 522. ENACTMENT AND EXPANSION OF POLICY ON**
15 **WITHHOLDING OF INITIAL DISPOSITION AU-**
16 **THORITY FOR CERTAIN OFFENSES UNDER**
17 **THE UNIFORM CODE OF MILITARY JUSTICE.**

18 (a) INITIAL DISPOSITION AUTHORITY.—

19 (1) IN GENERAL.—Except as provided in para-
20 graph (2), the proper authority for a determination
21 of disposition of reported offenses with respect to
22 any offense specified in subsection (b) shall be an of-
23 ficer in a grade not below the grade of O–6 in the
24 chain of command of the subject who is authorized

1 by chapter 47 of such title (the Uniform Code of
2 Military Justice) to convene special courts-martial.

3 (2) AUTHORITY WHEN SUBJECT AND VICTIM
4 ARE IN DIFFERENT CHAINS OF COMMAND.—If the
5 victim of an offense specified in subsection (b) is in
6 a different chain of command than the subject, the
7 proper authority under paragraph (1), for any re-
8 ported offenses in connection with misconduct of the
9 victim arising out of the incident in which the of-
10 fense is alleged to have occurred, shall be an officer
11 described in that paragraph in the chain of com-
12 mand of the victim.

13 (3) CONSTRUCTION.—Nothing in this sub-
14 section shall be construed—

15 (A) to prohibit the preferral of charges by
16 an authorized person under section 830(a)(1) of
17 title 10, United States Code (article 30(a)(1) of
18 the Uniform code of Military Justice), with re-
19 spect to the offenses specified in subsection (b),
20 and the forwarding of such charges as so pre-
21 ferred to the proper authority under paragraph
22 (1) with a recommendation as disposition; or

23 (B) to prohibit an officer in a grade below
24 the grade of O–6 from advising an officer de-
25 scribed in paragraph (1) who is making a deter-

1 mination described in that paragraph with re-
2 spect to the disposition of the offenses involved.

3 (b) COVERED OFFENSES.—An offense specified in
4 this subsection is any offense as follows:

5 (1) An offense under section 893 of title 10,
6 United States Code (article 93 of the Uniform Code
7 of Military Justice), relating to cruelty and maltreat-
8 ment, if the offense constitutes sexual harassment.

9 (2) An offense under section 893a of title 10,
10 United States Code (article 93a of the Uniform
11 Code of Military Justice), relating to prohibited ac-
12 tivity with a military recruit or trainee by a person
13 in a position of special trust.

14 (3) An offense under section 918 of title 10,
15 United States Code (article 118 of the Uniform
16 Code of Military Justice), relating to murder, if the
17 offense is committed in connection with family abuse
18 or other domestic violence.

19 (4) An offense under section 919 of title 10,
20 United States Code (article 119 of the Uniform
21 Code of Military Justice), relating to manslaughter,
22 if the offense is committed in connection with family
23 abuse or other domestic violence.

24 (5) An offense under section 919a of title 10,
25 United States Code (article 119a of the Uniform

1 Code of Military Justice), relating to death or injury
2 of an unborn child, if the offense is committed in
3 connection with family abuse or other domestic vio-
4 lence.

5 (6) An offense under section 919b of title 10,
6 United States Code (article 119b of the Uniform
7 Code of Military Justice), relating to child
8 endangerment, if the offense is committed in connec-
9 tion with family abuse or other domestic violence.

10 (7) An offense under section 920 of title 10,
11 United States Code (article 120 of the Uniform
12 Code of Military Justice), relating to rape and sex-
13 ual assault generally.

14 (8) An offense under section 920b of title 10,
15 United States Code (article 120b of the Uniform
16 Code of Military Justice), relating to rape and sex-
17 ual assault of a child.

18 (9) An offense under section 920c of title 10,
19 United States Code (article 120c of the Uniform
20 Code of Military Justice), relating to other sexual
21 misconduct.

22 (10) An offense under section 925 of title 10,
23 United States Code (article 125 of the Uniform
24 Code of Military Justice), relating to kidnapping, if

1 the offense is committed in connection with family
2 abuse or other domestic violence.

3 (11) An offense under section 928 of title 10,
4 United States Code (article 128 of the Uniform
5 Code of Military Justice), relating to aggravated as-
6 sault, if the offense is committed in connection with
7 family abuse or other domestic violence.

8 (12) An offense under section 928a of title 10,
9 United States Code (article 128a of the Uniform
10 Code of Military Justice), relating to maiming, if the
11 offense is committed in connection with family abuse
12 or other domestic violence.

13 (13) An offense under section 928b of title 10,
14 United States Code (article 128b of the Uniform
15 Code of Military Justice), relating to domestic vio-
16 lence.

17 (14) An offense under section 930 of title 10,
18 United States Code (article 130 of the Uniform
19 Code of Military Justice), relating to stalking, if the
20 offense is committed in connection with family abuse
21 or other domestic violence.

22 (15) An offense under section 932 of title 10,
23 United States Code (article 132 of the Uniform
24 Code of Military Justice), relating to retaliation.

1 (16) An offense under section 934 of title 10,
 2 United States Code (article 134 of the Uniform
 3 Code of Military Justice), if the offense relates to
 4 child pornography.

5 (17) An offense under section 934 of title 10,
 6 United States Code (article 134 of the Uniform
 7 Code of Military Justice), if the offense—

8 (A) relates to animal abuse; and

9 (B) is committed in connection with family
 10 abuse or other domestic violence,

11 (18) An offense under section 934 of title 10,
 12 United States Code (article 134 of the Uniform
 13 Code of Military Justice), if the offense—

14 (A) relates to negligent homicide; and

15 (B) is committed in connection with family
 16 abuse or other domestic violence.

17 (19) An attempt to commit an offense specified
 18 in a paragraph (1) through (18) as punishable under
 19 section 880 of title 10, United States Code (article
 20 80 of the Uniform Code of Military Justice).

21 (c) SCOPE OF DISPOSITION AUTHORITY WITH RE-
 22 SPECT TO PARTICULAR OFFENSES.—The authority in
 23 subsection (a) of an officer to make a disposition deter-
 24 mination described in that subsection with respect to any
 25 offense specified in subsection (b) extends to a determina-

tion of disposition with respect to any other offenses against the subject arising out of the incident in which the offense is alleged to have occurred.

(d) SCOPE OF DISPOSITION DETERMINATIONS.—Except for an offense specified in section 818(c) of title 10, United States Code (article 18(c) of the Uniform Code of Military Justice), of which only general courts-martial have jurisdiction, the disposition determinations permissible in the exercise of the authority under this section with respect to charges and specifications are as follows:

- (1) No action.
- (2) Administrative action.
- (3) Imposition of non-judicial punishment.
- (4) Preferral of charges.
- (5) If such charges and specifications were preferred from a subordinate, dismissal of charges or referral to court-martial for trial.
- (6) Forwarding to a superior or subordinate authority for further disposition.

(e) REVIEW OF CERTAIN DISPOSITION DETERMINATIONS.—

- (1) INITIAL REVIEW AND RECOMMENDATION.—
If a disposition determination under this section with respect to an offense is for a disposition specified in paragraph (1), (2), or (3) of subsection (d)

1 and the legal advisor to the officer making the dis-
2 position determination has recommended a disposi-
3 tion specified in paragraph (4), (5), or (6) of that
4 subsection, a Special Victim Prosecutor (SVP), Sen-
5 ior Trial Counsel (STC), or Regional Trial Counsel
6 (RTC) not in the chain of command of the officer
7 making the disposition determination shall—

8 (A) review the disposition determination;

9 and

10 (B) recommend to the staff judge advocate
11 in the chain of command whether to endorse or
12 supersede the disposition determination.

13 (2) SJA REVIEW AND ADVICE.—Upon comple-
14 tion of a review of a recommendation under para-
15 graph (1)(B), the staff judge advocate concerned
16 shall advise the next superior commander in the
17 chain of command of the officer making the original
18 disposition determination whether such disposition
19 determination should be endorsed or superseded.

20 (3) FINAL DISPOSITION DETERMINATION.—
21 After considering advice under paragraph (2) with
22 respect to an original disposition determination, the
23 superior commander concerned shall—

24 (A) make a new disposition determination
25 with respect to the offenses concerned; or

1 (B) endorse the original disposition deter-
2 mination for appropriate further action.

3 (f) TRAINING.—

4 (1) IN GENERAL.—The training provided to
5 commissioned officers of the Armed Forces in grades
6 O–6 and above on the exercise of authority pursuant
7 to this section for determinations of the disposition
8 of an offense specified in subsection (b) shall include
9 specific training on such matters in connection with
10 sexual harassment, sexual assault, and family abuse
11 and domestic violence as the Secretary of Defense
12 considers appropriate to make informed disposition
13 determinations under such authority.

14 (2) CONSTRUCTION.—Nothing in this sub-
15 section shall be construed to deprive a court-martial
16 of jurisdiction based on the level or amount of train-
17 ing received by the disposition authority pursuant to
18 this section.

19 (g) MANUAL FOR COURTS-MARTIAL.—The President
20 shall implement the requirement of this section into the
21 Manual for Courts-Martial in accordance with section 836
22 of title 10, United States Code (article 36 of the Uniform
23 Code of Military Justice).

1 **SEC. 523. TRAINING FOR SEXUAL ASSAULT INITIAL DIS-**
2 **POSITION AUTHORITIES ON EXERCISE OF**
3 **DISPOSITION AUTHORITY FOR SEXUAL AS-**
4 **SAULT AND COLLATERAL OFFENSES.**

5 (a) IN GENERAL.—The training for Sexual Assault
6 Initial Disposition Authorities (SAIDAs) on the exercise
7 of disposition authority under chapter 47, United States
8 Code (the Uniform Code of Military Justice), with respect
9 to cases for which disposition authority is withheld to such
10 Authorities by the April 20, 2012, memorandum of the
11 Secretary of Defense, or any successor memorandum, shall
12 include comprehensive training on the exercise by such
13 Authorities of such authority with respect to such cases
14 in order to enhance the capabilities of such Authorities
15 in the exercise of such authority and thereby promote con-
16 fidence and trust in the military justice process with re-
17 spect to such cases.

18 (b) MEMORANDUM OF SECRETARY OF DEFENSE.—
19 The April 20, 2012, memorandum of the Secretary of De-
20 fense referred to in subsection (a) is the memorandum of
21 the Secretary of Defense entitled “Withholding Initial Dis-
22 position Authority Under the Uniform Code of Military
23 Justice in Certain Sexual Assault Cases” and dated April
24 20, 2012.

1 **SEC. 524. EXPANSION OF RESPONSIBILITIES OF COM-**
2 **MANDERS FOR VICTIMS OF SEXUAL ASSAULT**
3 **COMMITTED BY ANOTHER MEMBER OF THE**
4 **ARMED FORCES.**

5 (a) NOTIFICATION OF VICTIMS OF EVENTS IN MILI-
6 TARY JUSTICE PROCESS.—

7 (1) NOTIFICATION REQUIRED.—Except as pro-
8 vided in paragraph (2), the commander of a member
9 of the Armed Forces who is the victim of an alleged
10 sexual assault committed by another member of the
11 Armed Forces (whether or not such other member is
12 in the command of such commander) shall provide
13 notification to such victim of every key or other sig-
14 nificant event in the military justice process in con-
15 nection with the investigation, prosecution, and con-
16 finement of such other member for alleged sexual as-
17 sault.

18 (2) ELECTION OF VICTIM NOT TO RECEIVE.—
19 A commander is not required by paragraph (1) to
20 provide notifications to a victim as described in that
21 paragraph if the victim elects not to be provided
22 such notifications.

23 (3) DOCUMENTATION.—Each commander de-
24 scribed in paragraph (1) shall create and maintain
25 appropriate documentation on the following:

1 (A) Any notification provided as described
2 in paragraph (1).

3 (B) Any election made pursuant to para-
4 graph (2).

5 (b) DOCUMENTATION OF VICTIM'S PREFERENCE ON
6 JURISDICTION IN PROSECUTION.—In the case of a mem-
7 ber of the Armed Forces who is the victim of an alleged
8 sexual assault committed by another member of the
9 Armed Forces who is subject to prosecution for such al-
10 leged offense both by court-martial under chapter 47 of
11 title 10, United States Code (the Uniform Code of Military
12 Justice), and by a civilian court under Federal or State
13 law, the commander of such victim shall create and main-
14 tain appropriate documentation of the expressed pref-
15 erence, if any, of such victim for prosecution of such al-
16 leged offense by court-martial or by a civilian court as pro-
17 vided for by Rule 306(e) of the Rules for Court-Martial.

18 (c) REGULATIONS.—The Secretary of Defense shall
19 prescribe in regulations the requirements applicable to
20 each of the following:

- 21 (1) Notifications under subsection (a)(1).
- 22 (2) Elections under subsection (a)(2).
- 23 (3) Documentation under subsection (a)(3).
- 24 (4) Documentation under subsection (b).

1 **SEC. 525. TRAINING FOR COMMANDERS IN THE ARMED**
2 **FORCES ON THEIR ROLE IN ALL STAGES OF**
3 **MILITARY JUSTICE IN CONNECTION WITH**
4 **SEXUAL ASSAULT.**

5 (a) IN GENERAL.—The training provided com-
6 manders in the Armed Forces shall include comprehensive
7 training on the role of commanders in all stages of mili-
8 tary justice in connection with sexual assaults by members
9 of the Armed Forces.

10 (b) ELEMENTS TO BE COVERED.—The training pro-
11 vided pursuant to subsection (a) shall include training on
12 the following:

13 (1) The role of commanders in each stage of
14 the military justice process in connection with sexual
15 assault committed by a member of the Armed
16 Forces, including investigation and prosecution.

17 (2) The role of commanders in assuring that
18 victims in sexual assault described in paragraph (1)
19 are informed of, and have the opportunity to obtain,
20 assistance available for victims of sexual assault by
21 law.

22 (3) The role of commanders in assuring that
23 victims in sexual assault described in paragraph (1)
24 are afforded the due process rights and protections
25 available to victims by law.

1 (4) The role of commanders in preventing retal-
2 iation against victims, their family members, wit-
3 nesses, first responders, and bystanders for their
4 their complaints, statements, testimony, and status
5 in connection with sexual assault described in para-
6 graph (1), including the role of commanders in en-
7 suring that subordinates in the command are aware
8 of their responsibilities in preventing such retalia-
9 tion.

10 (5) The role of commanders in establishing and
11 maintaining a healthy command climate in connec-
12 tion with reporting on sexual assault described in
13 paragraph (1) and in the response of the com-
14 mander, subordinates in the command, and other
15 personnel in the command to such sexual assault,
16 such reporting, and the military justice process in
17 connection with such sexual assault.

18 (6) Any other matters on the role of com-
19 manders in connection with sexual assault described
20 in paragraph (1) that the Secretary of Defense con-
21 siders appropriate for purposes of this section.

22 (c) INCORPORATION OF BEST PRACTICES.—

23 (1) IN GENERAL.—The training provided pur-
24 suant to subsection (a) shall incorporate best prac-
25 tices on all matters covered by the training.

1 (2) IDENTIFICATION OF BEST PRACTICES.—The
 2 Secretaries of the military departments shall, acting
 3 through the training and doctrine commands of the
 4 Armed Forces, undertake from time to time surveys
 5 and other reviews of the matters covered by the
 6 training provided pursuant to subsection (a) in order
 7 to identify and incorporate into such training the
 8 most current practicable best practices on such mat-
 9 ters.

10 (d) UNIFORMITY.—The Secretary of Defense shall
 11 ensure that the training provided pursuant to subsection
 12 (a) is, to the extent practicable, uniform across the Armed
 13 Forces.

14 **SEC. 526. NOTICE TO VICTIMS OF ALLEGED SEXUAL AS-**
 15 **SAULT OF PENDENCY OF FURTHER ADMINIS-**
 16 **TRATIVE ACTION FOLLOWING A DETERMINA-**
 17 **TION NOT TO REFER TO TRIAL BY COURT-**
 18 **MARTIAL.**

19 Under regulations prescribed by the Secretary of De-
 20 fense, upon a determination not to refer a case of alleged
 21 sexual assault for trial by court-martial under chapter 47
 22 of title 10, United States Code (the Uniform Code of Mili-
 23 tary Justice), the commander making such determination
 24 shall periodically notify the victim of the status of a final
 25 determination on further action on such case, whether

1 non-judicial punishment under section 815 of such title
2 (article 15 of the Uniform Code of Military Justice), other
3 administrative action, or no further action. Such notifica-
4 tions shall continue not less frequently than monthly until
5 such final determination.

6 **SEC. 527. SAFE TO REPORT POLICY APPLICABLE ACROSS**
7 **THE ARMED FORCES.**

8 (a) IN GENERAL.—The Secretary of Defense shall,
9 in consultation with the Secretaries of the military depart-
10 ments and the Secretary of Homeland Security, prescribe
11 in regulations a safe to report policy described in sub-
12 section (b) that applies with respect to all members of the
13 Armed Forces (including members of the reserve compo-
14 nents of the Armed Forces) and cadets and midshipmen
15 at the military service academies.

16 (b) SAFE TO REPORT POLICY.—The safe to report
17 policy described in this subsection is a policy under which
18 a member of the Armed Forces who is the victim of an
19 alleged sexual assault, but who may have committed minor
20 collateral misconduct at or about the time of such alleged
21 sexual assault, or whose minor collateral misconduct is
22 discovered only as a result of the investigation into such
23 alleged sexual assault, may report such alleged sexual as-
24 sault to proper authorities without fear or receipt of dis-
25 cipline in connection with such minor collateral mis-

1 conduct absent aggravating circumstances that increase
 2 the gravity of the minor collateral misconduct or its im-
 3 pact on good order and discipline.

4 (c) MINOR COLLATERAL MISCONDUCT.—For pur-
 5 poses of the safe to report policy, minor collateral mis-
 6 conduct shall include any of the following:

7 (1) Improper use or possession of alcohol.

8 (2) Consensual intimate behavior (including
 9 adultery) or fraternization.

10 (3) Presence in an off-limits area.

11 (4) Such other misconduct as the Secretary of
 12 Defense shall specify in the regulations under sub-
 13 section (a).

14 (d) AGGRAVATING CIRCUMSTANCES.—The regula-
 15 tions under subsection (a) shall specify aggravating cir-
 16 cumstances that increase the gravity of minor collateral
 17 misconduct or its impact on good order and discipline for
 18 purposes of the safe to report policy.

19 **SEC. 528. REPORT ON EXPANSION OF AIR FORCE SAFE TO**
 20 **REPORT POLICY ACROSS THE ARMED**
 21 **FORCES.**

22 (a) REPORT.—Not late than 180 days after the date
 23 of the enactment of this Act, the Secretary of Defense
 24 shall, in consultation with the Secretaries of the military
 25 departments and the Secretary of Homeland Security,

1 submit to the Committees on Armed Services of the Sen-
 2 ate and the House of Representatives a report setting
 3 forth an assessment of the feasibility and advisability of
 4 expanding the applicability of the safe to report policy de-
 5 scribed in subsection (b) so that the policy applies across
 6 the Armed Forces.

7 (b) SAFE TO REPORT POLICY.—The safe to report
 8 policy described in this subsection is the policy, currently
 9 applicable in the Air Force alone, under which a member
 10 of the Armed Forces who is the victim of an alleged sexual
 11 assault committed by another member of the Armed
 12 Forces, but who may have committed minor collateral mis-
 13 conduct at or about the time of such alleged sexual as-
 14 sault, or whose minor collateral misconduct at or about
 15 such time is discovered only as a result of the investigation
 16 into such alleged sexual assault, may report such alleged
 17 sexual assault to proper authorities without fear or receipt
 18 of discipline in connection with such minor collateral mis-
 19 conduct.

20 **SEC. 529. PROPOSAL FOR SEPARATE PUNITIVE ARTICLE IN**
 21 **THE UNIFORM CODE OF MILITARY JUSTICE**
 22 **ON SEXUAL HARASSMENT.**

23 Not later than 180 days after the date of the enact-
 24 ment of this Act, the Joint Service Committee on Military
 25 Justice shall submit to the Committees on Armed Services

1 of the Senate and the House of Representatives a report
 2 setting forth recommendations for legislative and adminis-
 3 trative action required to establish a separate punitive ar-
 4 ticle in chapter 47 of title 10, United States Code (the
 5 Uniform Code of Military Justice), on sexual harassment.

6 **SEC. 530. TREATMENT OF INFORMATION IN CATCH A SE-**
 7 **RIAL OFFENDER PROGRAM FOR CERTAIN**
 8 **PURPOSES.**

9 (a) EXCLUSION FROM FOIA.—Section 552 of title
 10 5, United States Code (commonly referred to as the
 11 “Freedom of Information Act”), shall not apply to any
 12 report for purposes of the Catch a Serial Offender
 13 (CATCH) Program.

14 (b) PRESERVATION OF RESTRICTED REPORT.—The
 15 transmittal or receipt in connection with the Catch a Se-
 16 rial Offender Program of a report on a sexual assault that
 17 is treated as a restricted report shall not operate to termi-
 18 nate its treatment or status as a restricted report.

19 **SEC. 531. REPORT ON PRESERVATION OF RECOURSE TO**
 20 **RESTRICTED REPORT ON SEXUAL ASSAULT**
 21 **FOR VICTIMS OF SEXUAL ASSAULT FOL-**
 22 **LOWING CERTAIN VICTIM OR THIRD-PARTY**
 23 **COMMUNICATIONS.**

24 (a) REPORT REQUIRED.—Not later than 180 days
 25 after the date of the enactment of this Act, the Secretary

1 of Defense shall submit to the Committees on Armed Serv-
2 ices of the Senate and the House of Representatives a re-
3 port making findings and recommendations on the feasi-
4 bility and advisability of a policy for the Department of
5 Defense that would permit a victim of a sexual assault,
6 that is or may be investigated as a result of a communica-
7 tion described in subsection (b), which victim is a member
8 of the Armed Forces or an adult dependent of a member
9 of the Armed Forces, to have the reporting on the sexual
10 assault be treated as a restricted report without regard
11 to the party initiating or receiving such communication.

12 (b) COMMUNICATIONS.—A communication described
13 in this subsection is a communication reporting a sexual
14 assault as follows:

15 (1) By the victim to a member of the Armed
16 Forces, whether a commissioned officer or a non-
17 commissioned officer, in the chain of command of
18 the victim or the victim's military sponsor.

19 (2) By the victim to military law enforcement
20 personnel or personnel of a military criminal inves-
21 tigative organization (MCIO).

22 (3) By any individual other than victim.

23 (c) SCOPE OF FINDINGS AND RECOMMENDATIONS.—
24 The report required by subsection (a) may include rec-
25 ommendations for new provisions of statute or regulations,

1 or modification of current statute or regulations, that may
 2 be required to put into effect the findings and rec-
 3 ommendations described in subsection (a).

4 (d) CONSULTATION.—In preparing the report re-
 5 quired by subsection (a), the Secretary shall consult with
 6 the Defense Advisory Committee on Investigation, Pros-
 7 ecution, and Defense of Sexual Assault in the Armed
 8 Forces (DAC–IPAD) under section 546 of the Carl Levin
 9 and Howard P. “Buck” McKeon National Defense Au-
 10 thorization Act for Fiscal Year 2015 (10 U.S.C. 1561
 11 note).

12 **SEC. 532. AUTHORITY FOR RETURN OF PERSONAL PROP-**
 13 **ERTY TO VICTIMS OF SEXUAL ASSAULT WHO**
 14 **FILE A RESTRICTED REPORT BEFORE CON-**
 15 **CLUSION OF RELATED PROCEEDINGS.**

16 Section 586 of the National Defense Authorization
 17 Act for Fiscal Year 2012 (10 U.S.C. 1561 note) is amend-
 18 ed—

19 (1) by redesignating subsection (f) as sub-
 20 section (e);

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

24 (3) by adding at the end the following new sub-
 25 section:

1 “(f) RETURN OF PERSONAL PROPERTY IN RE-
2 STRICTED REPORTING CASES.—(1) The Secretary of De-
3 fense shall prescribe procedures under which a victim who
4 files a restricted report on an incident of sexual assault
5 may request, at any time, the return of any personal prop-
6 erty of the victim obtained as part of the sexual assault
7 forensic examination.

8 “(2) The procedures shall ensure that—

9 “(A) a request of a victim under paragraph (1)
10 may be made on a confidential basis and without af-
11 fecting the restricted nature of the restricted report;
12 and

13 “(B) at the time of the filing of the restricted
14 report, a Sexual Assault Response Coordinator or
15 Sexual Assault Prevention and Response Victim Ad-
16 vocate—

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

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

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

6 **SEC. 533. EXTENSION OF DEFENSE ADVISORY COMMITTEE**
 7 **ON INVESTIGATION, PROSECUTION, AND DE-**
 8 **FENSE OF SEXUAL ASSAULT IN THE ARMED**
 9 **FORCES.**

10 Section 546(f)(1) of the Carl Levin and Howard P.
 11 “Buck” McKeon National Defense Authorization Act for
 12 Fiscal Year 2015 (10 U.S.C. 1561 note) is amended by
 13 striking “five” and inserting “ten”.

14 **SEC. 534. DEFENSE ADVISORY COMMITTEE FOR THE PRE-**
 15 **VENTION OF SEXUAL MISCONDUCT.**

16 (a) ESTABLISHMENT REQUIRED.—

17 (1) IN GENERAL.—The Secretary of Defense
 18 shall establish and maintain within the Department
 19 of Defense an advisory committee to be known as
 20 the “Defense Advisory Committee for the Prevention
 21 of Sexual Misconduct” (in this section referred to as
 22 the “Advisory Committee”).

23 (2) DEADLINE FOR ESTABLISHMENT.—The
 24 Secretary shall establish the Advisory Committee not

1 later than 180 days after the date of the enactment
2 of this Act.

3 (b) MEMBERSHIP.—

4 (1) IN GENERAL.—The Advisory Committee
5 shall consist of not more than 20 members, ap-
6 pointed by the Secretary from among individuals
7 who have an expertise appropriate for the work of
8 the Advisory Committee, including at least one indi-
9 vidual with each expertise as follows:

10 (A) Expertise in the prevention of sexual
11 assault and behaviors on the sexual assault con-
12 tinuum of harm.

13 (B) Expertise in the prevention of suicide.

14 (C) Expertise in the change of culture of
15 large organizations.

16 (D) Expertise in implementation science.

17 (2) BACKGROUND OF INDIVIDUALS.—Individ-
18 uals appointed to the Advisory Committee may in-
19 clude individuals with expertise in sexual assault
20 prevention efforts of institutions of higher education,
21 public health officials, and such other individuals as
22 the Secretary considers appropriate.

23 (3) PROHIBITION ON MEMBERSHIP OF MEM-
24 BERS OF ARMED FORCES ON ACTIVE DUTY.—A
25 member of the Armed Forces serving on active duty

1 may not serve as a member of the Advisory Com-
2 mittee.

3 (c) DUTIES.—

4 (1) IN GENERAL.—The Advisory Committee
5 shall advise the Secretary on the following:

6 (A) The prevention of sexual assault (in-
7 cluding rape, forcible sodomy, other sexual as-
8 sault, and other sexual misconduct (including
9 behaviors on the sexual assault continuum of
10 harm)) involving members of the Armed Forces.

11 (B) The policies, programs, and practices
12 of each military department, each Armed Force,
13 and each military service academy for the pre-
14 vention of sexual assault as described in sub-
15 paragraph (A).

16 (2) BASIS FOR PROVISION OF ADVICE.—For
17 purposes of providing advice to the Secretary pursu-
18 ant to this subsection, the Advisory Committee shall
19 review, on an ongoing basis, the following:

20 (A) Cases involving allegations of sexual
21 assault described in paragraph (1).

22 (B) Efforts of institutions of higher edu-
23 cation to prevent sexual assault among stu-
24 dents.

1 (C) Any other information or matters that
2 the Advisory Committee or the Secretary con-
3 siders appropriate.

4 (3) COORDINATION OF EFFORTS.—In addition
5 to the reviews required by paragraph (2), for pur-
6 poses of providing advice to the Secretary the Advi-
7 sory Committee shall also consult and coordinate
8 with the Defense Advisory Committee on Investiga-
9 tion, Prosecution, and Defense of Sexual Assault in
10 the Armed Forces (DAC-IPAD) on matters of joint
11 interest to the two Advisory Committees.

12 (d) ANNUAL REPORT.—Not later than March 30
13 each year, the Advisory Committee shall submit to the
14 Secretary and the Committees on Armed Services of the
15 Senate and the House of Representatives a report on the
16 activities of the Advisory Committee pursuant to this sec-
17 tion during the preceding year.

18 (e) SEXUAL ASSAULT CONTINUUM OF HARM.—In
19 this section, the term “sexual assault continuum of harm”
20 includes—

21 (1) inappropriate actions (such as sexist jokes),
22 sexual harassment, gender discrimination, hazing,
23 cyber bullying, or other behavior that contributes to
24 a culture that is tolerant of, or increases risk for,
25 sexual assault; and

1 (2) maltreatment or ostracism of a victim for a
2 report of sexual misconduct.

3 **SEC. 535. INDEPENDENT REVIEWS AND ASSESSMENTS ON**
4 **RACE AND ETHNICITY IN THE INVESTIGA-**
5 **TION, PROSECUTION, AND DEFENSE OF SEX-**
6 **UAL ASSAULT IN THE ARMED FORCES.**

7 (a) REVIEWS AND ASSESSMENTS BY DAC-IPAD.—
8 The independent committee established by the Secretary
9 of Defense under section 546 of the Carl Levin and How-
10 ard P. “Buck” McKeon National Defense Authorization
11 Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat.
12 3374), commonly known as the “DAC-IPAD”, shall con-
13 duct each of the following:

14 (1) A review and assessment, by fiscal year, of
15 the race and ethnicity of members of the Armed
16 Forces accused of a penetrative sexual assault of-
17 fense or contact sexual assault offense in an unre-
18 stricted report made pursuant to Department of De-
19 fense Instruction 6495.02, including an unrestricted
20 report involving a spouse or intimate partner, in all
21 cases completed in each fiscal year assessed.

22 (2) A review and assessment, by fiscal year, of
23 the race and ethnicity of members of the Armed
24 Forces against whom charges were preferred pursu-
25 ant to Rule for Courts-Martial 307 for a penetrative

1 sexual assault offense or contact sexual assault of-
2 fense in all cases completed in each fiscal year as-
3 sessed.

4 (3) A review and assessment, by fiscal year, of
5 the race and ethnicity of members of the Armed
6 Forces who were convicted of a penetrative sexual
7 assault offense or contact sexual assault offense in
8 all cases completed in each fiscal year assessed.

9 (b) INFORMATION FROM FEDERAL AGENCIES.—

10 (1) IN GENERAL.—Upon request by the chair of
11 the committee, a department or agency of the Fed-
12 eral Government shall provide information that the
13 committees considers necessary to conduct reviews
14 and assessments required by subsection (a), includ-
15 ing military criminal investigation files, charge
16 sheets, records of trial, and personnel records.

17 (2) HANDLING, STORAGE, AND RETURN.—The
18 committee shall handle and store all records received
19 and reviewed under this section in accordance with
20 applicable privacy laws and Department of Defense
21 policy, and shall return all records so received in a
22 timely manner.

23 (c) REPORT.—Not later than one year after the date
24 of the enactment of this Act, the committee shall submit
25 to the Secretary of Defense, and to the Committees on

1 Armed Services of the Senate and the House of Represent-
2 atives, a report setting forth the results of the reviews and
3 assessments required by subsection (a). The report shall
4 include such recommendations for legislative or adminis-
5 trative action as the committee considers appropriate in
6 light of such results.

7 (d) DEFINITIONS.—In this section:

8 (1) The term “case” means an unrestricted re-
9 port of any penetrative sexual assault offense or con-
10 tact sexual assault offense made against a member
11 of the Armed Forces pursuant to Department of De-
12 fense Instruction 6495.02, including any unre-
13 stricted report involving a spouses or intimate part-
14 ner for which an investigation has been opened by
15 a criminal investigative organization.

16 (2) The term “completed”, with respect to a
17 case, means that the case was tried to verdict, dis-
18 missed without further action, or dismissed and then
19 resolved by non-judicial or administrative pro-
20 ceedings.

21 (3) The term “contact sexual assault offense”
22 means aggravated sexual contact, abusive sexual
23 contact, wrongful sexual contact, and attempts to
24 commit such offenses under the Uniform Code of
25 Military Justice.

(4) The term “penetrative sexual assault offense” means rape, aggravated sexual assault, sexual assault, forcible sodomy, and attempts to commit such offenses under the Uniform Code of Military Justice.

SEC. 536. REPORT ON MECHANISMS TO ENHANCE THE INTEGRATION AND SYNCHRONIZATION OF ACTIVITIES OF SPECIAL VICTIM INVESTIGATION AND PROSECUTION PERSONNEL WITH ACTIVITIES OF MILITARY CRIMINAL INVESTIGATIVE ORGANIZATIONS.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth proposals for various mechanisms to enhance the integration and synchronization of activities of Special Victim Investigation and Prosecution (SVIP) personnel with activities of military criminal investigative organizations (MCIOs) in investigations in which both such personnel are or may be involved. If the proposed mechanisms require legislative or administration action for implementation, the report shall set forth such recommendations for

1 such action as the Secretary of Defense considers appro-
2 priate.

3 **SEC. 537. COMPTROLLER GENERAL OF THE UNITED**
4 **STATES REPORT ON IMPLEMENTATION BY**
5 **THE ARMED FORCES OF RECENT STATUTORY**
6 **REQUIREMENTS ON SEXUAL ASSAULT PRE-**
7 **VENTION AND RESPONSE IN THE MILITARY.**

8 (a) REPORT REQUIRED.—The Comptroller General
9 of the United States shall submit to the Committees on
10 Armed Services of the Senate and the House of Represent-
11 atives a report, in writing, on a study, conducted by the
12 Comptroller General for purposes of the report, on the im-
13 plementation by the Armed Forces of statutory require-
14 ments on sexual assault prevention and response in the
15 military in the National Defense Authorization Act for
16 Fiscal Year 2004 (Public Law 108–136) and each suc-
17 ceeding national defense authorization Act through the
18 John S. McCain National Defense Authorization Act for
19 Fiscal Year 2019 (Public Law 115–232).

20 (b) ELEMENTS.—The report required by subsection
21 (a) shall include the following:

22 (1) A list and citation of each statutory require-
23 ment (whether codified or uncoded) on sexual as-
24 sault prevention and response in the military in each

1 national defense authorization Act specified in para-
2 graph (1), including—

3 (A) whether such statutory requirement is
4 still in force; and

5 (B) if such statutory requirement is no
6 longer in force, the date of the repeal or expira-
7 tion of such requirement.

8 (2) For each statutory requirement listed pur-
9 suant to paragraph (1), the following:

10 (A) An assessment of the extent to which
11 such requirement was implemented, or is cur-
12 rently being implemented, as applicable, by each
13 Armed Force to which such requirement applied
14 or applies.

15 (B) A description and assessment of the
16 actions taken by each of the Department of De-
17 fense, the military department concerned, and
18 the Armed Force concerned to assess and deter-
19 mine the effectiveness of actions taken pursuant
20 to such requirement in meeting its intended ob-
21 jective.

22 (3) Any other matters in connection with the
23 statutory requirements specified in subsection (a),
24 and the implementation of such requirements by the

1 Armed Forces, that the Comptroller General con-
 2 siders appropriate.

3 (c) BRIEFINGS.—Not later than May 1, 2020, the
 4 Comptroller General shall provide to the committees re-
 5 ferred to in subsection (a) one or more briefings on the
 6 status of the study required by subsection (a), including
 7 any preliminary findings and recommendations of the
 8 Comptroller General as a result of the study as of the date
 9 of such briefing.

10 **PART II—SPECIAL VICTIMS’ COUNSEL MATTERS**

11 **SEC. 541. LEGAL ASSISTANCE BY SPECIAL VICTIMS’ COUN-** 12 **SEL FOR VICTIMS OF ALLEGED DOMESTIC VI-** 13 **OLENCE OFFENSES.**

14 (a) CONDITIONAL EXPANSION OF ELIGIBILITY TO
 15 VICTIMS OF ALLEGED DOMESTIC VIOLENCE OF-
 16 FENSES.—Subsection (a) of section 1044e of title 10,
 17 United States Code, is amended by adding at the end the
 18 following new paragraph:

19 “(3) Legal counsel designated as described in para-
 20 graph (1) may also provide legal assistance to any indi-
 21 vidual described in paragraph (2)(B) or (2)(C) who is the
 22 victim of an alleged domestic violence offense, and to any
 23 civilian individual not otherwise covered by paragraph
 24 (2)(C) who is the victim of an alleged sex-related offense
 25 or alleged domestic violence offense, if the Secretary of

1 the military department concerned determines (on a case-
 2 by-case basis) that resources are available for the provi-
 3 sion of such assistance to such individual without impair-
 4 ing the capacity to provide assistance under paragraph (1)
 5 to victims of alleged sex-related offenses described in para-
 6 graph (2).”.

7 (b) DEFINITIONS.—Subsection (g) of such section is
 8 amended to read as follows:

9 “(g) DEFINITIONS.—In this section:

10 “(1) The term ‘alleged covered offense’ means
 11 any of the following:

12 “(A) An alleged sex-related offense.

13 “(B) An alleged domestic violence offense.

14 “(2) The term ‘alleged sex-related offense’
 15 means any allegation of—

16 “(A) a violation of section 920, 920b,
 17 920c, or 930 of this title (article 120, 120b,
 18 120c, or 130 of the Uniform Code of Military
 19 Justice); or

20 “(B) an attempt to commit an offense
 21 specified in a subparagraph (A) as punishable
 22 under section 880 of this title (article 80 of the
 23 Uniform Code of Military Justice).

24 “(3) The term ‘alleged domestic violence of-
 25 fense’ means any allegation of—

1 “(A) a violation of section 928, 928b(1),
 2 928b(5), or 930 of this title (article 128,
 3 128b(1), 128b(5), or 130 of the Uniform Code
 4 of Military Justice), when committed against a
 5 spouse, intimate partner, or immediate family
 6 member;

7 “(B) a violation of any other provision of
 8 subchapter X of chapter 47 of this title (the
 9 Uniform Code of Military Justice), when com-
 10 mitted against a spouse, intimate partner, or
 11 immediate family member, as specified by the
 12 Secretary concerned for purposes of eligibility
 13 for legal consultation and assistance by Special
 14 Victims’ Counsel under the jurisdiction of such
 15 Secretary under this section; or

16 “(C) an attempt to commit an offense
 17 specified in a subparagraph (A) or (B) as pun-
 18 ishable under section 880 of this title (article
 19 80 of the Uniform Code of Military Justice).”.

20 (c) CONFORMING AMENDMENTS.—Such section is
 21 further amended—

22 (1) in subsections (b) and (f), by striking “al-
 23 leged sex-related offense” each place it appears
 24 (other than subsection (f)(1)) and inserting “alleged
 25 covered offense concerned”; and

1 (2) in subsection (f)—

2 (A) by striking “subsection (a)(2)” each
3 place it appears and inserting “paragraph (2)
4 or (3) of subsection (a)”; and

5 (B) in paragraph (1), by striking “an al-
6 leged sex-related offense” and inserting “an al-
7 leged covered offense”.

8 (d) CLERICAL AMENDMENTS.—

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

11 **“§ 1044e. Special Victims’ Counsel: victims of sex-re-**
12 **lated offenses; victims of domestic vio-**
13 **lence offenses”.**

14 (2) TABLE OF SECTIONS.—the table of sections
15 at the beginning of chapter 53 of such title is
16 amended by striking the item relating to section
17 1044e and inserting the following new item:

“1044e. Special Victims’ Counsel: victims of sex-related offenses; victims of do-
mestic violence offenses.”.

18 **SEC. 542. OTHER SPECIAL VICTIMS’ COUNSEL MATTERS.**

19 (a) ENHANCEMENT OF LEGAL CONSULTATION AND
20 ASSISTANCE IN CONNECTION WITH POTENTIAL VICTIM
21 BENEFITS.—Paragraph (8)(D) of subsection (b) of sec-
22 tion 1044e of title 10, United States Code, is amended
23 by striking “and other” and inserting “, section 1408(h)
24 of this title, and other”.

1 (b) EXPANSION OF LEGAL ASSISTANCE AUTHORIZED
 2 TO INCLUDE CONSULTATION AND ASSISTANCE FOR RE-
 3 TALIACTION.—Subsection (b) of such section is amended
 4 further—

5 (1) by redesignating paragraph (10) as para-
 6 graph (11); and

7 (2) by inserting after paragraph (9) the fol-
 8 lowing new paragraph (10):

9 “(10) Legal consultation and assistance in con-
 10 nection with an incident of retaliation, whether such
 11 incident occurs before, during, or after the conclu-
 12 sion of any criminal proceedings, including—

13 “(A) in understanding the rights and pro-
 14 tections afforded to victims of retaliation;

15 “(B) in the filing of complaints; and

16 “(C) in any resulting military justice pro-
 17 ceedings.”.

18 (c) CODIFICATION OF DUTY TO DETERMINE VIC-
 19 TIM’S PREFERENCE FOR PROSECUTION OF ALLEGED
 20 SEX-RELATED OFFENSE BY COURT-MARTIAL OR CIVILIAN
 21 COURT.—

22 (1) IN GENERAL.—Such section is further
 23 amended—

1 (A) by redesignating subsections (d)
2 through (h) as subsections (e) through (i), re-
3 spectively; and

4 (B) by inserting after subsection (c) the
5 following new subsection (d):

6 “(d) DUTY TO DETERMINE VICTIM’S PREFERENCE
7 FOR PROSECUTION OF AN ALLEGED SEX-RELATED OF-
8 FENSE BY COURT-MARTIAL OR CIVILIAN COURT.—(1) In
9 providing legal consultation and representation to a victim
10 under this section in connection with an alleged sex-re-
11 lated offense that occurs in the United States, a Special
12 Victims’ Counsel shall have the duty—

13 “(A) to solicit the victim’s preference regarding
14 whether the offense should be prosecuted by court-
15 martial or in a civilian court with jurisdiction over
16 the offense; and

17 “(B) to make the victim’s preference, if offered,
18 known to appropriate military prosecutors.

19 “(2) Any consultation by a Special Victims’ Counsel
20 pursuant to paragraph (1) shall occur in accordance with
21 the process for such consultation established pursuant to
22 section 534(b) of the Carl Levin and Howard P. ‘Buck’
23 McKeon National Defense Authorization Act for Fiscal
24 Year 2015 (10 U.S.C. 1044e note) or such other process

1 as the Secretary of Defense shall establish for that pur-
2 pose.”.

3 (2) CONFORMING AMENDMENT.—Paragraph
4 (11) of subsection (b) of such section, as redesign-
5 nated by subsection (b)(1) of this section, is amend-
6 ed by striking “subsection (h)” and inserting “sub-
7 section (i)”.

8 (d) EFFECTIVE DATE.—The amendments made by
9 this section shall take effect on the date that is 180 days
10 after the date of the enactment of this Act.

11 (e) REPORT ON EXPANSION OF ELIGIBILITY FOR
12 SVC SERVICES FOR VICTIMS OF ALLEGED DOMESTIC VI-
13 OLENCE OFFENSES AND RELATED MATTERS.—

14 (1) IN GENERAL.—Not later than 120 days
15 after the date of the enactment of this Act, the Sec-
16 retary of Defense shall submit to the Committees on
17 Armed Services of the Senate and the House of Rep-
18 resentatives a report setting forth a description and
19 assessment of the manner in which the Department
20 of Defense would implement amendments to section
21 1044e of title 10, United States Code, that would
22 provide for the following:

23 (A) An expansion of eligibility for Special
24 Victims’ Counsel services for victims of alleged
25 domestic violence offenses.

(B) An expansion of eligibility for Special Victim's Counsel services to any civilians who are the victim of an alleged sex-related offense or an alleged domestic violence offense, in cases in which the Secretary concerned waives the condition in section 1044(a)(7) of title 10, United States Code, for purposes of such eligibility.

(2) ELEMENTS.—The report required by paragraph (1) shall include a comprehensive description of the additional personnel (including the specific number of additional billets), resources, and training required to implement the amendments described in that paragraph such that such amendments are fully implemented by not later than September 30, 2025.

(3) DEFINITIONS.—In this subsection:

(A) The term “alleged sex-related offense” has the meaning given that term in section 1044e(g) of title 10, United States Code.

(B) The term “alleged domestic violence offense” means any allegation of—

(i) a violation of section 928(b), 928b(1), 928b(5), or 930 of title 10, United States Code (article 128(b), 128b(1), 128b(5), or 130 of the Uniform

Code of Military Justice), when committed against a spouse, intimate partner, or immediate family member;

(ii) a violation of any other provision of subchapter X of chapter 47 of such title (the Uniform Code of Military Justice), when committed against a spouse, intimate partner, or immediate family member, if specified by any Secretary concerned for purposes of eligibility for legal consultation and assistance by Special Victims' Counsel under the amendments described in paragraph (1); and

(iii) an attempt to commit an offense specified in clause (i) or (ii) as punishable under section 880 of such title (article 80 of the Uniform Code of Military Justice).

(C) The term "Secretary concerned" has the meaning given that term in section 101(a)(9) of title 10, United States Code.

**SEC. 543. AVAILABILITY OF SPECIAL VICTIMS' COUNSEL AT
MILITARY INSTALLATIONS.**

(a) DEADLINE FOR AVAILABILITY.—If a Special Victims' Counsel is not available at a military installation for access by a member of the Armed Forces who requests

1 access to such a Counsel, such a Counsel shall be made
 2 available at such installation for access by such member
 3 by not later than 72 hours after such request.

4 (b) REPORT ON CIVILIAN SUPPORT OF SVCs.—Not
 5 later than 180 days after the date of the enactment of
 6 this Act, each Secretary of a military department shall
 7 submit to the Committees on Armed Services of the Sen-
 8 ate and the House of Representatives a report setting
 9 forth the assessment of such Secretary of the feasibility
 10 and advisability of establishing and maintaining for each
 11 Special Victims' Counsel under the jurisdiction of such
 12 Secretary one or more civilian positions for the purpose
 13 of—

14 (1) providing support to such Special Victims'
 15 Counsel; and

16 (2) ensuring continuity and the preservation of
 17 institutional knowledge in transitions between the
 18 service of individuals as such Special Victims' Coun-
 19 sel.

20 **SEC. 544. TRAINING FOR SPECIAL VICTIMS' COUNSEL ON**
 21 **CIVILIAN CRIMINAL JUSTICE MATTERS IN**
 22 **THE STATES OF THE MILITARY INSTALLA-**
 23 **TIONS TO WHICH ASSIGNED.**

24 (a) TRAINING.—Upon the assignment of a Special
 25 Victims' Counsel (including a Victim Legal Counsel of the

1 Navy) to a military installation in the United States, such
 2 Counsel shall be provided appropriate training on the law
 3 and policies of the State or States in which such military
 4 installation is located with respect to the criminal justice
 5 matters specified in subsection (b).

6 (b) CRIMINAL JUSTICE MATTERS.—The criminal jus-
 7 tice matters specified in this subsection, with respect to
 8 a State, are the following:

9 (1) Victim rights.

10 (2) Protective orders.

11 (3) Prosecution of criminal offenses.

12 (4) Sentencing for conviction of criminal of-
 13 fenses.

14 **PART III—BOARDS FOR CORRECTION OF MILI-**
 15 **TARY RECORDS AND DISCHARGE REVIEW**
 16 **BOARD MATTERS**

17 **SEC. 546. REPEAL OF 15-YEAR STATUTE OF LIMITATIONS**
 18 **ON MOTIONS OR REQUESTS FOR REVIEW OF**
 19 **DISCHARGE OR DISMISSAL FROM THE**
 20 **ARMED FORCES.**

21 (a) REPEAL.—Section 1553(a) of title 10, United
 22 States Code, is amended by striking the second sentence.

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

1 **SEC. 547. REDUCTION IN REQUIRED NUMBER OF MEMBERS**
2 **OF DISCHARGE REVIEW BOARDS.**

3 Section 1553(a) of title 10, United States Code, is
4 amended by striking “five” and inserting “not fewer than
5 three”.

6 **SEC. 548. ENHANCEMENT OF PERSONNEL ON BOARDS FOR**
7 **THE CORRECTION OF MILITARY RECORDS**
8 **AND DISCHARGE REVIEW BOARDS.**

9 (a) **BOARDS FOR THE CORRECTION OF MILITARY**
10 **RECORDS.**—Section 1552 of title 10, United States Code,
11 is amended—

12 (1) in subsection (g), by inserting “, or a social
13 worker with training on mental health issues con-
14 nected with post-traumatic stress disorder or trau-
15 matic brain injury or other trauma,” after “psychia-
16 trist”; and

17 (2) in subsection (h)(2)(A), by inserting “(in-
18 cluding a social worker with training on mental
19 health issues connected with post-traumatic stress
20 disorder or traumatic brain injury or other trauma)”
21 after “a civilian health care provider”.

22 (b) **DISCHARGE REVIEW BOARDS.**—Section 1553 of
23 such title is amended—

24 (1) in subsection (d)(1), by inserting “, or a so-
25 cial worker with training on mental health issues
26 connected with post-traumatic stress disorder or

1 traumatic brain injury or other trauma,” after “psy-
 2 chiatrist” both places it appears; and

3 (2) in subsection (e), by inserting “a social
 4 worker with training on mental health issues con-
 5 nected with post-traumatic stress disorder or trau-
 6 matic brain injury or other trauma,” after “or psy-
 7 chiatrist,”.

8 **SEC. 549. INCLUSION OF INTIMATE PARTNER VIOLENCE**
 9 **AND SPOUSAL ABUSE AMONG SUPPORTING**
 10 **RATIONALES FOR CERTAIN CLAIMS FOR COR-**
 11 **RECTIONS OF MILITARY RECORDS AND DIS-**
 12 **CHARGE REVIEW.**

13 (a) CORRECTION OF MILITARY RECORDS.—Section
 14 1552(h)(1) of title 10, United States Code, is amended
 15 by striking “or military sexual trauma” and inserting “,
 16 sexual trauma, intimate partner violence, or spousal
 17 abuse”.

18 (b) DISCHARGE REVIEW.—Section 1553(d)(3)(B) of
 19 such title is amended by striking “or military sexual trau-
 20 ma” and inserting “, sexual trauma, intimate partner vio-
 21 lence, or spousal abuse”.

1 **SEC. 550. ADVICE AND COUNSEL OF TRAUMA EXPERTS IN**
2 **REVIEW BY BOARDS FOR CORRECTION OF**
3 **MILITARY RECORDS AND DISCHARGE RE-**
4 **VIEW BOARDS OF CERTAIN CLAIMS.**

5 (a) BOARDS FOR CORRECTION OF MILITARY
6 RECORDS.—Section 1552(g) of title 10, United States
7 Code, is amended—

8 (1) by inserting “(1)” after “(g)”; and

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

11 “(2) If a board established under subsection (a)(1)
12 is reviewing a claim described in subsection (h), the board
13 shall seek advice and counsel in the review from a psychia-
14 trist, psychologist, or social worker with training on men-
15 tal health issues associated with post-traumatic stress dis-
16 order or traumatic brain injury or other trauma as speci-
17 fied in the current edition of the Diagnostic and Statistical
18 Manual of Mental Disorders published by the American
19 Psychiatric Association.

20 “(3) If a board established under subsection (a)(1)
21 is reviewing a claim in which sexual trauma, intimate part-
22 ner violence, or spousal abuse is claimed, the board shall
23 seek advice and counsel in the review from an expert in
24 trauma specific to sexual assault, intimate partner vio-
25 lence, or spousal abuse, as applicable.”.

1 (b) DISCHARGE REVIEW BOARDS.—Section
2 1553(d)(1) of such title is amended—

3 (1) by inserting “(A)” after “(1)”; and

4 (2) by adding at the end the following new sub-
5 paragraph;

6 “(B) In the case of a former member described in
7 paragraph (3)(B) who claims that the former member’s
8 post-traumatic stress disorder or traumatic brain injury
9 as described in that paragraph is based in whole or in
10 part on sexual trauma, intimate partner violence, or
11 spousal abuse, a board established under this section to
12 review the former member’s discharge or dismissal shall
13 seek advice and counsel in the review from a psychiatrist,
14 psychologist, or social worker with training on mental
15 health issues associated with post-traumatic stress dis-
16 order or traumatic brain injury or other trauma as speci-
17 fied in the current edition of the Diagnostic and Statistical
18 Manual of Mental Disorders published by the American
19 Psychiatric Association.”.

1 **SEC. 551. TRAINING OF MEMBERS OF BOARDS FOR COR-**
2 **RECTION OF MILITARY RECORDS AND DIS-**
3 **CHARGE REVIEW BOARDS ON SEXUAL TRAUMA,**
4 **INTIMATE PARTNER VIOLENCE, SPOUSAL**
5 **ABUSE, AND RELATED MATTERS.**

6 (a) **BOARDS FOR CORRECTION OF MILITARY**
7 **RECORDS.**—The curriculum of training for members of
8 boards for the correction of military records under section
9 534(c) of the National Defense Authorization Act for Fis-
10 cal Year 2017 (10 U.S.C. 1552 note) shall include train-
11 ing on each of the following:

- 12 (1) Sexual trauma.
- 13 (2) Intimate partner violence.
- 14 (3) Spousal abuse.
- 15 (4) The various responses of individuals to
- 16 trauma.

17 (b) **DISCHARGE REVIEW BOARDS.**—

18 (1) **IN GENERAL.**—Each Secretary concerned
19 shall develop and provide training for members of
20 discharge review boards under section 1553 of title
21 10, United States Code, that are under the jurisdic-
22 tion of such Secretary on each of the following:

- 23 (A) Sexual trauma.
- 24 (B) Intimate partner violence.
- 25 (C) Spousal abuse.

1 (D) The various responses of individuals to
2 trauma.

3 (2) UNIFORMITY OF TRAINING.—The Secretary
4 of Defense and the Secretary of Homeland Security
5 shall jointly ensure that the training developed and
6 provided pursuant to this subsection is, to the extent
7 practicable, uniform.

8 (3) SECRETARY CONCERNED DEFINED.—In this
9 subsection, the term “Secretary concerned” has the
10 meaning given that term in section 101(a)(9) of title
11 10, United States Code.

12 **SEC. 552. LIMITATIONS AND REQUIREMENTS IN CONNEC-**
13 **TION WITH SEPARATIONS FOR MEMBERS OF**
14 **THE ARMED FORCES WHO SUFFER FROM**
15 **MENTAL HEALTH CONDITIONS IN CONNEC-**
16 **TION WITH A SEX-RELATED, INTIMATE PART-**
17 **NER VIOLENCE-RELATED, OR SPOUSAL-**
18 **ABUSE OFFENSE.**

19 (a) CONFIRMATION OF DIAGNOSIS OF CONDITION
20 REQUIRED BEFORE SEPARATION.—Before a member of
21 the Armed Forces who was the victim of a sex-related of-
22 fense, an intimate partner violence-related offense, or a
23 spousal-abuse offense during service in the Armed Forces
24 (whether or not such offense was committed by another
25 member of the Armed Forces), and who has a mental

1 health condition not amounting to a physical disability, is
2 separated, discharged, or released from the Armed Forces
3 based solely on such condition, the diagnosis of such condi-
4 tion must be—

5 (1) corroborated by a competent mental health
6 care professional at the peer level or a higher level
7 of the health care professional making the diagnosis;
8 and

9 (2) endorsed by the Surgeon General of the
10 military department concerned.

11 (b) NARRATIVE REASON FOR SEPARATION IF MEN-
12 TAL HEALTH CONDITION PRESENT.—If the narrative rea-
13 son for discharge, separation, or release from the Armed
14 Forces of a member of the Armed Forces is a mental
15 health condition that is not a disability, the appropriate
16 narrative reason for the discharge, separation, or release
17 shall be condition, not a disability, or Secretarial author-
18 ity.

19 (c) DEFINITION.—In this section:

20 (1) The term “intimate partner violence-related
21 offense” means the following:

22 (A) An offense under section 928 or 930
23 of title 10, United States Code (article 128 or
24 130 of the Uniform Code of Military Justice).

1 (B) An offense under State law for con-
2 duct identical or substantially similar to an of-
3 fense described in subparagraph (A).

4 (2) The term “sex-related offense” means the
5 following:

6 (A) An offense under section 920 or 920b
7 of title 10, United States Code (article 120 or
8 120b of the Uniform Code of Military Justice).

9 (B) An offense under State law for con-
10 duct identical or substantially similar to an of-
11 fense described in subparagraph (A).

12 (3) The term “spousal-abuse offense” means
13 the following:

14 (A) An offense under section 928 of title
15 10, United States Code (article 128 of the Uni-
16 form Code of Military Justice).

17 (B) An offense under State law for con-
18 duct identical or substantially similar to an of-
19 fense described in subparagraph (A).

20 (d) EFFECTIVE DATE.—This section shall take effect
21 180 days after the date of the enactment of this Act, and
22 shall apply with respect to separations, discharges, and re-
23 leases from the Armed Forces that occur on or after that
24 effective date.

1 **SEC. 553. LIBERAL CONSIDERATION OF EVIDENCE IN CER-**
 2 **TAIN CLAIMS BY BOARDS FOR THE CORREC-**
 3 **TION OF MILITARY RECORDS AND DIS-**
 4 **CHARGE REVIEW BOARDS.**

5 (a) BOARDS FOR THE CORRECTION OF MILITARY
 6 RECORDS.—

7 (1) IN GENERAL.—Section 1552(h) of title 10,
 8 United States Code, is amended—

9 (A) by striking paragraph (1);

10 (B) by striking “(2) In the case of a claim-
 11 ant described in paragraph (1), a board” and
 12 inserting “A board”;

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

15 (D) in paragraph (1), as redesignated by
 16 subparagraph (C), by inserting “all evidence
 17 presented by the claimant, including lay evi-
 18 dence and information and” after “review”; and

19 (E) by striking paragraph (2), as so redes-
 20 igned, and inserting the following new para-
 21 graph (2):

22 “(2) if a claim alleges error or injustice in the
 23 claimant’s discharge or dismissal, or the character-
 24 ization of such discharge or dismissal, review such
 25 claim with liberal consideration of all evidence and

1 information submitted by, or pertaining to, the
2 claimant.”.

3 (2) EFFECTIVE DATE.—The amendments made
4 by paragraph (1) shall take effect on the date of the
5 enactment of this Act, and shall apply with respect
6 to claims submitted to boards for the correction of
7 military records under section 1552 of title 10,
8 United States Code, on or after that date.

9 (b) DISCHARGE REVIEW BOARDS.—

10 (1) IN GENERAL.—Section 1553 of title 10,
11 United States Code, is amended—

12 (A) in subsection (c)—

13 (i) by inserting “(1)” after “(c)”; and

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

16 “(2) A board established under this section shall—

17 “(A) review all evidence and information pro-
18 vided by the former member, including lay evidence
19 and information and medical evidence of the Sec-
20 retary of Veterans Affairs or a civilian health care
21 provider that is provided by the former member; and

22 “(B) review the claim with liberal consideration
23 of all evidence and information submitted by, or per-
24 taining to, the former member.”; and

1 (B) in subsection (d), by striking para-
 2 graph (3).

3 (2) EFFECTIVE DATE.—The amendments made
 4 by paragraph (1) shall take effect on the date of the
 5 enactment of this Act, and shall apply with respect
 6 to motions or requests for review submitted to dis-
 7 charge review boards under section 1553 of title 10,
 8 United States Code, on or after that date.

9 **PART IV—OTHER MILITARY JUSTICE MATTERS**

10 **SEC. 555. EXPANSION OF PRE-REFERRAL MATTERS RE-**
 11 **VIEWABLE BY MILITARY JUDGES AND MILI-**
 12 **TARY MAGISTRATES IN THE INTEREST OF EF-**
 13 **FICIENCY IN MILITARY JUSTICE.**

14 (a) IN GENERAL.—Subsection (a) of section 830a of
 15 title 10, United States Code (article 30a of the Uniform
 16 Code of Military Justice), is amended by striking para-
 17 graphs (1) and (2) and inserting the following new para-
 18 graphs:

19 “(1) The President shall prescribe regulations for
 20 matters relating to proceedings conducted before referral
 21 of charges and specifications to court-martial for trial, in-
 22 cluding the following:

23 “(A) Pre-referral investigative subpoenas.

24 “(B) Pre-referral warrants or orders for elec-
 25 tronic communications.

1 “(C) Pre-referral matters referred by an appel-
2 late court.

3 “(D) Pre-referral matters under subsection (c)
4 or (e) of section 806b of this title (article 6b).

5 “(E) Pre-referral matters relating to the fol-
6 lowing:

7 “(i) Pre-trial confinement of an accused.

8 “(ii) The mental capacity or responsibility
9 of an accused.

10 “(iii) A request for an individual military
11 counsel.

12 “(2) In addition to the matters specified in paragraph
13 (1), the regulations prescribed under that paragraph
14 shall—

15 “(A) set forth the matters that a military judge
16 may rule upon in such proceedings;

17 “(B) include procedures for the review of such
18 rulings;

19 “(C) include appropriate limitations to ensure
20 that proceedings under this section extend only to
21 matters that would be subject to consideration by a
22 military judge in a general or special court-martial;

23 “(D) provide such limitations on the relief that
24 may be ordered under this section as the President
25 considers appropriate; and

1 “(E) provide for treatment of such other pre-re-
 2 ferral matters as the President may prescribe.”.

3 (b) CONFORMING AND CLERICAL AMENDMENTS.—

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

6 **“§ 830a. Art 30a. Proceedings conducted before refer-
 7 ral”.**

8 (2) CLERICAL AMENDMENT.—The table of sec-
 9 tions at the beginning of subchapter VI of chapter
 10 47 of title 10, United States Code (the Uniform
 11 Code of Military Justice), is amended by striking the
 12 item relating to section 830a (article 30a) and in-
 13 serting the following new item:

“830a. 30a. Proceedings conducted before referral.”.

14 **SEC. 556. POLICIES AND PROCEDURES ON REGISTRATION**
 15 **AT MILITARY INSTALLATIONS OF CIVILIAN**
 16 **PROTECTIVE ORDERS APPLICABLE TO MEM-**
 17 **BERS OF THE ARMED FORCES ASSIGNED TO**
 18 **SUCH INSTALLATIONS AND CERTAIN OTHER**
 19 **INDIVIDUALS.**

20 (a) POLICIES AND PROCEDURES REQUIRED.—Not
 21 later than one year after the date of the enactment of this
 22 Act, the Secretary of Defense shall, in consultation with
 23 the Secretaries of the military departments, establish poli-
 24 cies and procedures for the registration at military instal-
 25 lations of any civilian protective orders described in sub-

1 section (b), including the duties and responsibilities of
2 commanders of installations in the registration process.

3 (b) CIVILIAN PROTECTIVE ORDERS.—A civilian pro-
4 tective order described in this subsection is any civilian
5 protective order as follows:

6 (1) A civilian protective order against a member
7 of the Armed Forces assigned to the installation
8 concerned.

9 (2) A civilian protective order against a civilian
10 employee employed at the installation concerned.

11 (3) A civilian protective order against the civil-
12 ian spouse or intimate partner of a member of the
13 Armed Forces on active duty and assigned to the in-
14 stallation concerned, or of a civilian employee de-
15 scribed in paragraph (2), which order provides for
16 the protection of such member or employee.

17 (c) PARTICULAR ELEMENTS.—The policies and pro-
18 cedures required by subsection (a) shall include the fol-
19 lowing:

20 (1) A requirement for notice between and
21 among the commander, military law enforcement ele-
22 ments, and military criminal investigative elements
23 of an installation when a member of the Armed
24 Forces assigned to such installation, a civilian em-
25 ployee employed at such installation, a civilian

1 spouse or intimate partner of a member assigned to
2 such installation, or a civilian spouse or intimate
3 partner of a civilian employee employed at such in-
4 stallation becomes subject to a civilian protective
5 order.

6 (2) A statement of policy that failure to register
7 a civilian protective order may not be a justification
8 for the lack of enforcement of such order by military
9 law enforcement and other applicable personnel who
10 have knowledge of such order.

11 (d) LETTER.—As soon as practicable after estab-
12 lishing the policies and procedures required by subsection
13 (a), the Secretary shall submit to the Committees on
14 Armed Services of the Senate and the House of Represent-
15 atives a letter that includes the following:

16 (1) A detailed description of the policies and
17 procedures.

18 (2) A certification by the Secretary that the
19 policies and procedures have been implemented on
20 each military installation.

21 **SEC. 557. INCREASE IN NUMBER OF DIGITAL FORENSIC EX-**
22 **AMINERS FOR THE MILITARY CRIMINAL IN-**
23 **VESTIGATIVE ORGANIZATIONS.**

24 (a) IN GENERAL.—Each Secretary of a military de-
25 partment shall take appropriate actions to increase the

1 number of digital forensic examiners in each military
2 criminal investigative organization (MCIO) under the ju-
3 risdiction of such Secretary by not fewer than 10 from
4 the authorized number of such examiners for such organi-
5 zation as of September 30, 2019.

6 (b) MILITARY CRIMINAL INVESTIGATIVE ORGANIZA-
7 TIONS.—For purposes of this section, the military criminal
8 investigative organizations are the following:

9 (1) The Army Criminal Investigation Com-
10 mand.

11 (2) The Naval Criminal Investigative Service.

12 (3) The Air Force Office of Special Investiga-
13 tions.

14 (4) The Marine Corps Criminal Investigation
15 Division.

16 (c) FUNDING.—Funds for additional digital forensic
17 examiners as required by subsection (a) for fiscal year
18 2020, including for compensation, initial training, and
19 equipment, shall be derived from amounts authorized to
20 be appropriated for that fiscal year for the Armed Force
21 concerned for operation and maintenance.

1 **SEC. 558. SURVEY OF MEMBERS OF THE ARMED FORCES ON**
2 **THEIR EXPERIENCES WITH MILITARY INVES-**
3 **TIGATIONS AND MILITARY JUSTICE.**

4 (a) IN GENERAL.—Chapter 23 of title 10, United
5 States Code, is amended by inserting after section 481a
6 the following new section:

7 **“§ 481b. Military investigation and justice experi-**
8 **ences: survey of members of the armed**
9 **forces**

10 “(a) SURVEYS REQUIRED.—(1) The Secretary of De-
11 fense shall conduct from time to time a survey on the ex-
12 periences of members of the armed forces with military
13 investigations and military justice in accordance with this
14 section and guidance issued by the Secretary for purposes
15 of this section.

16 “(2) The survey under this section shall be known
17 as the ‘Military Investigation and Justice Experience Sur-
18 vey’.

19 “(b) MATTERS COVERED BY SURVEY.—The guidance
20 issued by the Secretary under this section on the survey
21 shall include specification of the following:

22 “(1) The individuals to be surveyed, including
23 any member of the armed forces serving on active
24 duty who is a victim of an alleged sex-related offense
25 and who made an unrestricted report of that offense.

1 “(2) The matters to be covered in the survey,
2 including—

3 “(A) the experience of the individuals sur-
4 veyed with the military criminal investigative
5 organization that investigated the alleged of-
6 fense, and with the Special Victims’ Counsel in
7 the case of a member who was the victim of an
8 alleged sex-related offense; and

9 “(B) if the individual’s report resulted in a
10 charge or charges that were referred to a court-
11 martial, the experience of the individual with
12 the prosecutor and the court-martial in general.

13 “(3) The timing of the administration of the
14 survey, including when the investigation or case is
15 closed or otherwise complete.

16 “(c) FREQUENCY OF SURVEY.—The survey required
17 by this section shall be conducted at least once every four
18 years, but not more frequently than once every two years.

19 “(d) DEFINITIONS.—In this section:

20 “(1) ALLEGED SEX-RELATED OFFENSE.—The
21 term ‘alleged sex-related offense’ has the meaning
22 provided in section 1044e(g) of this title.

23 “(2) UNRESTRICTED REPORT.—The term ‘un-
24 restricted report’ means a report that is not a re-
25 stricted report.

1 “(3) RESTRICTED REPORT.—The term ‘re-
 2 stricted report’ means a report concerning a sexual
 3 assault that is treated as a restricted report under
 4 section 1565b(b) of this title.”.

5 (b) CLERICAL AMENDMENT.—The table of sections
 6 at the beginning of chapter 23 of such title is amended
 7 by inserting after the item relating to section 481a the
 8 following new item:

 “481b. Military investigation and justice experiences: survey of members of the
 armed forces.”.

9 **SEC. 559. PUBLIC ACCESS TO DOCKETS, FILINGS, AND**
 10 **COURT RECORDS OF COURTS-MARTIAL OR**
 11 **OTHER RECORDS OF TRIAL OF THE MILI-**
 12 **TARY JUSTICE SYSTEM.**

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

16 (1) by striking “The Secretary of Defense” and
 17 inserting “(a) IN GENERAL.—The Secretary of De-
 18 fense, in consultation with the Secretary of Home-
 19 land Security,”;

20 (2) in subsection (a), as designated by para-
 21 graph (1)—

22 (A) in the matter preceding paragraph (1),
 23 by inserting “(including with respect to the

1 Coast Guard)” after “military justice system”;
2 and

3 (B) in paragraph (4), by inserting “public”
4 before “access to docket information”; and
5 (3) by adding at the end the following new sub-
6 sections:

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

13 “(c) PROTECTION OF CERTAIN PERSONALLY IDENTIFI-
14 FIABLE INFORMATION.—Records of trial, docket informa-
15 tion, filings, and other records made publicly accessible in
16 accordance with the uniform standards and criteria for
17 conduct established by the Secretary under subsection (a)
18 shall restrict access to personally identifiable information
19 of minors and victims of crime (including victims of sexual
20 assault and domestic violence), as practicable to the extent
21 such information is restricted in electronic filing systems
22 of Federal and State courts.

23 “(d) INAPPLICABILITY TO CERTAIN DOCKETS AND
24 RECORDS.—Nothing in this section shall be construed to
25 provide public access to docket information, filings, or

1 records that are classified, subject to a judicial protective
2 order, or ordered sealed.”.

3 (b) EXISTING STANDARDS AND CRITERIA.—The Sec-
4 retary of Homeland Security shall apply to the Coast
5 Guard the standards and criteria for conduct established
6 by the Secretary of Defense under section 940a of title
7 10, United States Code (article 140a of the Uniform Code
8 of Military Justice), as in effect on the day before the date
9 of the enactment of this Act, until such time as the Sec-
10 retary of Defense, in consultation with the Secretary of
11 Homeland Security, prescribes revised standards and cri-
12 teria for conduct under such section that implement the
13 amendments made by subsection (a) of this section.

14 **SEC. 560. PILOT PROGRAMS ON DEFENSE INVESTIGATORS**
15 **IN THE MILITARY JUSTICE SYSTEM.**

16 (a) IN GENERAL.—Each Secretary of a military de-
17 partment shall carry out a pilot program on defense inves-
18 tigators within the military justice system under the juris-
19 diction of such Secretary in order to do the following:

20 (1) Determine whether the presence of defense
21 investigators within such military justice system
22 will—

23 (A) make such military justice system
24 more effective in determining the truth; and

1 (B) make such military justice system
2 more fair and efficient.

3 (2) Otherwise assess the feasibility and advis-
4 ability of defense investigators as an element of such
5 military justice system.

6 (b) ELEMENTS.—

7 (1) MODEL OF SIMILAR CIVILIAN CRIMINAL
8 JUSTICE SYSTEMS.—Defense investigators under
9 each pilot program under subsection (a) shall consist
10 of personnel, and participate in the military justice
11 system concerned, in a manner similar to that of de-
12 fense investigators in civilian criminal justice sys-
13 tems that are similar to the military justice systems
14 of the military departments.

15 (2) INTERVIEW OF VICTIM.—A defense investi-
16 gator may question a victim under a pilot program
17 only upon a request made through the Special Vic-
18 tims' Counsel or other counsel of the victim, or trial
19 counsel if the victim does not have such counsel.

20 (3) UNIFORMITY ACROSS MILITARY JUSTICE
21 SYSTEMS.—The Secretary of Defense shall ensure
22 that the personnel and activities of defense inves-
23 tigators under the pilot programs are, to the extent
24 practicable, uniform across the military justice sys-
25 tems of the military departments.

1 (c) REPORT.—

2 (1) IN GENERAL.—Not later than three years
3 after the date of the enactment of this Act, the Sec-
4 retary of Defense shall, in consultation with the Sec-
5 retaries of the military departments, submit to the
6 Committees on Armed Services of the Senate and
7 the House of Representatives a report on the pilot
8 programs under subsection (a).

9 (2) ELEMENTS.—The report required by para-
10 graph (1) shall include the following:

11 (A) A description of each pilot program,
12 including the personnel and activities of defense
13 investigators under such pilot program.

14 (B) An assessment of the feasibility and
15 advisability of establishing and maintaining de-
16 fense investigators as an element of the military
17 justice systems of the military departments.

18 (C) If the assessment under subparagraph
19 (B) is that the establishment and maintenance
20 of defense investigators as an element of the
21 military justice systems of the military depart-
22 ments is feasible and advisable, such rec-
23 ommendations for legislative and administrative
24 action as the Secretary of Defense considers ap-
25 propriate to establish and maintain defense in-

1 investigators as an element of the military justice
2 systems.

3 (D) Any other matters the Secretary of
4 Defense considers appropriate.

5 **SEC. 561. REPORT ON MILITARY JUSTICE SYSTEM INVOLV-**
6 **ING ALTERNATIVE AUTHORITY FOR DETER-**
7 **MINING WHETHER TO PREFER OR REFER**
8 **CHANGES FOR FELONY OFFENSES UNDER**
9 **THE UNIFORM CODE OF MILITARY JUSTICE.**

10 (a) REPORT REQUIRED.—

11 (1) IN GENERAL.—Not later than 300 days
12 after the date of the enactment of this Act, the Sec-
13 retary of Defense shall submit to the Committees on
14 Armed Services of the Senate and the House of Rep-
15 resentatives a report setting forth the results of a
16 study, conducted for purposes of the report, on the
17 feasibility and advisability of an alternative military
18 justice system in which determinations as to whether
19 to prefer or refer charges for trial by court-martial
20 for any offense specified in paragraph (2) is made
21 by a judge advocate in grade O-6 or higher who has
22 significant experience in criminal litigation and is
23 outside of the chain of command of the member sub-
24 ject to the charges rather than by a commanding of-

1 ficer of the member who is in the chain of command
2 of the member.

3 (2) SPECIFIED OFFENSE.—An offense specified
4 in this paragraph is any offense under chapter 47 of
5 title 10, United States Code (the Uniform Code of
6 Military Justice), for which the maximum punish-
7 ment authorized includes confinement for more than
8 one year.

9 (b) ELEMENTS.—The study required for purposes of
10 the report under subsection (a) shall address the following:

11 (1) Relevant procedural, legal, and policy impli-
12 cations and considerations of the alternative military
13 justice system described in subsection (a).

14 (2) An analysis of the following in connection
15 with the implementation and maintenance of the al-
16 ternative military justice system:

17 (A) Legal personnel requirements.

18 (B) Changes in force structure.

19 (C) Amendments to law.

20 (D) Impacts on the timeliness and effi-
21 ciency of legal processes and court-martial adju-
22 dications.

23 (E) Potential legal challenges to the sys-
24 tem.

1 (F) Potential changes in prosecution and
2 conviction rates.

3 (G) Potential impacts on the preservation
4 of good order and discipline, including the abil-
5 ity of a commander to carry out nonjudicial
6 punishment and other administrative actions.

7 (H) Such other considerations as the Sec-
8 retary considers appropriate.

9 (3) A comparative analysis of the military jus-
10 tice systems of relevant foreign allies with the cur-
11 rent military justice system of the United States and
12 the alternative military justice system, including
13 whether or not approaches of the military justice
14 systems of such allies to determinations described in
15 subsection (a) are appropriate for the military jus-
16 tice system of the United States.

17 (4) An assessment of the feasibility and advis-
18 ability of conducting a pilot program to assess the
19 feasibility and advisability of the alternative military
20 justice system, and, if the pilot program is deter-
21 mined to be feasible and advisable—

22 (A) an analysis of potential legal issues in
23 connection with the pilot program, including po-
24 tential issues for appeals; and

25 (B) recommendations on the following:

1 (i) The populations to be subject to
2 the pilot program.

3 (ii) The duration of the pilot program.

4 (iii) Metrics to measure the effective-
5 ness of the pilot program.

6 (iv) The resources to be used to con-
7 duct the pilot program.

8 **SEC. 562. REPORT ON STANDARDIZATION AMONG THE MILI-**
9 **TARY DEPARTMENTS IN COLLECTION AND**
10 **PRESENTATION OF INFORMATION ON MAT-**
11 **TERS WITHIN THE MILITARY JUSTICE SYS-**
12 **TEM.**

13 Not later than 180 days after the date of the enact-
14 ment of this Act, the Secretary of Defense shall, in con-
15 sultation with the Secretaries of the military departments,
16 submit to the Committees on Armed Services of the Sen-
17 ate and the House of Representatives a report setting
18 forth the following:

19 (1) A plan for actions to provide for standard-
20 ization, to the extent practicable, among the military
21 departments in the collection and presentation of in-
22 formation on matters within their military justice
23 systems, including information collected and main-
24 tained for purposes of section 940a of title 10,
25 United States Code (article 140a of the Uniform

1 Code of Military Justice), and such other informa-
 2 tion as the Secretary considers appropriate.

3 (2) An assessment of the feasibility and advis-
 4 ability of establishing and maintaining a single, De-
 5 partment of Defense-wide data management system
 6 for the standardized collection and presentation of
 7 information described in paragraph (1).

8 **SEC. 563. REPORT ON ESTABLISHMENT OF GUARDIAN AD**
 9 **LITEM PROGRAM FOR CERTAIN MILITARY**
 10 **DEPENDENTS WHO ARE A VICTIM OR WIT-**
 11 **NESS OF OFFENSES UNDER THE UNIFORM**
 12 **CODE OF MILITARY JUSTICE INVOLVING**
 13 **ABUSE OR EXPLOITATION.**

14 (a) REPORT REQUIRED.—

15 (1) IN GENERAL.—Not later than one year
 16 after the date of the enactment of this Act, the Sec-
 17 retary of Defense shall submit to the Committees on
 18 Armed Services of the Senate and the House of Rep-
 19 resentatives a report setting forth an assessment of
 20 the feasibility and advisability of establishing a
 21 guardian ad litem program for military dependents
 22 described in paragraph (2) who are a victim or wit-
 23 ness of an offense under chapter 47 of title 10,
 24 United States Code (the Uniform Code of Military
 25 Justice), that involves an element of abuse or exploi-

1 tation in order to protect the best interests of such
2 dependents in a court-martial of such offense.

3 (2) COVERED DEPENDENTS.—The military de-
4 pendents described in this paragraph are as follows:

5 (A) Military dependents under 12 years of
6 age.

7 (B) Military dependents who lack mental
8 or other capacity.

9 (b) ELEMENTS.—The report required by subsection
10 (a) shall include the following:

11 (1) An assessment of the feasibility and advis-
12 ability of establishing a guardian ad litem program
13 as described in subsection (a).

14 (2) If establishment of the guardian ad litem
15 program is considered feasible and advisable, the fol-
16 lowing:

17 (A) A description of administrative re-
18 quirements in connection with the program, in-
19 cluding the following:

20 (i) Any memoranda of understanding
21 between the Department of Defense and
22 State and local authorities required for
23 purposes of the program.

1 (ii) The personnel, funding, and other
 2 resources required for purposes of the pro-
 3 gram.

4 (B) Best practices for the program (as de-
 5 termined in consultation with appropriate civil-
 6 ian experts on child advocacy).

7 (C) Such recommendations for legislative
 8 and administration action to implement the pro-
 9 gram as the Secretary considers appropriate.

10 **Subtitle E—Member Education,**
 11 **Training, Transition, and Resil-**
 12 **ience**

13 **SEC. 566. CONSECUTIVE SERVICE OF SERVICE OBLIGATION**
 14 **IN CONNECTION WITH PAYMENT OF TUITION**
 15 **FOR OFF-DUTY TRAINING OR EDUCATION**
 16 **FOR COMMISSIONED OFFICERS OF THE**
 17 **ARMED FORCES WITH ANY OTHER SERVICE**
 18 **OBLIGATIONS.**

19 (a) IN GENERAL.—Section 2007(b) of title 10,
 20 United States Code, is amended by adding at the end the
 21 following new paragraph:

22 “(3) Any active duty service obligation of a commis-
 23 sioned officer under this subsection shall be served con-
 24 secutively with any other service obligation of the officer

1 (whether active duty or otherwise) under any other provi-
 2 sion of law.”.

3 (b) **EFFECTIVE DATE.**—The amendment made by
 4 this section shall take effect on the date of the enactment
 5 of this Act, and shall apply with respect to agreements
 6 for the payment of tuition for off-duty training or edu-
 7 cation that are entered into on or after that date.

8 **SEC. 567. AUTHORITY FOR DETAIL OF CERTAIN ENLISTED**
 9 **MEMBERS OF THE ARMED FORCES AS STU-**
 10 **DENTS AT LAW SCHOOLS.**

11 (a) **IN GENERAL.**—Section 2004 of title 10, United
 12 States Code, is amended—

13 (1) in subsection (a)—

14 (A) by inserting “and enlisted members”
 15 after “commissioned officers”;

16 (B) by striking “bachelor of laws or”; and

17 (C) by inserting “and enlisted members”
 18 after “twenty-five officers”;

19 (2) in subsection (b)—

20 (A) in the matter preceding paragraph (1),
 21 by inserting “or enlisted member” after “offi-
 22 cer”;

23 (B) by striking paragraph (1) and insert-
 24 ing the following new paragraph (1):

25 “(1) either—

1 “(A) have served on active duty for a pe-
2 riod of not less than two years nor more than
3 six years and be an officer in the pay grade O-
4 3 or below as of the time the training is to
5 begin; or

6 “(B) have served on active duty for a pe-
7 riod of not less than four years nor more than
8 eight years and be an enlisted member in the
9 pay grade E-5, E-6, or E-7 as of the time the
10 training is to begin;”;

11 (C) by redesignating paragraph (2) as
12 paragraph (3);

13 (D) by inserting after paragraph (1), as
14 amended by subparagraph (B), the following
15 new paragraph (2):

16 “(2) in the case of an enlisted member, meet all
17 requirements for acceptance of a commission as a
18 commissioned officer in the armed forces; and”; and

19 (E) in subparagraph (B) of paragraph (3),
20 as redesignated by subparagraph (C) of this
21 paragraph, by striking “or law specialist”;

22 (3) in subsection (c)—

23 (A) in the first sentence, by inserting “and
24 enlisted members” after “Officers”; and

1 (B) in the second sentence, by inserting
 2 “or enlisted member” after “officer” each place
 3 it appears;

4 (4) in subsection (d), by inserting “and enlist-
 5 ment members” after “officers”;

6 (5) in subsection (e), by inserting “or enlist-
 7 ment member” after “officer”; and

8 (6) in subsection (f), by inserting “or enlisted
 9 member” after “officer”.

10 (b) CONFORMING AND CLERICAL AMENDMENTS.—

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

13 **“§ 2004. Detail as students at law schools; commis-**
 14 **sioned officers; certain enlisted mem-**
 15 **bers”.**

16 (2) CLERICAL AMENDMENT.—The table of sec-
 17 tions at the beginning of chapter 101 of such title
 18 is amended by striking the item relating to section
 19 2004 and inserting the following new item:

“2004. Detail as students at law schools; commissioned officers; certain enlisted
 members.”.

1 **SEC. 568. CONNECTIONS OF MEMBERS RETIRING OR SEPA-**
2 **RATING FROM THE ARMED FORCES WITH**
3 **COMMUNITY-BASED ORGANIZATIONS AND**
4 **RELATED ENTITIES.**

5 (a) IN GENERAL.—The Secretary of Defense and the
6 Secretary of Veterans Affairs shall jointly seek to enter
7 into memoranda of understanding (MOUs) or other agree-
8 ments with State veterans agencies under which informa-
9 tion from Department of Defense Form DD–2648 on indi-
10 viduals undergoing retirement, discharge, or release from
11 the Armed Forces is transmitted to one or more State vet-
12 erans agencies, as elected by such individuals, to provide
13 or connect veterans to benefits or services as follows:

- 14 (1) Assistance in preparation of resumes.
- 15 (2) Training for employment interviews.
- 16 (3) Employment recruitment training.
- 17 (4) Other services leading directly to a success-
18 ful transition from military life to civilian life.
- 19 (5) Healthcare, including care for mental
20 health.
- 21 (6) Transportation or transportation-related
22 services.
- 23 (7) Housing.
- 24 (8) Such other benefits or services as the Secre-
25 taries jointly consider appropriate for purposes of
26 this section.

1 (b) INFORMATION TRANSMITTED.—The information
2 transmitted on individuals as described in subsection (a)
3 shall be such information on Form DD–2648 as the Secre-
4 taries jointly consider appropriate to facilitate community-
5 based organizations and related entities in providing or
6 connecting such individuals to benefits and services as de-
7 scribed in subsection (a).

8 (c) MODIFICATION OF FORM DD–2648.—The Sec-
9 retary of Defense shall make such modifications to Form
10 DD–2648 as the Secretary considers appropriate to allow
11 an individual filling out the form to indicate an email ad-
12 dress at which the individual may be contacted to receive
13 or be connected to benefits or services described in sub-
14 section (a).

15 (d) VOLUNTARY PARTICIPATION.—Information on an
16 individual may be transmitted to and through a State vet-
17 erans agency as described in subsection (a) only with the
18 consent of the individual. In giving such consent, an indi-
19 vidual shall specify the following:

20 (1) The State veterans agency or agencies elect-
21 ed by the individual to transmit such information as
22 described in subsection (a).

23 (2) The benefits and services for which contact
24 information shall be so transmitted.

1 (3) Such other information on the individual as
 2 the individual considers appropriate in connection
 3 with the transmittal.

4 **Subtitle F—Defense Dependents’**
 5 **Education and Military Family**
 6 **Readiness Matters**

7 **PART I—DEFENSE DEPENDENTS’ EDUCATION**
 8 **MATTERS**

9 **SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL**
 10 **EDUCATIONAL AGENCIES THAT BENEFIT DE-**
 11 **PENDENTS OF MEMBERS OF THE ARMED**
 12 **FORCES AND DEPARTMENT OF DEFENSE CI-**
 13 **VILIAN EMPLOYEES.**

14 (a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT
 15 NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the
 16 amount authorized to be appropriated for fiscal year 2020
 17 by section 301 and available for operation and mainte-
 18 nance for Defense-wide activities as specified in the fund-
 19 ing table in section 4301, \$40,000,000 shall be available
 20 only for the purpose of providing assistance to local edu-
 21 cational agencies under subsection (a) of section 572 of
 22 the National Defense Authorization Act for Fiscal Year
 23 2006 (Public Law 109–163; 20 U.S.C. 7703b).

24 (b) LOCAL EDUCATIONAL AGENCY DEFINED.—In
 25 this section, the term “local educational agency” has the

1 meaning given that term in section 7013(9) of the Ele-
2 mentary and Secondary Education Act of 1965 (20 U.S.C.
3 7713(9)).

4 **SEC. 572. IMPACT AID FOR CHILDREN WITH SEVERE DIS-**
5 **ABILITIES.**

6 (a) IN GENERAL.—Of the amount authorized to be
7 appropriated for fiscal year 2020 pursuant to section 301
8 and available for operation and maintenance for Defense-
9 wide activities as specified in the funding table in section
10 4301, \$10,000,000 shall be available for payments under
11 section 363 of the Floyd D. Spence National Defense Au-
12 thorization Act for Fiscal Year 2001 (as enacted into law
13 by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C.
14 7703a).

15 (b) USE OF CERTAIN AMOUNT.—Of the amount
16 available under subsection (a) for payments as described
17 in that subsection, \$5,000,000 shall be available for such
18 payments to local educational agencies determined by the
19 Secretary of Defense, in the discretion of the Secretary,
20 to have higher concentrations of military children with se-
21 vere disabilities.

1 **SEC. 573. RI'KATAK GUEST STUDENT PROGRAM AT UNITED**
2 **STATES ARMY GARRISON – KWAJALEIN**
3 **ATOLL.**

4 (a) PROGRAM AUTHORIZED.—The Secretary of the
5 Army may conduct an assistance program to educate up
6 to five local national students per grade, per academic
7 year, on a space-available basis at the contractor-operated
8 schools on United States Army Garrison–Kwajalein Atoll.
9 The program shall be known as the “Ri’katak Guest Stu-
10 dent Program”.

11 (b) STUDENT ASSISTANCE.—Assistance that may be
12 provided to students participating in the program carried
13 out pursuant to subsection (a) includes the following:

- 14 (1) Classroom instruction.
15 (2) Extracurricular activities.
16 (3) Student meals.
17 (4) Transportation.

**PART II—MILITARY FAMILY READINESS
MATTERS**

**SEC. 576. TWO-YEAR EXTENSION OF AUTHORITY FOR REIM-
BURSEMENT FOR STATE LICENSURE AND
CERTIFICATION COSTS OF SPOUSES OF MEM-
BERS OF THE ARMED FORCES ARISING FROM
RELOCATION TO ANOTHER STATE.**

Section 476(p)(4) of title 37, United States Code, is amended by striking “December 31, 2022” and inserting “December 31, 2024”.

**SEC. 577. IMPROVEMENT OF OCCUPATIONAL LICENSE
PORTABILITY FOR MILITARY SPOUSES
THROUGH INTERSTATE COMPACTS.**

Section 1784 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(h) IMPROVEMENT OF OCCUPATIONAL LICENSE PORTABILITY THROUGH INTERSTATE COMPACTS.—

“(1) IN GENERAL.—The Secretary of Defense shall seek to enter into a cooperative agreement with the Council of State Governments to assist with funding of the development of interstate compacts on licensed occupations in order to alleviate the burden associated with relicensing in such an occupation by spouse of a member of the armed forces in

1 connection with a permanent change of duty station
2 of members to another State.

3 “(2) LIMITATION ON ASSISTANCE PER COM-
4 PACT.—The amount provided under paragraph (1)
5 as assistance for the development of any particular
6 interstate compact may not exceed \$1,000,000.

7 “(3) LIMITATION ON TOTAL AMOUNT OF AS-
8 SISTANCE.—The total amount of assistance provided
9 under paragraph (1) in any fiscal year may not ex-
10 ceed \$4,000,000.

11 “(4) ANNUAL REPORT.—Not later than Feb-
12 ruary 28 each year, the Secretary shall submit to
13 the Committees on Armed Services of the Senate
14 and the House of Representatives a report on inter-
15 state compacts described in paragraph (1) developed
16 through assistance provided under that paragraph.
17 Each report shall set forth the following:

18 “(A) Any interstate compact developed
19 during the preceding calendar year, including
20 the occupational licenses covered by such com-
21 pact and the States agreeing to enter into such
22 compact.

23 “(B) Any interstate compact developed
24 during a prior calendar year into which one or

1 more additional States agreed to enter during
 2 the preceding calendar year.

3 “(5) EXPIRATION.—The authority to enter into
 4 a cooperative agreement under paragraph (1), and
 5 to provide assistance described in that paragraph
 6 pursuant to such cooperative agreement, shall expire
 7 on September 30, 2024.”.

8 **SEC. 578. MODIFICATION OF RESPONSIBILITY OF THE OF-**
 9 **FICE OF SPECIAL NEEDS FOR INDIVIDUAL-**
 10 **IZED SERVICE PLANS FOR MEMBERS OF MILI-**
 11 **TARY FAMILIES WITH SPECIAL NEEDS.**

12 Subparagraph (F) of section 1781c(d)(4) of title 10,
 13 United States Code, is amended to read as follows:

14 “(F) Requirements regarding the development
 15 of an individualized services plan for each military
 16 family member with special needs when requested in
 17 connection with the completion of a family needs as-
 18 sessment for the military family concerned.”.

19 **SEC. 579. CLARIFYING TECHNICAL AMENDMENT ON DI-**
 20 **RECT HIRE AUTHORITY FOR THE DEPART-**
 21 **MENT OF DEFENSE FOR CHILDCARE SERV-**
 22 **ICES PROVIDERS FOR DEPARTMENT CHILD**
 23 **DEVELOPMENT CENTERS.**

24 Section 559(e) of the National Defense Authorization
 25 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.

1 1406; 10 U.S.C. 1792 note) is amended by inserting “(in-
2 cluding family childcare coordinator services and school
3 age childcare coordinator services)” after “childcare serv-
4 ices”.

5 **SEC. 580. PILOT PROGRAM ON INFORMATION SHARING BE-**
6 **TWEEN DEPARTMENT OF DEFENSE AND DES-**
7 **IGNATED RELATIVES AND FRIENDS OF MEM-**
8 **BERS OF THE ARMED FORCES REGARDING**
9 **THE EXPERIENCES AND CHALLENGES OF**
10 **MILITARY SERVICE.**

11 (a) PILOT PROGRAM REQUIRED.—

12 (1) IN GENERAL.—Not later than one year
13 after the date of the enactment of this Act, the Sec-
14 retary of Defense shall seek to enter into an agree-
15 ment with the American Red Cross to carry out a
16 pilot program under which the American Red
17 Cross—

18 (A) encourages a member of the Armed
19 Forces, upon the enlistment or appointment of
20 such member, to designate up to 10 persons to
21 whom information regarding the military serv-
22 ice of such member shall be disseminated using
23 contact information obtained under paragraph
24 (6); and

1 (B) provides such persons, within 30 days
2 after the date on which such persons are des-
3 ignated under subparagraph (A), the option to
4 elect to receive such information regarding mili-
5 tary service.

6 (2) DISSEMINATION.—The Secretary shall dis-
7 seminate information described in paragraph (1)(A)
8 under the pilot program on a regular basis.

9 (3) TYPES OF INFORMATION.—The types of in-
10 formation to be disseminated under the pilot pro-
11 gram to persons who elect to receive such informa-
12 tion shall include information regarding—

13 (A) aspects of daily life and routine experi-
14 enced by members of the Armed Forces;

15 (B) the challenges and stresses of military
16 service, particularly during and after deploy-
17 ment as part of a contingency operation;

18 (C) the services available to members of
19 the Armed Forces and the dependents of such
20 members to cope with the experiences and chal-
21 lenges of military service;

22 (D) benefits administered by the Depart-
23 ment of Defense for members of the Armed
24 Forces and the dependents of such members;

1 (E) a toll-free telephone number through
2 which such persons who elect to receive infor-
3 mation under the pilot program may request in-
4 formation regarding the program; and

5 (F) such other information as the Sec-
6 retary determines to be appropriate.

7 (4) PRIVACY OF INFORMATION.—In carrying
8 out the pilot program, the Secretary may not dis-
9 seminate information under paragraph (3) in viola-
10 tion of laws and regulations pertaining to the pri-
11 vacy of members of the Armed Forces, including re-
12 quirements pursuant to—

13 (A) section 552a of title 5, United States
14 Code; and

15 (B) the Health Insurance Portability and
16 Accountability Act of 1996 (Public Law 104–
17 191).

18 (5) NOTICE AND MODIFICATIONS.—In carrying
19 out the pilot program, the Secretary shall, with re-
20 spect to a member of the Armed Forces—

21 (A) ensure that such member is notified of
22 the ability to modify designations made by such
23 member under paragraph (1)(B); and

1 (B) upon the request of a member, author-
2 ize such member to modify such designations at
3 any time.

4 (6) CONTACT INFORMATION.—In making a des-
5 igation under the pilot program, a member of the
6 Armed Forces shall provide necessary contact infor-
7 mation, specifically including an email address, to
8 facilitate the dissemination of information regarding
9 the military service of the member.

10 (7) OPT-IN AND OPT-OUT OF PROGRAM.—

11 (A) OPT-IN BY MEMBERS.—A member may
12 participate in the pilot program only if the
13 member voluntarily elects to participate in the
14 program. A member seeking to make such an
15 election shall make such election in a manner,
16 and by including such information, as the Sec-
17 retary and the Red Cross shall jointly specify
18 for purposes of the pilot program.

19 (B) OPT-IN BY DESIGNATED RECIPI-
20 ENTS.—A person designated pursuant to para-
21 graph (1)(A) may receive information under the
22 pilot program only if the person makes the elec-
23 tion described in paragraph(1)(B).

24 (C) OPT-OUT.—In carrying out the pilot
25 program, the Secretary shall, with respect to a

1 person who has elected to receive information
2 under such pilot program, cease disseminating
3 such information to that person upon request of
4 such person.

5 (b) SURVEY AND REPORT ON PILOT PROGRAM.—

6 (1) SURVEY.—Not later than two years after
7 the date on which the pilot program commences, the
8 Secretary, in consultation with the American Red
9 Cross, shall administer a survey to persons who
10 elected to receive information under the pilot pro-
11 gram for the purpose of receiving feedback regarding
12 the quality of information disseminated under this
13 section, including whether such information appro-
14 priately reflects the military career progression of
15 members of the Armed Forces.

16 (2) REPORT.—Not later than three years after
17 the date on which the pilot program commences, the
18 Secretary shall submit to the congressional defense
19 committees a final report on the pilot program which
20 includes—

21 (A) the results of the survey administered
22 under paragraph (1);

23 (B) a determination as to whether the pilot
24 program should be made permanent; and

1 (C) recommendations as to modifications
2 necessary to improve the program if made per-
3 manent.

4 (c) TERMINATION OF PILOT PROGRAM.—The pilot
5 program shall terminate upon submission of the report re-
6 quired by subsection (b)(2).

7 **SEC. 581. BRIEFING ON USE OF FAMILY ADVOCACY PRO-**
8 **GRAMS TO ADDRESS DOMESTIC VIOLENCE.**

9 Not later than 180 days after the date of the enact-
10 ment of this Act, the Secretary of Defense shall provide
11 to the Committees on Armed Services of the Senate and
12 the House of Representatives a briefing on various mecha-
13 nisms by which the Family Advocacy Programs (FAPs)
14 of the military departments may be used and enhanced
15 in order to end domestic violence among members of the
16 Armed Forces and support survivors of such violence and
17 their dependents.

18 **Subtitle G—Decorations and**
19 **Awards**

20 **SEC. 585. AUTHORIZATION FOR AWARD OF THE MEDAL OF**
21 **HONOR TO JOHN J. DUFFY FOR ACTS OF**
22 **VALOR IN VIETNAM.**

23 (a) WAIVER OF TIME LIMITATIONS.—Notwith-
24 standing the time limitations specified in section 3744 of
25 title 10, United States Code, or any other time limitation

1 with respect to the awarding of certain medals to persons
 2 who served in the Armed Forces, the President may award
 3 the Medal of Honor under section 3741 of such title to
 4 John J. Duffy for the acts of valor in Vietnam described
 5 in subsection (b).

6 (b) ACTS OF VALOR DESCRIBED.—The acts of valor
 7 referred to in subsection (a) are the actions of John J.
 8 Duffy on April 14 and 15, 1972, in Vietnam for which
 9 he was previously awarded the Distinguished-Service
 10 Cross.

11 **SEC. 586. STANDARDIZATION OF HONORABLE SERVICE RE-**
 12 **QUIREMENT FOR AWARD OF MILITARY DECO-**
 13 **RATIONS.**

14 (a) HONORABLE SERVICE REQUIREMENT.—

15 (1) IN GENERAL.—Chapter 57 of title 10,
 16 United States Code, is amended by adding at the
 17 end the following new section

18 **“§ 1136. Honorable service requirement for award of**
 19 **military decorations**

20 “No military decoration, including a medal, cross, or
 21 bar, or an associated emblem or insignia, may be awarded
 22 or presented to any person, or to a representative of the
 23 person, if the service of the person after the person distin-
 24 guished himself or herself has not been honorable.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
 2 tions at the beginning of chapter 57 of such title is
 3 amended by adding at the end the following:

“1136. Honorable service requirement for award of military decorations.”.

4 (b) CONFORMING AMENDMENTS.—Title 10, United
 5 States Code, is further amended as follows:

6 (1) In section 7274—

7 (A) in subsection (b) in the matter pre-
 8 ceding paragraph (1), by striking “subsection
 9 (d)” and inserting “subsection (c)”;

10 (B) by striking subsection (c); and

11 (C) by redesignating subsection (d) as sub-
 12 section (c).

13 (2)(A) Section 8299 is repealed.

14 (B) The table of sections at the beginning of
 15 chapter 837 is amended by striking the item relating
 16 to section 8299.

17 (3) In section 9274—

18 (A) in subsection (b) in the matter pre-
 19 ceding paragraph (1), by striking “subsection
 20 (d)” and inserting “subsection (c)”;

21 (B) by striking subsection (c); and

22 (C) by redesignating subsection (d) as sub-
 23 section (c).

24 (4) In section 9279, by striking subsection (c).

1 **SEC. 587. AUTHORITY TO AWARD OR PRESENT A DECORA-**
 2 **TION NOT PREVIOUSLY RECOMMENDED IN A**
 3 **TIMELY FASHION FOLLOWING A REVIEW RE-**
 4 **QUESTED BY CONGRESS.**

5 (a) AUTHORITY TO AWARD OR PRESENT.—Section
 6 1130 of title 10, United States Code, is amended—

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

9 (2) by inserting after subsection (c) the fol-
 10 lowing new subsection (d):

11 “(d)(1) A decoration may be awarded or presented
 12 following the submittal of a recommendation under sub-
 13 section (b) approving the award or presentation.

14 “(2) The authority to make an award or presentation
 15 under this subsection shall apply notwithstanding any lim-
 16 itation described in subsection (a).”.

17 (b) CONFORMING AND CLERICAL AMENDMENTS.—

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

20 **“§ 1130. Consideration of proposals for decorations**
 21 **not previously submitted in timely fash-**
 22 **ion: procedures for review and award or**
 23 **presentation”.**

24 (2) CLERICAL AMENDMENT.—The table of sec-
 25 tions at the beginning of chapter 57 of such title is

1 amended by striking the item relating to section
2 1130 and inserting the following new item:

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

3 **SEC. 588. AUTHORITY TO MAKE POSTHUMOUS AND HON-**
4 **ORARY PROMOTIONS AND APPOINTMENTS**
5 **FOLLOWING A REVIEW REQUESTED BY CON-**
6 **GRESS.**

7 (a) **AUTHORITY TO MAKE.**—Section 1563 of title 10,
8 United States Code, is amended—

9 (1) by redesignating subsection (c) as sub-
10 section (e); and

11 (2) by inserting after subsection (b) the fol-
12 lowing new subsections:

13 “(c) **AUTHORITY TO MAKE.**—(1) Under regulations
14 prescribed by the Secretary of Defense, a posthumous or
15 honorary promotion or appointment may be made fol-
16 lowing the submittal of a determination under subsection
17 (b) if the determination is to approve the making of such
18 promotion of appointment.

19 “(2) The authority to make a promotion or appoint-
20 ment under this subsection shall apply notwithstanding
21 that such promotion or appointment is not otherwise au-
22 thorized by law.

23 “(d) **ADDITIONAL BENEFITS NOT TO ACCRUE.**—The
24 promotion or appointment of individual pursuant to sub-

1 section (c) shall not affect the retired pay or other benefits
 2 from the United States to which the individual would have
 3 been entitled based upon the individual's military service,
 4 if any, or affect any benefits to which any other person
 5 may become entitled based on the individual's military
 6 service, if any.”.

7 (b) CONFORMING AND CLERICAL AMENDMENTS.—

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

10 **“§ 1563. Consideration of proposals for posthumous**
 11 **and honorary promotions and appoint-**
 12 **ments: procedures for review and pro-**
 13 **motion or appointment”.**

14 (2) CLERICAL AMENDMENT.—The table of sec-
 15 tions at the beginning of chapter 80 of such title is
 16 amended by striking the item relating to section
 17 1563 and inserting the following new item:

“1563. Consideration of proposals for posthumous and honorary promotions and appointments: procedures for review and promotion or appointment.”.

18 **Subtitle H—Other Matters**

19 **SEC. 591. MILITARY FUNERAL HONORS MATTERS.**

20 (a) FULL MILITARY HONORS CEREMONY FOR CER-
 21 TAIN VETERANS.—Section 1491(b) of title 10, United
 22 States Code, is amended by adding at the end the fol-
 23 lowing:

1 “(3) The Secretary concerned shall provide full mili-
2 tary honors (as determined by the Secretary concerned)
3 for the funeral of a veteran who—

4 “(A) is first interred or first inurned in Arling-
5 ton National Cemetery on or after the date of the
6 enactment of the National Defense Authorization
7 Act for Fiscal Year 2020;

8 “(B) was awarded the medal of honor or the
9 prisoner-of-war medal; and

10 “(C) is not entitled to full military honors by
11 the grade of that veteran.”.

12 (b) FULL MILITARY FUNERAL HONORS FOR VET-
13 ERANS AT MILITARY INSTALLATIONS.—

14 (1) INSTALLATION PLANS FOR HONORS RE-
15 QUIRED.—The commander of each military installa-
16 tion at or through which a funeral honors detail for
17 a veteran is provided pursuant to section 1491 of
18 title 10, United States Code (as amended by sub-
19 section (a)), shall maintain and carry out a plan for
20 the provision, upon request, of full military funeral
21 honors at funerals of veterans for whom a funeral
22 honors detail is authorized in that section.

23 (2) ELEMENTS.—Each plan of an installation
24 under paragraph (1) shall include the following:

1 (A) Mechanisms to ensure compliance with
2 the requirements applicable to the composition
3 of funeral honors details in section 1491(b) of
4 title 10, United States Code (as so amended).

5 (B) Mechanisms to ensure compliance with
6 the requirements for ceremonies for funerals in
7 section 1491(c) of such title.

8 (C) In addition to the ceremonies required
9 pursuant to subparagraph (B), the provision of
10 a gun salute for each funeral by appropriate
11 personnel, including personnel of the installa-
12 tion, members of the reserve components of the
13 Armed Forces residing in the vicinity of the in-
14 stallation who are ordered to funeral honors
15 duty, and members of veterans organizations or
16 other organizations referred to in section
17 1491(b)(2) of such title.

18 (D) Mechanisms for the provision of sup-
19 port authorized by section 1491(d) of such title.

20 (E) Such other mechanisms and activities
21 as the Secretary concerned considers appro-
22 priate in order to assure that full military fu-
23 neral honors are provided upon request at fu-
24 nerals of veterans.

25 (3) DEFINITIONS.—In this subsection:

1 (A) The term “Secretary concerned” has
2 the meaning given that term in section
3 101(a)(9) of title 10, United States Code.

4 (B) The term “veteran” has the meaning
5 given that term in section 1491(h) of title 10,
6 United States Code.

7 **SEC. 592. INCLUSION OF HOMESCHOOLED STUDENTS IN**
8 **JUNIOR RESERVE OFFICERS’ TRAINING**
9 **CORPS UNITS.**

10 Section 2031 of title 10, United States Code, is
11 amended by adding at the end the following new sub-
12 section:

13 “(g)(1) Each public secondary educational institution
14 that maintains a unit under this section shall permit mem-
15 bership in the unit to homeschooled students residing in
16 the area served by the institution who are qualified for
17 membership in the unit (but for lack of enrollment in the
18 institution).

19 “(2) A student who is a member of a unit pursuant
20 to this subsection shall count toward the satisfaction by
21 the institution concerned of the requirement in subsection
22 (b)(1) relating to the minimum number of student mem-
23 bers in the unit necessary for the continuing maintenance
24 of the unit.”.

1 **SEC. 593. SENSE OF SENATE ON THE JUNIOR RESERVE OF-**
2 **FICERS' TRAINING CORPS.**

3 It is the sense of the Senate that—

4 (1) the Junior Reserve Officers' Training Corps
5 (JROTC) is a valuable program that instill the val-
6 ues of citizenship, service to the community, per-
7 sonal responsibility and a sense of accomplishment
8 in high school students;

9 (2) the Junior Reserve Officers' Training Corps
10 is supported by all the Armed Forces, and there are
11 Junior Reserve Officers' Training Corps units in all
12 50 States, 4 United States territories, and the Dis-
13 trict of Columbia;

14 (3) the Junior Reserve Officers' Training Corps
15 consistently improves student outcomes across a
16 wide variety of academic and nonacademic data
17 points, including grade point average, high school
18 graduation and college acceptance rates, standard-
19 ized test scores, drop-out rates, discipline problems,
20 and leadership skills;

21 (4) the Department of Defense should view the
22 Junior Reserve Officers' Training Corps as a unique
23 program to help close the divide between the military
24 and the greater civilian community in the United
25 States;

(5) given the increased funding and more flexible policy authorized in the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), the Department should take every possible action to increase the number of Junior Reserve Officers’ Training Corps units at schools around the United States; and

(6) the desired number of Junior Reserve Officers’ Training Corps units should be at least 3,700 in order to relieve a significant backlog in requests to establish such units.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. EXPANSION OF ELIGIBILITY FOR EXCEPTIONAL TRANSITIONAL COMPENSATION FOR DE- PENDENTS TO DEPENDENTS OF CURRENT MEMBERS.

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

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

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

1 (3) by redesignating paragraph (3) as para-
2 graph (4); and

3 (4) by inserting after paragraph (2) the fol-
4 lowing new paragraph (3):

5 “(3) For purposes of the provision of benefits under
6 this section pursuant to this subsection, a member shall
7 be considered separated from active duty upon the earliest
8 of—

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

11 “(B) the date the court-martial sentence is ad-
12 judged if the sentence, as adjudged, includes a dis-
13 missal, dishonorable discharge, bad conduct dis-
14 charge, or forfeiture of all pay and allowances; or

15 “(C) the date the member’s term of service ex-
16 pires.”.

17 **Subtitle B—Bonuses and Special** 18 **and Incentive Pays**

19 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING** 20 **BONUS AND SPECIAL PAY AUTHORITIES.**

21 (a) AUTHORITIES RELATING TO RESERVE
22 FORCES.—Section 910(g) of title 37, United States Code,
23 relating to income replacement payments for reserve com-
24 ponent members experiencing extended and frequent mo-
25 bilization for active duty service, is amended by striking

1 “December 31, 2019” and inserting “December 31,
2 2020”.

3 (b) TITLE 10 AUTHORITIES RELATING TO HEALTH
4 CARE PROFESSIONALS.—The following sections of title
5 10, United States Code, are amended by striking “Decem-
6 ber 31, 2019” and inserting “December 31, 2020”:

7 (1) Section 2130a(a)(1), relating to nurse offi-
8 cer 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,
20 2019” and inserting “December 31, 2020”:

21 (1) Section 331(h), relating to general bonus
22 authority for enlisted members.

23 (2) Section 332(g), relating to general bonus
24 authority 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
4 and incentive pay authorities for officers in health
5 professions.

6 (5) Section 336(g), relating to contracting
7 bonus for cadets and midshipmen enrolled in the
8 Senior Reserve Officers' Training Corps.

9 (6) Section 351(h), relating to hazardous duty
10 pay.

11 (7) Section 352(g), relating to assignment pay
12 or special duty pay.

13 (8) Section 353(i), relating to skill incentive
14 pay 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
19 IN 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 “Decem-
22 ber 31, 2020”.

Subtitle C—Travel and Transportation Allowances

SEC. 621. EXTENSION OF PILOT PROGRAM ON A GOVERN- MENT LODGING PROGRAM.

Section 914(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (5 U.S.C. 5911 note) is amended by striking “December 31, 2019” and inserting “December 31, 2020”.

SEC. 622. REINVESTMENT OF TRAVEL REFUNDS BY THE DE- PARTMENT OF DEFENSE.

(a) REFUNDS FOR OFFICIAL TRAVEL.—Subchapter I of chapter 8 of title 37, United States Code, is amended by adding at the end the following new section:

“§ 456. Managed travel program refunds

“(a) CREDIT OF REFUNDS.—The Secretary of Defense may credit refunds attributable to Department of Defense managed travel programs as a direct result of official travel to such operation and maintenance or research, development, test, and evaluation accounts of the Department as designated by the Secretary that are available for obligation for the fiscal year in which the refund or amount is collected.

“(b) USE OF REFUNDS.—Refunds credited under subsection (a) may only be used for official travel or oper-

1 ations and efficiency improvements for improved financial
2 management of official travel.

3 “(c) DEFINITIONS.—In this section:

4 “(1) MANAGED TRAVEL PROGRAM.—The term
5 ‘managed travel program’ includes air, rental car,
6 train, bus, dining, lodging, and travel management,
7 but does not include rebates or refunds attributable
8 to the use of the Government travel card, the Gov-
9 ernment Purchase Card, or Government travel ar-
10 ranged by Government Contracted Travel Manage-
11 ment Centers.

12 “(2) REFUND.—The term ‘refund’ includes
13 miscellaneous receipts credited to the Department
14 identified as a refund, rebate, repayment, or other
15 similar amounts collected.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of chapter 8 of such title is amended by
18 inserting after the item relating to section 455 the fol-
19 lowing new item:

“456. Managed travel program refunds.”.

20 (c) CLARIFICATION ON RETENTION OF TRAVEL PRO-
21 MOTIONAL ITEMS.—Section 1116(a) of the National De-
22 fense Authorization Act for Fiscal Year 2002 (Public Law
23 107–107; 5 U.S.C. 5702 note) is amended—

1 (1) by striking “DEFINITION.—In this section,
 2 the term” and inserting the following: “DEFINI-
 3 TIONS.—In this section:

4 “(1) The term”; and

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

7 “(2) The term ‘general public’ includes the
 8 Federal Government or an agency.”.

9 **Subtitle D—Disability Pay, Retired** 10 **Pay, and Survivor Benefits**

11 **SEC. 631. CONTRIBUTIONS TO DEPARTMENT OF DEFENSE** 12 **MILITARY RETIREMENT FUND BASED ON PAY** 13 **COSTS PER ARMED FORCE RATHER THAN ON** 14 **ARMED FORCES-WIDE BASIS.**

15 (a) DETERMINATION OF CONTRIBUTIONS GEN-
 16 ERALLY.—Section 1465(c) of title 10, United States Code,
 17 is amended—

18 (1) in paragraph (1)—

19 (A) in subparagraph (A), by striking “sin-
 20 gle level percentage of basic pay for active duty
 21 (other than the Coast Guard) and for full-time
 22 National Guard duty” and inserting “percent-
 23 age of basic pay for each armed force (other
 24 than the Coast Guard) and for any full-time
 25 National Guard duty”;

1 (B) in subparagraph (B)—

2 (i) by striking “single level”; and

3 (ii) by striking “members of the Se-
4 lected Reserve of the armed forces (other
5 than the Coast Guard)” and inserting
6 “each armed force (other than the Coast
7 Guard) for members of the Selected Re-
8 serve”; and

9 (C) in the flush matter following subpara-
10 graph (B), by striking “single level”; and
11 (2) in paragraph (4)—

12 (A) by striking “a single level percentage
13 determined” both places it appears and insert-
14 ing “percentages”; and

15 (B) in the flush matter following subpara-
16 graph (B), by striking “single level”.

17 (b) CONFORMING AMENDMENTS.—

18 (1) DETERMINATION OF CONTRIBUTIONS.—
19 Section 1465(b) of title 10, United States Code, is
20 amended—

21 (A) in paragraph (1)—

22 (i) in subparagraph (A)—

23 (I) in the matter preceding clause

24 (i), by striking “product” and insert-
25 ing “aggregate of the products”;

1 (II) in clause (i), by striking
 2 “single level percentage of basic pay”
 3 and inserting “percentage of basic pay
 4 for each armed force (other than the
 5 Coast Guard)”; and

6 (III) in clause (ii), by striking
 7 “for active duty (other than the Coast
 8 Guard) and for full-time National
 9 Guard duty” and inserting “for such
 10 armed force for active duty and for
 11 any full-time National Guard duty”;
 12 and

13 (ii) in subparagraph (B)—

14 (I) in the matter preceding clause
 15 (i), by striking “product” and insert-
 16 ing “aggregate of the products”;

17 (II) in clause (i), by striking
 18 “single level percentage of basic pay
 19 and of compensation (paid pursuant
 20 to section 206 of title 37)” and insert-
 21 ing “percentage of basic pay and of
 22 compensation (paid pursuant to sec-
 23 tion 206 of title 37) for each armed
 24 force (other than the Coast Guard)”;
 25 and

1 (III) in clause (ii), by striking
2 “the armed forces (other than the
3 Coast Guard)” and inserting “such
4 armed force”; and

5 (B) in paragraph (3), by striking “single
6 level”.

7 (2) PAYMENTS OF CONTRIBUTIONS.—Section
8 1466(a) of such title is amended—

9 (A) in paragraph (1)—

10 (i) in the matter preceding subpara-
11 graph (A), by striking “product” and in-
12 serting “aggregate of the products”;

13 (ii) in subparagraph (A), by striking
14 “level percentage of basic pay” and insert-
15 ing “percentage of basic pay for each
16 armed force (other than the Coast
17 Guard)”;

18 (iii) in subparagraph (B), by striking
19 “for active duty (other than for the Coast
20 Guard) and for full-time National Guard
21 duty” and inserting “for such armed force
22 for active duty and for any full-time Na-
23 tional Guard duty”; and

24 (B) in paragraph (2)—

1 (i) in the matter preceding subpara-
2 graph (A), by striking “product” and in-
3 serting “aggregate of the products”;

4 (ii) in subparagraph (A), by striking
5 “level percentage of basic pay and of com-
6 pensation (paid pursuant to section 206 of
7 title 37)” and inserting “percentage of
8 basic pay and of compensation (paid pur-
9 suant to section 206 of title 37) for each
10 armed force (other than the Coast
11 Guard)”;

12 (iii) in subparagraph (B), by striking
13 “the armed forces (other than the Coast
14 Guard)” and inserting “such armed force”.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall take effect on October 1, 2019, and shall
17 apply with respect to determinations of contributions to
18 the Department of Defense Military Retirement Fund,
19 and payments into the Fund, beginning with fiscal year
20 2021.

1 **SEC. 632. MODIFICATION OF AUTHORITIES ON ELIGIBILITY**
2 **FOR AND REPLACEMENT OF GOLD STAR**
3 **LAPEL BUTTONS.**

4 (a) EXPANSION OF AUTHORITY TO DETERMINE
5 NEXT OF KIN FOR ISSUANCE.—Section 1126 of title 10,
6 United States Code, is amended—

7 (1) in subsection (a), by striking “widows, par-
8 ents, and” in the matter preceding paragraph (1);

9 (2) in subsection (b), by striking “the widow
10 and to each parent and” and inserting “each”; and

11 (3) in subsection (d)—

12 (A) by striking paragraphs (1), (2), (3),
13 and (4) and inserting the following new para-
14 graph (1):

15 “(1) The term ‘next of kin’ means individuals
16 standing in such relationship to members of the
17 armed forces described in subsection (a) as the Sec-
18 retaries concerned shall jointly specify in regulations
19 for purposes of this section.”; and

20 (B) by redesignating paragraphs (5), (6),
21 (7), and (8) as paragraphs (2), (3), (4), and
22 (5), respectively.

23 (b) REPLACEMENT.—Subsection (c) of such section
24 is amended by striking “and payment” and all that follows
25 and inserting “and without cost.”.

1 **Subtitle E—Commissary and Non-**
2 **Appropriated Fund Instrumen-**
3 **tality Benefits and Operations**

4 **SEC. 641. DEFENSE RESALE SYSTEM MATTERS.**

5 (a) IN GENERAL.—The Under Secretary of Defense
6 for Personnel and Readiness shall, in coordination with
7 the Chief Management Officer of the Department of De-
8 fense, maintain oversight of business transformation ef-
9 forts of the defense commissary system and the exchange
10 store system in order to ensure the following:

11 (1) Development of an intercomponent business
12 strategy that maximizes efficiencies and results in a
13 viable defense resale system in the future.

14 (2) Preservation of patron savings and satisfac-
15 tion from and in the defense commissary system and
16 exchange stores system.

17 (3) Sustainment of financial support of the de-
18 fense commissary and exchange systems for morale,
19 welfare, and recreation (MWR) services of the
20 Armed Forces.

21 (b) EXECUTIVE RESALE BOARD ADVICE ON OPER-
22 ATIONS OF SYSTEMS.—The Executive Resale Board of the
23 Department of Defense shall advise the Under Secretary
24 on the implementation of sustainable, complementary op-

1 erations of the defense commissary system and the ex-
2 change stores system.

3 (c) PRACTICES AND SERVICES.—

4 (1) IN GENERAL.—The Secretary of Defense
5 shall, acting through the Under Secretary and with
6 advice from the Executive Resale Board, require the
7 Defense Commissary Agency and the Military Ex-
8 change Service to identify and implement practices
9 and services described in paragraph (2) across the
10 defense resale system.

11 (2) PRACTICES AND SERVICES.—Practices and
12 services described in this paragraph shall include the
13 following:

14 (A) Best commercial business practices.

15 (B) Shared-services systems that increase
16 efficiencies across the defense resale system, in-
17 cluding in transportation of goods, application-
18 based marketing initiatives and other mobile
19 electronic-commerce programs, facilities con-
20 struction, back-office information technology
21 systems, human resource management, legal
22 services, financial services, and advertising.

23 (C) Integration of services provided by the
24 exchange stores system within commissary sys-
25 tem facilities, as appropriate, including services

1 such as dry cleaning, health and wellness activi-
2 ties, pharmacies, urgent care centers, food, and
3 other retail services.

4 (d) INFORMATION TECHNOLOGY MODERNIZATION.—
5 The Secretary shall, acting through the Under Secretary
6 and with advice from the Executive Resale Board, require
7 the Defense Commissary Agency and the Military Ex-
8 change Service to do as follows:

9 (1) Field new technologies and best business
10 practices for information technology for the defense
11 resale system.

12 (2) Implement cutting-edge marketing opportu-
13 nities across the defense resale system.

14 (e) INCLUSION OF ADVERTISING IN OPERATING EX-
15 PENSES OF COMMISSARY STORES.—Section 2483(b) of
16 title 10, United States Code, is amended by adding at the
17 end the following paragraph:

18 “(7) Advertising of commissary sales on mate-
19 rials available within commissary stores and at other
20 on-base locations.”.

1 **SEC. 642. TREATMENT OF FEES ON SERVICES PROVIDED AS**
 2 **SUPPLEMENTAL FUNDS FOR COMMISSARY**
 3 **OPERATIONS.**

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

7 **SEC. 643. PROCUREMENT BY COMMISSARY STORES OF CER-**
 8 **TAIN LOCALLY SOURCED PRODUCTS.**

9 The Secretary of Defense shall ensure that the dairy
 10 products and fruits and vegetables procured for com-
 11 missary stores under the defense commissary system are,
 12 to the extent practicable, locally sourced in order to ensure
 13 the availability of the freshest possible dairy products and
 14 fruits and vegetables for patrons of the stores.

15 **TITLE VII—HEALTH CARE**
 16 **PROVISIONS**
 17 **Subtitle A—TRICARE and Other**
 18 **Health Care Benefits**

19 **SEC. 701. CONTRACEPTION COVERAGE PARITY UNDER THE**
 20 **TRICARE PROGRAM.**

21 (a) IN GENERAL.—Section 1074d(b)(3) of title 10,
 22 United States Code, is amended by inserting before the
 23 period at the end the following: “(including all methods
 24 of contraception approved by the Food and Drug Adminis-
 25 tration, contraceptive care (including with respect to inser-
 26 tion, removal, and follow up), sterilization procedures, and

1 patient education and counseling in connection there-
2 with)”).

3 (b) PROHIBITION ON COST-SHARING FOR CERTAIN
4 SERVICES.—

5 (1) TRICARE SELECT.—Section 1075(c) of
6 such title is amended by adding at the end the fol-
7 lowing new paragraph:

8 “(4) For all beneficiaries under this section,
9 there is no cost-sharing for any method of contra-
10 ception provided by a network provider.”.

11 (2) TRICARE PRIME.—Section 1075a(b) of
12 such title is amended by adding at the end the fol-
13 lowing new paragraph:

14 “(5) For all beneficiaries under this section, there is
15 no cost-sharing for any method of contraception provided
16 under TRICARE Prime.”.

17 (3) PHARMACY BENEFITS PROGRAM.—Section
18 1074g(a)(6) of such title is amended by adding at
19 the end the following new subparagraph:

20 “(D) Notwithstanding subparagraphs (A), (B), and
21 (C), there is no cost-sharing for any prescription contra-
22 ceptive on the uniform formulary provided by a retail
23 pharmacy described in subsection (a)(2)(E)(ii) or the na-
24 tional mail-order pharmacy program.”.

1 (c) EFFECTIVE DATE.—The amendments made by
 2 this section shall take effect on January 1, 2020.

3 **SEC. 702. TRICARE PAYMENT OPTIONS FOR RETIREES AND**
 4 **THEIR DEPENDENTS.**

5 (a) IN GENERAL.—Section 1099 of title 10, United
 6 States Code, is amended—

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

9 (2) by inserting after subsection (c) the fol-
 10 lowing new subsection (d):

11 “(d) PAYMENT OPTIONS.—(1) A member or former
 12 member of the uniformed services, or a dependent thereof,
 13 eligible for medical care and dental care under section
 14 1074(b) or 1076 of this title shall pay a premium for cov-
 15 erage under this chapter.

16 “(2) To the maximum extent practicable, a premium
 17 owed by a member, former member, or dependent under
 18 paragraph (1) shall be withheld from the retired, retainer,
 19 or equivalent pay of the member, former member, or de-
 20 pendent. In all other cases, a premium shall be paid in
 21 a frequency and method determined by the Secretary.”.

22 (b) CONFORMING AND CLERICAL AMENDMENTS.—

23 (1) CONFORMING AMENDMENTS.—Section
 24 1097a of title 10, United States Code, is amended—

25 (A) by striking subsection (c); and

1 (B) by redesignating subsections (d), (e),
 2 and (f) as subsections (c), (d), and (e), respec-
 3 tively.

4 (2) HEADING AMENDMENTS.—

5 (A) AUTOMATIC ENROLLMENTS.—The
 6 heading for section 1097a of such title is
 7 amended to read as follows:

8 **“§ 1097a. TRICARE Prime: automatic enrollments”.**

9 (B) ENROLLMENT SYSTEM AND PAYMENT
 10 OPTIONS.—The heading for section 1099 of
 11 such title is amended to read as follows:

12 **“§ 1099. Health care enrollment system and payment**
 13 **options”.**

14 (3) CLERICAL AMENDMENTS.—The table of sec-
 15 tions at the beginning of chapter 55 of such title is
 16 amended—

17 (A) by striking the item relating to section
 18 1097a and inserting the following new item:

“1097a. TRICARE Prime: automatic enrollments.”; and

19 (B) by striking the item relating to section
 20 1099 and inserting the following new item:

“1099. Health care enrollment system and payment options.”.

21 (c) EFFECTIVE DATE.—The amendments made by
 22 this section shall apply to health care coverage beginning
 23 on or after January 1, 2021.

1 **SEC. 703. LEAD LEVEL SCREENING AND TESTING FOR CHIL-**
2 **DREN.**

3 (a) COMPREHENSIVE SCREENING, TESTING, AND RE-
4 PORTING GUIDELINES.—

5 (1) IN GENERAL.—The Secretary of Defense
6 shall establish clinical practice guidelines for health
7 care providers employed by the Department of De-
8 fense on screening, testing and reporting of blood
9 lead levels in children.

10 (2) USE OF CDC RECOMMENDATIONS.—Guide-
11 lines established under paragraph (1) shall reflect
12 recommendations made by the Centers for Disease
13 Control and Prevention with respect to the screen-
14 ing, testing, and reporting of blood lead levels in
15 children.

16 (3) DISSEMINATION OF GUIDELINES.—Not
17 later than one year after the date of the enactment
18 of this Act, the Secretary shall disseminate the clin-
19 ical practice guidelines established under paragraph
20 (1) to health care providers of the Department of
21 Defense.

22 (b) CARE PROVIDED IN ACCORDANCE WITH CDC
23 GUIDANCE.—The Secretary shall ensure that any care
24 provided by the Department of Defense to a child for lead
25 poisoning shall be carried out in accordance with applica-

1 ble guidance issued by the Centers for Disease Control and
2 Prevention.

3 (c) SHARING OF RESULTS OF TESTING.—

4 (1) IN GENERAL.—With respect to a child who
5 receives from the Department of Defense a test for
6 lead poisoning—

7 (A) the Secretary shall provide the results
8 of the test to the parent or guardian of the
9 child; and

10 (B) notwithstanding any requirements for
11 the confidentiality of health information under
12 the Health Insurance Portability and Account-
13 ability Act of 1996 (Public Law 104–191), the
14 Secretary shall provide the results of the test
15 and the address at which the child resides to—

16 (i) the relevant health department of
17 the State in which the child resides if the
18 child resides in the United States; or

19 (ii) if the child resides outside the
20 United States—

21 (I) the Centers for Disease Con-
22 trol and Prevention; and

23 (II) the appropriate authority of
24 the country in which the child resides.

1 (2) STATE DEFINED.—In this subsection, the
2 term “State” means each of the several States, the
3 District of Columbia, the Commonwealth of Puerto
4 Rico, and any territory or possession of the United
5 States.

6 (d) REPORT.—

7 (1) IN GENERAL.—Not later than January 1,
8 2021, the Secretary of Defense shall submit to the
9 congressional defense committees a report detailing,
10 with respect to the period beginning on the date of
11 the enactment of this Act and ending on the date of
12 the report, the following:

13 (A) The number of children who were test-
14 ed by the Department of Defense for the level
15 of lead in the blood of the child, and of such
16 number, the number who were found to have
17 elevated blood lead levels.

18 (B) The number of children who were
19 screened by the Department of Defense for an
20 elevated risk of lead exposure.

21 (C) The treatment provided to children
22 pursuant to chapter 55 of title 10, United
23 States Code, for lead poisoning.

24 (2) ELEVATED BLOOD LEAD LEVEL DE-
25 FINED.—In this paragraph, the term “elevated blood

1 lead level” has the meaning given that term by the
2 Centers for Disease Control and Prevention.

3 **SEC. 704. PROVISION OF BLOOD TESTING FOR FIRE-**
4 **FIGHTERS OF DEPARTMENT OF DEFENSE TO**
5 **DETERMINE EXPOSURE TO**
6 **PERFLUOROALKYL AND POLYFLUOROALKYL**
7 **SUBSTANCES.**

8 (a) IN GENERAL.—Beginning on October 1, 2020,
9 the Secretary of Defense shall provide blood testing to de-
10 termine and document potential exposure to perfluoroalkyl
11 and polyfluoroalkyl substances (commonly known as
12 “PFAS”) for each firefighter of the Department of De-
13 fense during the annual physical exam conducted by the
14 Department for each such firefighter.

15 (b) FIREFIGHTER DEFINED.—In this section, the
16 term “firefighter” means someone whose primary job or
17 military occupational specialty is being a firefighter.

18 **Subtitle B—Health Care**
19 **Administration**

20 **SEC. 711. MODIFICATION OF ORGANIZATION OF MILITARY**
21 **HEALTH SYSTEM.**

22 (a) ADMINISTRATION OF MILITARY MEDICAL TREAT-
23 MENT FACILITIES.—Subsection (a) of section 1073c of
24 title 10, United States Code, is amended—

25 (1) in paragraph (1)—

1 (A) by redesignating subparagraphs (A),
2 (B), (C), (D), (E), and (F) as subparagraphs
3 (C), (D), (E), (G), (H), and (I), respectively;

4 (B) by inserting before subparagraph (C),
5 as redesignated by subparagraph (A) of this
6 paragraph, the following new subparagraphs:

7 “(A) provision and delivery of health care
8 within each such facility;

9 “(B) management of privileging, scope of
10 practice, and quality of health care provided
11 within each such facility;” and

12 (C) inserting the following new subpara-
13 graph:

14 “(F) supply and equipment;”;

15 (2) in paragraph (2)—

16 (A) by redesignating subparagraphs (D)
17 through (G) as subparagraphs (E) through (H),
18 respectively;

19 (B) by inserting after subparagraph (C)
20 the following new subparagraph (D):

21 “(D) to identify the capacity of each mili-
22 tary medical treatment facility to support clin-
23 ical readiness standards of health care providers
24 established by the Secretary of a military de-

1 partment or the Assistant Secretary of Defense
2 for Health Affairs;” and

3 (C) by amending subparagraph (F), as re-
4 designated by subparagraph (A) of this para-
5 graph, to read as follows:

6 “(F) to determine, in coordination with
7 each Secretary of a military department, man-
8 ning, including joint manning, assigned to mili-
9 tary medical treatment facilities and inter-
10 mediary organizations;” and

11 (3) in paragraph (3)—

12 (A) in subparagraph (A)—

13 (i) by inserting “on behalf of the mili-
14 tary departments,” before “ensuring”; and

15 (ii) by striking “and civilian employ-
16 ees”; and

17 (B) in subparagraph (B), by inserting “on
18 behalf of the Defense Health Agency,” before
19 “furnishing”.

20 (b) DHA ASSISTANT DIRECTOR.—Subsection (b)(2)
21 of such section is amended by striking “equivalent edu-
22 cation and experience” and all that follows and inserting
23 “the education and experience to perform the responsibil-
24 ities of the position.”.

1 (c) DHA DEPUTY ASSISTANT DIRECTORS.—Sub-
2 section (c) of such section is amended—

3 (1) in paragraph (2)(B), by striking “across the
4 military health system” and inserting “at military
5 medical treatment facilities”; and

6 (2) in paragraph (4)(B), by inserting “at mili-
7 tary medical treatment facilities” before the period
8 at the end.

9 (d) MILITARY MEDICAL TREATMENT FACILITY.—
10 Subsection (f) of such section is amended by adding at
11 the end the following new paragraph:

12 “(3) The term ‘military medical treatment facil-
13 ity’ means—

14 “(A) any fixed facility of the Department
15 of Defense that is outside of a deployed envi-
16 ronment and used primarily for health care;
17 and

18 “(B) any other location used for purposes
19 of providing health care services as designated
20 by the Secretary of Defense.”.

21 (e) TECHNICAL AMENDMENTS.—Subsection (a) of
22 such section is amended—

23 (1) in paragraph (1), by striking “paragraph
24 (4)” and inserting “paragraph (5)”;

1 (2) by redesignating paragraph (5) as para-
2 graph (6);

3 (3) by redesignating the first paragraph (4) as
4 paragraph (5); and

5 (4) by moving the second paragraph (4) so as
6 to appear before paragraph (5), as redesignated by
7 paragraph (3) of this subsection.

8 **SEC. 712. SUPPORT BY MILITARY HEALTH SYSTEM OF MED-**
9 **ICAL REQUIREMENTS OF COMBATANT COM-**
10 **MANDS.**

11 (a) IN GENERAL.—Section 712 of the John S.
12 McCain National Defense Authorization Act for Fiscal
13 Year 2019 (Public Law 115–232) is amended—

14 (1) in subsection (a), by amending paragraph
15 (1) to read as follows:

16 “(1) IN GENERAL.—The Secretary of Defense
17 shall, acting through the Secretaries of the military
18 departments, the Defense Health Agency, and the
19 Joint Staff, implement an organizational framework
20 of the military health system that effectively imple-
21 ments chapter 55 of title 10, United States Code, to
22 maximize the readiness of the medical force, promote
23 interoperability, and integrate medical capabilities of
24 the Armed Forces in order to enhance joint military

1 medical operations in support of requirements of the
2 combatant commands.”;

3 (2) in subsection (e), by redesignating para-
4 graphs (2) and (3) as paragraphs (3) and (4), re-
5 spectively, and by moving such paragraphs so as to
6 appear at the end of subsection (d);

7 (3) by striking subsection (e), as amended by
8 paragraph (2) of this subsection;

9 (4) by redesignating subsections (b) through (d)
10 as subsections (c) through (e), respectively;

11 (5) by inserting after subsection (a) the fol-
12 lowing new subsection (b):

13 “(b) ADDITIONAL DUTIES OF SURGEONS GENERAL
14 OF THE ARMED FORCES.—The Surgeons General of the
15 Armed Forces shall have the following duties:

16 “(1) To ensure the readiness for operational de-
17 ployment of medical and dental personnel and
18 deployable medical or dental teams or units of the
19 Armed Force or Armed Forces concerned.

20 “(2) To meet medical readiness standards, sub-
21 ject to standards and metrics established by the As-
22 sistant Secretary of Defense for Health Affairs.

23 “(3) With respect to uniformed medical and
24 dental personnel of the military department con-
25 cerned—

1 “(A) to assign such personnel to military
2 medical treatment facilities, under the oper-
3 ational control of the commander or director of
4 the facility, or to partnerships with civilian or
5 other medical facilities for training activities
6 specific to such military department; and

7 “(B) to maintain readiness of such per-
8 sonnel for operational deployment.

9 “(4) To provide logistical support for oper-
10 ational deployment of medical and dental personnel
11 and deployable medical or dental teams or units of
12 the Armed Force or Armed Forces concerned.

13 “(5) To oversee mobilization and demobilization
14 in connection with the operational deployment of
15 medical and dental personnel of the Armed Force or
16 Armed Forces concerned.

17 “(6) To develop operational medical capabilities
18 required to support the warfighter, and to develop
19 policy relating to such capabilities.

20 “(7) To provide health professionals to serve in
21 leadership positions across the military healthcare
22 system.

23 “(8) To deliver operational clinical services
24 under the operational control of the combatant com-
25 mands—

- 1 “(A) on ships and planes; and
- 2 “(B) on installations outside of military
- 3 medical treatment facilities.
- 4 “(9) To manage privileging, scope of practice,
- 5 and quality of health care in the settings described
- 6 in paragraph (8).”;
- 7 (6) in subsection (c), as redesignated by para-
- 8 graph (4) of this subsection—
- 9 (A) in the subsection heading, by inserting
- 10 “AGENCY” before “REGIONS”; and
- 11 (B) in paragraph (1)—
- 12 (i) in the paragraph heading, by in-
- 13 serting “AGENCY” before “REGIONS”; and
- 14 (ii) by striking “defense health” and
- 15 inserting “Defense Health Agency”;
- 16 (7) in subsection (d), as redesignated by para-
- 17 graph (4) of this subsection—
- 18 (A) in the subsection heading, by inserting
- 19 “AGENCY” before “REGIONS”;
- 20 (B) in the matter preceding paragraph (1),
- 21 by striking “defense health” and inserting “De-
- 22 fense Health Agency”; and
- 23 (C) in paragraph (3), by striking “sub-
- 24 section (b)” and inserting “subsection (c)”; and

1 (8) in subsection (e), as redesignated by para-
2 graph (4) of this subsection—

3 (A) in paragraph (2)—

4 (i) by amending subparagraph (A) to
5 read as follows:

6 “(A) IN GENERAL.—The Secretaries of the
7 military departments shall coordinate with the
8 Chairman of the Joint Chiefs of Staff and the
9 Defense Health Agency to direct resources allo-
10 cated to the military departments to support re-
11 quirements related to readiness and operational
12 medicine support that are established by the
13 combatant commands and validated by the
14 Joint Staff.”; and

15 (ii) in subparagraph (B), in the mat-
16 ter preceding clause (i), by striking “Based
17 on” and all that follows through “shall—
18 ” and inserting “The Director of the De-
19 fense Health Agency, in coordination with
20 the Assistant Secretary of Defense for
21 Health Affairs, shall—”;

22 (B) in paragraph (3), as moved and redesi-
23 gnated by paragraph (2) of this subsection, in
24 the second sentence—

1 (i) by inserting “primarily” before
2 “through”; and

3 (ii) by inserting“, in coordination with
4 the Secretaries of the military depart-
5 ments,” after “the Defense Health Agen-
6 cy”; and

7 (C) by adding at the end the following:

8 “(5) MANPOWER.—

9 “(A) ADMINISTRATIVE CONTROL OF MILI-
10 TARY PERSONNEL.—Each Secretary of a mili-
11 tary department shall exercise administrative
12 control of members of the Armed Forces as-
13 signed to military medical treatment facilities,
14 including personnel assignment and issuance of
15 military orders.

16 “(B) OVERSIGHT OF CERTAIN PERSONNEL
17 BY THE DIRECTOR OF THE DEFENSE HEALTH
18 AGENCY.—In situations in which members of
19 the Armed Forces provide health care services
20 at a military medical treatment facility, the Di-
21 rector of the Defense Health Agency shall
22 maintain oversight for the provision of care de-
23 livered by those individuals through policies,
24 procedures, and privileging responsibilities of
25 the military medical treatment facility.”.

1 (b) CONFORMING AMENDMENTS.—

2 (1) HEADING AMENDMENT.—The heading for
3 section 712 of the John S. McCain National Defense
4 Authorization Act for Fiscal Year 2019 (Public Law
5 115–232) is amended to read as follows:

6 **“SEC. 712. SUPPORT BY MILITARY HEALTHCARE SYSTEM**
7 **OF MEDICAL REQUIREMENTS OF COMBAT-**
8 **ANT COMMANDS.”.**

9 (2) CLERICAL AMENDMENT.—The table of con-
10 tents for such Act is amended by striking the item
11 relating to section 712 and inserting the following
12 new item:

“Sec. 712. Support by military healthcare system of medical requirements of
combatant commands.”.

13 **SEC. 713. TOURS OF DUTY OF COMMANDERS OR DIREC-**
14 **TORS OF MILITARY TREATMENT FACILITIES.**

15 (a) IN GENERAL.—Not later than January 1, 2021,
16 the Secretary of Defense shall establish a minimum length
17 for the tour of duty of an individual as a commander or
18 director of a military treatment facility.

19 (b) TOURS OF DUTY.—

20 (1) IN GENERAL.—Except as provided in para-
21 graph (2), the length of the tour of duty as a com-
22 mander or director of a military treatment facility of
23 any individual assigned to such position after Janu-

1 ary 1, 2021, may not be shorter than the longer
2 of—

3 (A) the length established pursuant to sub-
4 section (a); or

5 (B) four years.

6 (2) WAIVER.—

7 (A) IN GENERAL.—The Secretary of the
8 military department concerned, in coordination
9 with the Director of the Defense Health Agen-
10 cy, may authorize a tour of duty of an indi-
11 vidual as a commander or director of a military
12 treatment facility of a shorter length than is
13 otherwise provided for in paragraph (1) if the
14 Secretary determines, in the discretion of the
15 Secretary, that there is good cause for a tour
16 of duty in such position of shorter length.

17 (B) CASE-BY-CASE BASIS.—Any deter-
18 mination under subparagraph (A) shall be made
19 on a case-by-case basis.

20 **SEC. 714. EXPANSION OF STRATEGY TO IMPROVE ACQUISI-**
21 **TION OF MANAGED CARE SUPPORT CON-**
22 **TRACTS UNDER TRICARE PROGRAM.**

23 Section 705(c)(1) of the National Defense Authoriza-
24 tion Act for Fiscal Year 2017 (Public Law 114–328; 10
25 U.S.C. 1073a note) is amended, in the matter preceding

1 subparagraph (A), by striking “, other than overseas med-
2 ical support contracts”.

3 **SEC. 715. ESTABLISHMENT OF REGIONAL MEDICAL HUBS**
4 **TO SUPPORT COMBATANT COMMANDS.**

5 (a) IN GENERAL.—The Secretary of Defense shall es-
6 tablish not more than four regional medical hubs, con-
7 sistent with the defense health regions established under
8 section 712 of the John S. McCain National Defense Au-
9 thorization Act for Fiscal Year 2019 (Public Law 115–
10 232), to support operational medical requirements of the
11 combatant commands.

12 (b) TIMING.—Establishment of regional medical hubs
13 under subsection (a) shall commence not later than Octo-
14 ber 1, 2020, and shall be completed not later than October
15 1, 2022.

16 (c) LEADERSHIP.—Each regional medical hub estab-
17 lished under subsection (a) shall be led by a commander
18 or director who is a member of the Armed Forces serving
19 in a grade not higher than major general or rear admiral
20 and who shall be—

21 (1) selected by the Director of the Defense
22 Health Agency from among members of the Armed
23 Forces recommended by the military departments
24 for service in such position; and

1 (2) under the authority, direction, and control
2 of the Director while serving in such position.

3 (d) DESIGNATION OF PRIMARY CENTER.—

4 (1) IN GENERAL.—Each regional medical hub
5 established under subsection (a) shall include a
6 major military medical center designated by the Sec-
7 retary to serve as the primary center for the provi-
8 sion of specialized medical services in that region.

9 (2) CAPABILITIES.—A major military medical
10 center may not be designated under paragraph (1)
11 unless the center—

12 (A) includes one or more large graduate
13 medical education training platforms; and

14 (B) provides, at a minimum, role 4 medical
15 care.

16 (3) LOCATION.—

17 (A) IN GENERAL.—Any major military
18 medical center designated under paragraph (1)
19 shall be geographically located so as to maxi-
20 mize the support provided by uniformed medical
21 resources to the combatant commands.

22 (B) COLLOCATION WITH MAJOR AERIAL
23 DEBARKATION POINTS.—In designating major
24 military medical centers under paragraph (1),
25 the Secretary shall give consideration to the col-

1 location of such centers with major aerial de-
2 barkation points of patients in the medical
3 evacuation system of the United States Trans-
4 portation Command.

5 (4) MAJOR HEALTH CARE DELIVERY PLAT-
6 FORM.—A major military medical center designated
7 under paragraph (1) shall serve as the major health
8 care delivery platform for the provision of complex
9 specialized medical care in the region, whether
10 through patient referrals from other military medical
11 treatment facilities or through referrals from either
12 civilian medical facilities or healthcare facilities of
13 the Department of Veterans Affairs.

14 (e) ADDITIONAL MILITARY MEDICAL CENTERS.—
15 Consistent with section 1073d of title 10, United States
16 Code, the Secretary, in establishing regional medical hubs
17 under subsection (a), may establish additional military
18 medical centers in the following locations:

19 (1) Locations with large beneficiary popu-
20 lations.

21 (2) Locations that serve as the primary readi-
22 ness platforms of the Armed Forces.

23 (f) PATIENT REFERRALS AND COORDINATION.—In
24 implementing the regional medical hubs established under
25 subsection (a), the Director of the Defense Health Agency

1 shall ensure effective and efficient medical care referrals
2 and coordination among military medical treatment facili-
3 ties and among local or regional high-performing health
4 systems through local or regional partnerships with insti-
5 tutional or individual civilian providers.

6 **SEC. 716. MONITORING OF ADVERSE EVENT DATA ON DIE-**
7 **TARY SUPPLEMENT USE BY MEMBERS OF**
8 **THE ARMED FORCES.**

9 (a) IN GENERAL.—The Secretary of Defense shall
10 modify the electronic health record system of the military
11 health system to include data regarding the use by mem-
12 bers of the Armed Forces of dietary supplements and ad-
13 verse events with respect to dietary supplements.

14 (b) REQUIREMENTS.—The modifications required by
15 subsection (a) shall ensure that the electronic health
16 record system of the military health system—

17 (1) records adverse event report data regarding
18 dietary supplement use by members of the Armed
19 Forces;

20 (2) generates standard reports on adverse event
21 data that can be aggregated for analysis;

22 (3) issues automated alerts to signal a signifi-
23 cant change in adverse event reporting or to signal
24 a risk of interaction with a medication or other
25 treatment; and

1 (4) provides for reporting of adverse event re-
2 port data regarding dietary supplement use by mem-
3 bers of the Armed Forces to the Food and Drug Ad-
4 ministration.

5 (c) OUTREACH.—The Secretary shall conduct out-
6 reach to health care providers in the military health sys-
7 tem to educate such providers on the importance of enter-
8 ing adverse event report data regarding dietary supple-
9 ment use by members of the Armed Forces into the elec-
10 tronic health record system of the military health system
11 and reporting such data to the Food and Drug Adminis-
12 tration.

13 (d) DEFINITIONS.—In this section:

14 (1) ADVERSE EVENT.—The term “adverse
15 event” has the meaning given that term in section
16 761(a) of the Federal Food, Drug, and Cosmetic Act
17 (21 U.S.C. 379aa–1(a)).

18 (2) DIETARY SUPPLEMENT.—The term “dietary
19 supplement” has the meaning given that term in
20 section 201(ff) of the Federal Food, Drug, and Cos-
21 metic Act (21 U.S.C. 321(ff)).

1 **SEC. 717. ENHANCEMENT OF RECORDKEEPING WITH RE-**
2 **SPECT TO EXPOSURE BY MEMBERS OF THE**
3 **ARMED FORCES TO CERTAIN OCCUPATIONAL**
4 **AND ENVIRONMENTAL HAZARDS WHILE DE-**
5 **PLOYED OVERSEAS.**

6 (a) INCLUSION IN MEDICAL TRACKING SYSTEM OF
7 OCCUPATIONAL AND ENVIRONMENTAL HEALTH RISKS IN
8 DEPLOYMENT AREA.—

9 (1) ELEMENTS OF MEDICAL TRACKING SYS-
10 TEM.—Subsection (b)(1)(A) of section 1074f of title
11 10, United States Code, is amended—

12 (A) in clause (ii), by striking “and” at the
13 end;

14 (B) in clause (iii), by striking the period at
15 the end and inserting “; and”; and

16 (C) by adding at the end the following new
17 clause:

18 “(iv) accurately record any exposure to oc-
19 cupational and environmental health risks dur-
20 ing 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
24 assessment performed by the Secretary of occupa-
25 tional and environmental health risks for such
26 area)”.

1 (b) POSTDEPLOYMENT MEDICAL EXAMINATION AND
2 REASSESSMENTS.—Section 1074f of title 10, United
3 States Code, as amended by subsection (a), is further
4 amended by adding at the end the following new sub-
5 section:

6 “(g) ADDITIONAL REQUIREMENTS FOR
7 POSTDEPLOYMENT MEDICAL EXAMINATIONS AND
8 HEALTH REASSESSMENTS.—(1) The Secretary of Defense
9 shall standardize and make available to a provider that
10 conducts a postdeployment medical examination or reas-
11 sessment under the system described in subsection (a)
12 questions relating to occupational and environmental
13 health exposure.

14 “(2) The Secretary, to the extent practicable, shall
15 ensure that the medical record of a member includes infor-
16 mation on the external cause relating to a diagnosis of
17 the member, including by associating an external cause
18 code (as issued under the International Statistical Classi-
19 fication of Diseases and Related Health Problems, 10th
20 Revision (or any successor revision)).”.

21 (c) ACCESS TO INFORMATION IN BURN PIT REG-
22 ISTRY.—

23 (1) IN GENERAL.—The Secretary of Defense
24 shall ensure that all medical personnel of the De-

1 partment of Defense have access to the information
2 contained in the burn pit registry.

3 (2) BURN PIT REGISTRY DEFINED.—In this
4 subsection, the term “burn pit registry” means the
5 registry established under section 201 of the Dig-
6 nified Burial and Other Veterans’ Benefits Improve-
7 ment Act of 2012 (Public Law 112–260; 38 U.S.C.
8 527 note).

9 **Subtitle C—Reports and Other** 10 **Matters**

11 **SEC. 721. EXTENSION AND CLARIFICATION OF AUTHORITY** 12 **FOR JOINT DEPARTMENT OF DEFENSE-DE-** 13 **PARTMENT OF VETERANS AFFAIRS MEDICAL** 14 **FACILITY DEMONSTRATION FUND.**

15 Title XVII of the National Defense Authorization Act
16 for Fiscal Year 2010 (Public Law 111–84; 123 Stat.
17 2567) is amended—

18 (1) in section 1701(a)—

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

21 (B) by striking subsection (b); and

22 (C) by redesignating subsections (c)
23 through (f) as subsections (b) through (e), re-
24 spectively;

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

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

6 (4) in section 1704—

7 (A) in subsections (a)(3), (a)(4)(A), and
8 (b)(1), by striking “the facility” and inserting
9 “the James A. Lovell Federal Health Care Cen-
10 ter”; and

11 (B) in subsection (e), as most recently
12 amended by section 731 of the John S. McCain
13 National Defense Authorization Act for Fiscal
14 Year 2019 (Public Law 115–232), by striking
15 “September 30, 2020” and inserting “Sep-
16 tember 30, 2021”;

17 (5) in section 1705—

18 (A) in subsection (a), by striking “the fa-
19 cility” and inserting “the James A. Lovell Fed-
20 eral Health Care Center (in this section re-
21 ferred to as the ‘JALFHCC’)”;

22 (B) in subsection (b), in the matter pre-
23 ceding paragraph (1), by striking “the facility”
24 and inserting “the JALFHCC”; and

25 (C) in subsection (c)—

1 (i) by striking “the facility” each
 2 place it appears and inserting “the
 3 JALFHCC”; and

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

6 “(4) To permit the JALFHCC to enter into
 7 personal services contracts to carry out health care
 8 responsibilities in the JALFHCC to the same extent
 9 and subject to the same conditions and limitations
 10 as apply under section 1091 of title 10, United
 11 States Code, to the Secretary of Defense with re-
 12 spect to health care responsibilities in medical treat-
 13 ment facilities of the Department of Defense.”.

14 **SEC. 722. APPOINTMENT OF NON-EX OFFICIO MEMBERS OF**
 15 **THE HENRY M. JACKSON FOUNDATION FOR**
 16 **THE ADVANCEMENT OF MILITARY MEDICINE.**

17 (a) APPOINTMENT BY NON-EX OFFICIO MEMBERS.—
 18 Subparagraph (C) of paragraph (1) of section 178(c) of
 19 title 10, United States Code, is amended to read as fol-
 20 lows:

21 “(C) six members, each of whom shall be ap-
 22 pointed at the expiration of the term of a member
 23 appointed under this subparagraph, as provided for
 24 in paragraph (2), by the members currently serving
 25 on the Council pursuant to this subparagraph and

1 paragraph (2), including the member whose expiring
2 term is so being filled by such appointment.”.

3 (b) REPEAL OF OBSOLETE AUTHORITY ESTAB-
4 LISHING STAGGERED TERMS.—Paragraph (2) of such sec-
5 tion is amended—

6 (1) by striking “except that—” and all that fol-
7 lows through “any person” and inserting “except
8 that any person”;

9 (2) by striking “; and” and inserting a period;
10 and

11 (3) by striking subparagraph (B).

12 (c) EFFECTIVE DATE.—

13 (1) IN GENERAL.—The amendments made by
14 this section shall take effect on the date of the en-
15 actment of this Act.

16 (2) CONSTRUCTION FOR CURRENT MEMBERS.—
17 Nothing in the amendments made by this section
18 shall be construed to terminate or otherwise alter
19 the appointment or term of service of members of
20 the Henry M. Jackson Foundation for the Advance-
21 ment of Military Medicine who are so serving on the
22 date of the enactment of this Act pursuant to an ap-
23 pointment under paragraph (1)(C) or (2) of section
24 178(c) of title 10, United States Code, made before
25 that date.

1 **SEC. 723. OFFICERS AUTHORIZED TO COMMAND ARMY**
2 **DENTAL UNITS.**

3 Section 7081(d) of title 10, United States Code, is
4 amended by striking “Dental Corps Officer” and inserting
5 “Army Medical Department Officer”.

6 **SEC. 724. ESTABLISHMENT OF ACADEMIC HEALTH SYSTEM**
7 **IN NATIONAL CAPITAL REGION.**

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

11 **“§ 2113b. Academic Health System**

12 “(a) IN GENERAL.—The Secretary of Defense may
13 establish an Academic Health System to integrate the
14 health care, health professions education, and health re-
15 search activities of the military health system, including
16 under this chapter, in the National Capital Region.

17 “(b) LEADERSHIP.—(1) The Secretary may appoint
18 employees of the Department of Defense to leadership po-
19 sitions in the Academic Health System established under
20 subsection (a).

21 “(2) Such positions may include responsibilities for
22 management of the health care, health professions edu-
23 cation, and health research activities described in sub-
24 section (a) and are in addition to similar leadership posi-
25 tions for members of the armed forces.

1 “(c) ADMINISTRATION.—The Secretary may use such
 2 authorities under this chapter relating to the health care,
 3 health professions education, and health research activities
 4 of the military health system as the Secretary considers
 5 appropriate for the administration of the Academic Health
 6 System established under subsection (a).

7 “(d) NATIONAL CAPITAL REGION DEFINED.—In this
 8 section, the term ‘National Capital Region’ means the
 9 area, or portion thereof, as determined by the Secretary,
 10 in the vicinity of the District of Columbia.”.

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

“2113b. Academic Health System.”.

15 **SEC. 725. PROVISION OF VETERINARY SERVICES BY VET-**
 16 **ERINARY PROFESSIONALS OF THE DEPART-**
 17 **MENT OF DEFENSE IN EMERGENCIES.**

18 (a) IN GENERAL.—Chapter 53 of title 10, United
 19 States Code, is amended by adding at the end the fol-
 20 lowing new section:

21 **“§ 1060c. Provision of veterinary services in emer-**
 22 **gencies**

23 “(a) IN GENERAL.—A veterinary professional de-
 24 scribed in subsection (b) may provide veterinary services
 25 for the purposes described in subsection (c) in any State,

1 the District of Columbia, or a territory or possession of
2 the United States, without regard to where such veteri-
3 nary professional or the patient animal are located, if the
4 provision of such services is within the scope of the author-
5 ized duties of such veterinary professional for the Depart-
6 ment of Defense.

7 “(b) VETERINARY PROFESSIONAL DESCRIBED.—A
8 veterinary professional described in this subsection is an
9 individual who is—

10 “(1)(A) a member of the armed forces, a civil-
11 ian employee of the Department of Defense, or oth-
12 erwise credentialed and privileged at a Federal vet-
13 erinary institution or location designated by the Sec-
14 retary of Defense for purposes of this section; or

15 “(B) a member of the National Guard per-
16 forming training or duty under section 502(f) of title
17 32;

18 “(2) certified as a veterinary professional by a
19 certification recognized by the Secretary of Defense;
20 and

21 “(3) currently licensed by a State, the District
22 of Columbia, or a territory or possession of the
23 United States to provide veterinary services.

1 “(c) PURPOSES DESCRIBED.—The purposes de-
2 scribed in this subsection are veterinary services in re-
3 sponse to any of the following:

4 “(1) A national emergency declared by the
5 President pursuant to the National Emergencies Act
6 (50 U.S.C. 1601 et seq.).

7 “(2) A major disaster or an emergency (as
8 those terms are defined in section 102 of the Robert
9 T. Stafford Disaster Relief and Emergency Assist-
10 ance Act (42 U.S.C. 5122)).

11 “(3) A public health emergency declared by the
12 Secretary of Health and Human Services under sec-
13 tion 319 of the Public Health Service Act (42
14 U.S.C. 247d).

15 “(4) An extraordinary emergency, as deter-
16 mined by the Secretary of Agriculture under section
17 10407(b) of the Animal Health Protection Act (7
18 U.S.C. 8306(b)).”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 53 of such title is amended
21 by inserting after the item relating to section 1060b the
22 following new item:

“1060c. Provision of veterinary services in emergencies.”.

1 **SEC. 726. FIVE-YEAR EXTENSION OF AUTHORITY TO CON-**
 2 **TINUE THE DOD-VA HEALTH CARE SHARING**
 3 **INCENTIVE FUND.**

4 Section 8111(d)(3) of title 38, United States Code,
 5 is amended by striking “September 30, 2020” and insert-
 6 ing, “September 30, 2025”.

7 **SEC. 727. PILOT PROGRAM ON CIVILIAN AND MILITARY**
 8 **PARTNERSHIPS TO ENHANCE INTEROPER-**
 9 **ABILITY AND MEDICAL SURGE CAPABILITY**
 10 **AND CAPACITY OF NATIONAL DISASTER MED-**
 11 **ICAL SYSTEM.**

12 (a) IN GENERAL.—The Secretary of Defense may
 13 carry out a pilot program to establish partnerships with
 14 public, private, and nonprofit health care organizations,
 15 institutions, and entities in collaboration with the Sec-
 16 retary of Veterans Affairs, the Secretary of Health and
 17 Human Services, the Secretary of Homeland Security, and
 18 the Secretary of Transportation to enhance the interoper-
 19 ability and medical surge capability and capacity of the
 20 National Disaster Medical System under section 2812 of
 21 the Public Health Service Act (42 U.S.C. 300hh–11) in
 22 the vicinity of major aeromedical transport hubs of the
 23 Department of Defense.

24 (b) DURATION.—The Secretary of Defense may carry
 25 out the pilot program under subsection (a) for a period
 26 of not more than five years.

1 (c) LOCATIONS.—The Secretary shall carry out the
2 pilot program under subsection (a) at not fewer than five
3 aeromedical transport hub regions in the United States.

4 (d) REQUIREMENTS.—In establishing partnerships
5 under the pilot program under subsection (a), the Sec-
6 retary, in collaboration with the Secretary of Veterans Af-
7 fairs, the Secretary of Health and Human Services, the
8 Secretary of Homeland Security, and the Secretary of
9 Transportation, shall establish requirements under such
10 partnerships for staffing, specialized training, medical lo-
11 gistics, telemedicine, patient regulating, movement, situa-
12 tional status reporting, tracking, and surveillance.

13 (e) EVALUATION METRICS.—The Secretary of De-
14 fense shall establish metrics to evaluate the effectiveness
15 of the pilot program under subsection (a).

16 (f) REPORTS.—

17 (1) INITIAL REPORT.—

18 (A) IN GENERAL.—Not later than 180
19 days after the commencement of the pilot pro-
20 gram under subsection (a), the Secretary shall
21 submit to the Committees on Armed Services of
22 the Senate and the House of Representatives a
23 report on the pilot program.

24 (B) ELEMENTS.—The report required by
25 subparagraph (A) shall include the following:

- 1 (i) A description of the pilot program.
- 2 (ii) The requirements established
- 3 under subsection (d).
- 4 (iii) The evaluation metrics estab-
- 5 lished under subsection (e).
- 6 (iv) Such other matters relating to the
- 7 pilot program as the Secretary considers
- 8 appropriate.

9 (2) FINAL REPORT.—

10 (A) IN GENERAL.—Not later than 180
11 days after completion of the pilot program
12 under subsection (a), the Secretary shall submit
13 to the Committees on Armed Services of the
14 Senate and the House of Representatives a re-
15 port on the pilot program.

16 (B) ELEMENTS.—The report required by
17 subparagraph (A) shall include the following:

- 18 (i) A description of the pilot program,
- 19 including the partnerships established
- 20 under the pilot program as described in
- 21 subsection (a).
- 22 (ii) An assessment of the effectiveness
- 23 of the pilot program.
- 24 (iii) Such recommendations for legis-
- 25 lative or administrative action as the Sec-

1 retary considers appropriate in light of the
 2 pilot program, including recommendations
 3 for extending or making permanent the au-
 4 thority for the pilot program.

5 **SEC. 728. MODIFICATION OF REQUIREMENTS FOR LONGI-**
 6 **TUDINAL MEDICAL STUDY ON BLAST PRES-**
 7 **SURE EXPOSURE OF MEMBERS OF THE**
 8 **ARMED FORCES.**

9 Section 734 of the National Defense Authorization
 10 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
 11 1444) is amended—

12 (1) in subsection (b)—

13 (A) in paragraph (2), by striking “; and”
 14 and inserting a semicolon;

15 (B) in paragraph (3), by striking the pe-
 16 riod at the end and inserting “; and”; and

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

19 “(4) assess the feasibility and advisability of—

20 “(A) uploading the data gathered from the
 21 study into the Defense Occupational and Envi-
 22 ronmental Health Readiness System – Indus-
 23 trial Hygiene (DOEHRS-IH) or similar system;
 24 and

1 “(B) allowing personnel of the Department
2 of Defense and the Department of Veterans Af-
3 fairs to have access to such system.”; and
4 (2) in subsection (c)—

5 (A) by redesignating paragraph (2) as
6 paragraph (3); and

7 (B) by inserting after paragraph (1) the
8 following new paragraph (2):

9 “(2) ANNUAL STATUS REPORT.—Not later than
10 January 1 of each year during the period beginning
11 on the date of the enactment of the National De-
12 fense Authorization Act for Fiscal Year 2020 and
13 ending on the completion of the study under sub-
14 section (a), the Secretary shall submit to the Com-
15 mittees on Armed Services of the Senate and the
16 House of Representatives a status report on the
17 study.”.

1 **TITLE VIII—ACQUISITION POL-**
2 **ICY, ACQUISITION MANAGE-**
3 **MENT, AND RELATED MAT-**
4 **TERS**

5 **Subtitle A—Contracting and**
6 **Acquisition Provisions**

7 **SEC. 801. PILOT PROGRAM ON INTELLECTUAL PROPERTY**
8 **EVALUATION FOR ACQUISITION PROGRAMS.**

9 (a) PILOT PROGRAM.—Not later than 180 days after
10 the date of the enactment of this act, the Secretary of
11 Defense and the Secretaries of the military departments
12 may jointly carry out a pilot program to assess mecha-
13 nisms to evaluate intellectual property, such as technical
14 data deliverables and associated license rights, including
15 commercially available intellectual property valuation
16 analysis and techniques, in acquisition programs for which
17 they are responsible to better understand the benefits as-
18 sociated with these techniques on—

19 (1) the development of cost-effective intellectual
20 property strategies, and

21 (2) assessment and management of the value
22 and costs of intellectual property during acquisition
23 and sustainment activities (including source selection
24 evaluation factors) throughout the acquisition

1 lifecycle for any acquisition program selected by the
2 Secretary concerned.

3 (b) ACTIVITIES.—Activities carried out under the
4 pilot program may include the following:

5 (1) Establishing a team of Department of De-
6 fense and private sector subject matter experts to
7 identify, to the maximum extent practicable at each
8 milestone for a selected acquisition programs, intel-
9 lectual property evaluation techniques to obtain
10 quantitative and qualitative analysis related to the
11 value of intellectual property during the procure-
12 ment, production and deployment, and operations
13 and support phases of the acquisition of the systems
14 under the program.

15 (2) Assessment of commercial valuation tech-
16 niques for intellectual property for use by the De-
17 partment of Defense.

18 (3) Assessment of the feasibility of agency-level
19 oversight to standardize intellectual property evalua-
20 tion practices and procedures.

21 (4) Assessment of contracting mechanisms to
22 speed delivery of intellectual property to the Armed
23 Forces or reduce sustainment costs.

24 (5) Assessment of agency acquisition planning
25 to ensure procurement of intellectual property

1 deliverables and intellectual property rights nec-
2 essary for Government-planned sustainment activi-
3 ties.

4 (6) Engagement with the commercial industry
5 to—

6 (A) support the development of strategies
7 and program requirements to aid in acquisition
8 and transition planning for intellectual prop-
9 erty;

10 (B) support the development and improve-
11 ment of intellectual property strategies as part
12 of life-cycle sustainment plans; and

13 (C) propose and implement alternative and
14 innovative methods of intellectual property valu-
15 ation, prioritization, and evaluation techniques
16 for intellectual property.

17 (7) Recommending to the cognizant program
18 manager for an acquisition program evaluation tech-
19 niques and contracting mechanisms for implementa-
20 tion into the acquisition and sustainment activities
21 of that acquisition program.

22 (c) ACQUISITION OF COMMERCIAL AND NON-
23 DEVELOPMENTAL ITEMS, PRODUCTS, AND SERVICES.—
24 The pilot program shall provide criteria to ensure the ap-
25 propriate consideration of commercial items and non-de-

1 velopmental items as alternatives to items to be specifi-
2 cally developed for the acquisition program, including eval-
3 uation of the benefits of reduced risk regarding cost,
4 schedule, and performance associated with commercial
5 and non-developmental items, products, and services.

6 (d) ASSESSMENTS.—Not later than November 1,
7 2020, and annually thereafter through 2023, the Sec-
8 retary of Defense, in coordination with the Secretaries
9 concerned, shall submit to the congressional defense com-
10 mittees a joint report on the pilot program conducted
11 under this section. The report shall, at a minimum, in-
12 clude—

13 (1) a description of the acquisition programs se-
14 lected by the Secretary concerned;

15 (2) a description of the specific activities in
16 paragraph (b) that were performed under each pro-
17 gram;

18 (3) an assessment of the effectiveness of the ac-
19 tivities;

20 (4) an assessment of improvements to acquisi-
21 tion or sustainment activities related to the pilot
22 program; and

23 (5) an assessment of cost-savings from the ac-
24 tivities related to the pilot program, including any

1 improvement to mission success during the oper-
2 ations and support phase of the program.

3 **SEC. 802. PILOT PROGRAM TO USE ALPHA CONTRACTING**
4 **TEAMS FOR COMPLEX REQUIREMENTS.**

5 (a) IN GENERAL.—(1) The Secretary of Defense
6 shall select at least 2, and up to 5, initiatives to participate
7 in a pilot to use teams that, with the advice of expert third
8 parties, focus on the development of complex contract
9 technical requirements for services, with each team focus-
10 ing on developing achievable technical requirements that
11 are appropriately valued and identifying the most effective
12 acquisition strategy to achieve those requirements.

13 (2) The Secretary shall develop metrics for tracking
14 progress of the program at improving quality and acquisi-
15 tion cycle time.

16 (b) DEVELOPMENT OF CRITERIA AND INITIATIVES.—
17 (1) Not later than February 1, 2020, the Secretary of De-
18 fense shall establish the pilot program and notify the con-
19 gressional defense committees of the criteria used to select
20 initiatives and the metrics used to track progress.

21 (2) Not later than May 1, 2020, the Secretary shall
22 notify the congressional defense committees of the initia-
23 tives selected for the program.

24 (3) Not later than December 1, 2020, the Secretary
25 shall brief the congressional defense committees on the

1 progress of the selected initiatives, including the progress
 2 of the initiatives at improving quality and acquisition cycle
 3 time according to the metrics developed under subsection
 4 (a)(2).

5 **SEC. 803. MODIFICATION OF WRITTEN APPROVAL RE-**
 6 **QUIREMENT FOR TASK AND DELIVERY**
 7 **ORDER SINGLE CONTRACT AWARDS.**

8 Section 2304a(d)(3) of title 10, United States Code,
 9 is amended—

10 (1) in subparagraph (B), by redesignating
 11 clauses (i) and (ii) as subclauses (I) and (II), respec-
 12 tively;

13 (2) by redesignating subparagraphs (A), (B),
 14 (C), and (D) as clauses (i), (ii), (iii), and (iv), re-
 15 spectively;

16 (3) by striking “No task or delivery order con-
 17 tract” and inserting “(A) Except as provided under
 18 subparagraph (B), no task or delivery order con-
 19 tract”; and

20 (4) by adding at the end the following new sub-
 21 paragraph:

22 “(B) A task or delivery order contract in an amount
 23 estimated to exceed \$100,000,000 (including all options)
 24 may be awarded to a single source without the written
 25 determination otherwise required under subparagraph (A)

1 if the head of the agency has made a written determina-
2 tion pursuant to section 2304(c) of this title that other
3 than competitive procedures may be used for the awarding
4 of such contract.”.

5 **SEC. 804. EXTENSION OF AUTHORITY TO ACQUIRE PROD-**
6 **UCTS AND SERVICES PRODUCED IN COUN-**
7 **TRIES ALONG A MAJOR ROUTE OF SUPPLY**
8 **TO AFGHANISTAN.**

9 Section 801(f) of the National Defense Authorization
10 Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.
11 2399), as most recently amended by section 1214 of the
12 National Defense Authorization Act for Fiscal Year 2018
13 (Public Law 115–91; 131 Stat. 1649), is further amended
14 by striking “December 31, 2019” and inserting “Decem-
15 ber 31, 2021”.

16 **SEC. 805. MODIFICATION OF DIRECTOR OF OPERATIONAL**
17 **TEST AND EVALUATION REPORT.**

18 Section 139(h)(5) of title 10, United States Code, is
19 amended to read as follows:

20 “(5) The Director shall solicit comments from the
21 Secretaries of the military departments on each report of
22 the Director to Congress under this section and summa-
23 rize the comments in the report. The Director shall deter-
24 mine the amount of time available for the Secretaries to
25 comment on the draft report on a case by case basis, and

1 consider the extent to which substantive discussions have
2 already been held between the Director and the military
3 department. The Director shall reserve the right to issue
4 the report without comment from a military department
5 if the department's comments are not received within the
6 time provided, and shall indicate any such omission in the
7 report.''.
8

8 **SEC. 806. DEPARTMENT OF DEFENSE USE OF FIXED-PRICE**
9 **CONTRACTS.**

10 (a) DEPARTMENT OF DEFENSE REVIEW.—

11 (1) IN GENERAL.—The Under Secretary of De-
12 fense for Acquisition and Sustainment shall review
13 how the Department of Defense informs decisions to
14 use fixed-price contracts to support broader acquisi-
15 tion objectives, to ensure that such decisions are
16 made strategically and consistently. The review
17 should include decisions on the use of the various
18 types of fixed price contracts, including fixed-price
19 incentive contracts.

20 (2) BRIEFING.—Not later than February 1,
21 2020, the Under Secretary shall brief the congres-
22 sional defense committees on the findings of the re-
23 view required under paragraph (1).

24 (b) COMPTROLLER GENERAL REPORT.—

1 (1) IN GENERAL.—Not later than February 1,
2 2021, the Comptroller General of the United States
3 shall submit to the congressional defense committees
4 a report on the Department of Defense’s use of
5 fixed-price contracts, including different types of
6 fixed-price contracts.

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

9 (A) A description of the extent to which
10 fixed-price contracts have been used over time
11 and the conditions in which they are used.

12 (B) An assessment of the effects of the de-
13 cisions to use of fixed-price contract types, such
14 as any additional costs or savings or efficiencies
15 in contract administration.

16 (C) An assessment of how decisions to use
17 various types of fixed-price contracts affects the
18 contract closeout process.

19 (c) DELAYED IMPLEMENTATION OF REGULATIONS
20 REQUIRING THE USE OF FIXED-PRICE CONTRACTS FOR
21 FOREIGN MILITARY SALES.—The regulations prescribed
22 pursuant to section 830(a) of the National Defense Au-
23 thorization Act for Fiscal Year 2017 (Public Law 114–
24 328; 22 U.S.C. 2762 note) shall not take effect until De-
25 cember 31, 2020. The regulations as so prescribed shall

1 take into account the findings of the review conducted
2 under subsection (a)(1).

3 **SEC. 807. PILOT PROGRAM TO ACCELERATE CONTRACTING**
4 **AND PRICING PROCESSES.**

5 Section 890 of the John S. McCain National Defense
6 Authorization Act for Fiscal Year 2019 (Public Law 115–
7 232) is amended—

8 (1) by striking subsection (b);

9 (2) by redesignating subsections (c) and (d) as
10 subsections (b) and (c), respectively;

11 (3) in subsection (b), as redesignated by para-
12 graph (2), by striking “and an assessment of wheth-
13 er the program should be continued or expanded”;
14 and

15 (4) in subsection (c), as so redesignated, by
16 striking “January 2, 2021” and inserting “January
17 2, 2023”.

18 **SEC. 808. PILOT PROGRAM TO STREAMLINE DECISION-MAK-**
19 **ING PROCESSES FOR WEAPON SYSTEMS.**

20 (a) CANDIDATE ACQUISITION PROGRAMS.—

21 (1) IN GENERAL.—Not later than February 1,
22 2020, each Service Acquisition Executive shall rec-
23 ommend to the Secretary of Defense at least one
24 major defense acquisition program for a pilot pro-
25 gram to include tailored measures to streamline the

1 entire milestone decision process, with the results
2 evaluated and reported for potential wider use.

3 (2) ELEMENTS.—Each pilot program selected
4 pursuant to paragraph (1) shall include the fol-
5 lowing elements:

6 (A) Delineating the appropriate informa-
7 tion needed to support milestone decisions, as-
8 suring program accountability and oversight,
9 which should be based on the business case
10 principles needed for well-informed milestone
11 decisions, including user-defined requirements,
12 reasonable acquisition and life-cycle cost esti-
13 mates, and a knowledge-based acquisition plan
14 for maturing technologies, stabilizing the pro-
15 gram design, and ensuring key manufacturing
16 processes are in control.

17 (B) Developing an efficient process for
18 providing this information to the milestone deci-
19 sion authority by—

20 (i) minimizing any reviews between
21 the program office and the different func-
22 tional staff offices within each chain of
23 command level; and

24 (ii) establishing frequent, regular
25 interaction between the program office and

1 milestone decision makers, in lieu of docu-
2 mentation reviews, to help expedite the
3 process.

4 (b) BRIEFING.—Not later than May 1, 2020, the
5 Under Secretary of Defense for Acquisition and
6 Sustainment shall provide to the congressional defense
7 committees an informal briefing detailing—

8 (1) the acquisition programs selected pursuant
9 to subsection (a);

10 (2) the associated action plans, including
11 timelines, for each program; and

12 (3) the manner in which each program con-
13 forms to the requirements set forth in subsection
14 (a)(2).

15 **SEC. 809. DOCUMENTATION OF MARKET RESEARCH RE-**
16 **LATED TO COMMERCIAL ITEM DETERMINA-**
17 **TIONS.**

18 (a) IN GENERAL.—Section 2377(c) of title 10,
19 United States Code, is amended—

20 (1) by redesignating paragraph (4) as para-
21 graph (5); and

22 (2) by inserting after paragraph (3) the fol-
23 lowing new paragraph:

1 “(4) The head of an agency shall document the
2 results of market research in a manner appropriate
3 to the size and complexity of the acquisition.”.

4 (b) CONFORMING AMENDMENT RELATED TO PRO-
5 SPECTIVE AMENDMENT.—Section 836(d)(3)(C)(ii) of the
6 John S. McCain National Defense Authorization Act for
7 Fiscal Year 2019 (Public Law 115–232) is amended by
8 striking “in paragraph (4)” and inserting “in paragraph
9 (5)”.

10 **SEC. 810. MODIFICATION TO SMALL PURCHASE THRESH-**
11 **OLD EXCEPTION TO SOURCING REQUIRE-**
12 **MENTS FOR CERTAIN ARTICLES.**

13 Subsection (h) of section 2533a of title 10, United
14 States Code, is amended to read as follows:

15 “(h) EXCEPTION FOR SMALL PURCHASES.—Sub-
16 section (a) does not apply to purchases for amounts not
17 greater than \$150,000. A proposed purchase or contract
18 for an amount greater than \$150,000 may not be divided
19 into several purchases or contracts for lesser amounts in
20 order to qualify for this exception. On October 1 of each
21 year evenly divisible by 5, the Secretary of Defense may
22 adjust the dollar threshold in this subsection based on
23 changes in the Consumer Price Index. The Secretary shall
24 publish notice of any such adjustment in the Federal Reg-

1 ister, and the new price threshold shall take effect on the
 2 date of publication.”.

3 **Subtitle B—Provisions Relating to** 4 **Major Defense Acquisition Pro-** 5 **grams**

6 **SEC. 821. NAVAL VESSEL CERTIFICATION REQUIRED BE-** 7 **FORE MILESTONE B APPROVAL.**

8 Section 2366b(a) of title 10, United States Code, is
 9 amended—

10 (1) in paragraph (3)(O), by striking “; and”
 11 and inserting a semicolon;

12 (2) in paragraph (4), by striking the period at
 13 the end and inserting “; and”; and

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

16 “(5) in the case of a naval vessel program, cer-
 17 tifies compliance with the requirements of section
 18 8669b of this title.”.

19 **Subtitle C—Industrial Base** 20 **Matters**

21 **SEC. 831. MODERNIZATION OF ACQUISITION PROCESSES** 22 **TO ENSURE INTEGRITY OF INDUSTRIAL** 23 **BASE.**

24 (a) DIGITIZATION AND MODERNIZATION.—The Sec-
 25 retary of Defense shall streamline and digitize the existing

1 Department of Defense approach for identifying and miti-
2 gating risks to the defense industrial base across the ac-
3 quisition process, creating a continuous model that uses
4 digital tools, technologies, and approaches designed to en-
5 sure the accessibility of data to key decision-makers in the
6 Department.

7 (b) ANALYTICAL FRAMEWORK.—

8 (1) IN GENERAL.—The Under Secretary of De-
9 fense for Acquisition and Sustainment, in coordina-
10 tion with the Defense Security Service (or successor
11 entity) and other organizations as appropriate, shall
12 develop an analytical framework for risk mitigation
13 across the acquisition process.

14 (2) ELEMENTS.—The analytical framework re-
15 quired under paragraph (1) shall include the fol-
16 lowing elements:

17 (A) Characterization and monitoring of
18 supply chain risks, including—

- 19 (i) material sources and fragility;
- 20 (ii) counterfeit parts;
- 21 (iii) cybersecurity of contractors;
- 22 (iv) vendor vetting in contingency or
23 operational environments; and
- 24 (v) other risk areas as determined ap-
25 propriate.

(B) Characterization and monitoring of risks posed by contractor behavior that constitute violations of laws or regulations, including those relating to—

- (i) fraud;
- (ii) ownership structures;
- (iii) trafficking in persons;
- (iv) workers' health and safety;
- (v) affiliation with the enemy; and
- (vi) other risk areas as deemed appropriate.

(C) Characterization of the Department's acquisition processes and procedures, including—

- (i) market research;
- (ii) responsibility determinations, including consideration of the need for special standards of responsibility to address the risks described in subparagraphs (A) and (B);
- (iii) facilities clearances;
- (iv) contract requirements definition and technical evaluation;
- (v) contract awards and contractor mobilization;

- 1 (vi) contractor mobilization to include
- 2 hiring, training, and establishing facilities;
- 3 (vii) contract administration, contract
- 4 management, and oversight;
- 5 (viii) contract audit for closeout;
- 6 (ix) contractor business system re-
- 7 views; and
- 8 (x) other relevant processes and pro-
- 9 cedures.

10 (D) Characterization and monitoring of the
11 health and activities of the defense industrial
12 base, including those relating to—

- 13 (i) balance sheets, revenues, profit-
- 14 ability, and debt;
- 15 (ii) investment, innovation, and tech-
- 16 nological and manufacturing sophistica-
- 17 tion;
- 18 (iii) finances, access to capital mar-
- 19 kets, and cost of raising capital within
- 20 those markets;
- 21 (iv) corporate governance, leadership,
- 22 and culture of performance; and
- 23 (v) history of performance on past
- 24 Department of Defense and government
- 25 contracts.

1 (c) ROLES AND RESPONSIBILITIES.—The Secretary
2 of Defense shall designate the roles and responsibilities of
3 organizations and individuals to execute activities under
4 this section, including—

5 (1) the Under Secretary of Defense for Acquisi-
6 tion and Sustainment, including the Office of De-
7 fense Pricing and Contracting and the Office of In-
8 dustrial Policy;

9 (2) Service Acquisition Executives;

10 (3) program offices and procuring contracting
11 officers;

12 (4) administrative contracting officers within
13 the Defense Contract Management Agency and the
14 Supervisor of Shipbuilding;

15 (5) the Defense Security Service and the De-
16 fense Counterintelligence Security Agency;

17 (6) the Defense Contract Audit Agency;

18 (7) departments, agencies, or activities which
19 own or operate systems containing data relevant to
20 Department of Defense contractors;

21 (8) the Under Secretary for Research and Engi-
22 neering; and

23 (9) other relevant organizations and individuals.

24 (d) ENABLING DATA, TOOLS, AND SYSTEMS.—

1 (1) ASSESSMENT OF EXISTING DATA SOURCES,
2 SYSTEMS, AND TOOLS.—

3 (A) IN GENERAL.—The Under Secretary of
4 Defense for Acquisition and Sustainment, in
5 consultation with the Chief Data Officer of the
6 Department of Defense, and the Defense Security
7 Service (or successor entity), shall assess
8 the extent to which existing systems of record
9 relevant to risk assessments and contracting are
10 producing, exposing, and timely maintaining
11 valid and reliable data for the purposes of the
12 Department's continuous assessment and mitigation
13 of risks in the defense industrial base.

14 (B) ELEMENTS.—The assessment required
15 under subparagraph (A) shall include the following
16 elements:

17 (i) Identification of the necessary
18 source data, to include data from contractors,
19 intelligence and security activities,
20 program offices, and commercial research
21 entities.

22 (ii) A description of the modern data
23 infrastructure, tools, and applications and
24 what changes would improve the effective-

1 ness and efficiency of mitigating the risks
2 described in subsection (b)(2).

3 (iii) An assessment of the following
4 systems owned or operated outside of the
5 Department of Defense:

6 (I) The Federal Awardee Per-
7 formance and Integrity Information
8 System (FAPIIS).

9 (II) The System for Award Man-
10 agement (SAM).

11 (III) The Federal Procurement
12 Data System—Next Generation
13 (FPDS-NG).

14 (iv) An assessment of systems owned
15 or operated by the Department of Defense,
16 including the Defense Security Service (or
17 successor entity) and other defense agen-
18 cies and field activities used to capture and
19 analyze the performance of vendors and
20 contractors.

21 (2) MODERNIZATION OF DATA COLLECTION,
22 EXPOSURE, AND ANALYSIS METHODS.—Based on the
23 findings pursuant to paragraph (1), the Secretary of
24 Defense shall develop a unified set of activities to
25 modernize the systems of record, data sources and

1 collection methods, and data exposure mechanisms.

2 The unified set of activities should feature—

3 (A) the ability to continuously collect data
4 on, assess, and mitigate risks;

5 (B) data analytics and business intelligence
6 tools and methods; and

7 (C) continuous development and contin-
8 uous delivery of secure software to implement
9 the activities.

10 (e) REPORTS.—

11 (1) INITIAL REPORT.—Not later than Novem-
12 ber 15, 2019, the Secretary of Defense shall submit
13 to the congressional defense committees a report on
14 actions taken pursuant to this section, including rec-
15 ommendations for any further authorities or legisla-
16 tion.

17 (2) SECOND REPORT.—Not later than April 15,
18 2020, the Secretary of Defense shall submit to the
19 congressional defense committees a report on actions
20 taken pursuant to this section, including rec-
21 ommendations for any further legislation.

22 (f) COMPTROLLER GENERAL REVIEWS.—

23 (1) BRIEFING.—Not later than February 15,
24 2020, the Comptroller General of the United States
25 shall brief the congressional defense committees on

1 Department of Defense efforts over the previous 5
2 years to continuously assess and mitigate risks to
3 the defense industrial base across the acquisition
4 process, and a summary of current and planned ef-
5 forts.

6 (2) ANNUAL ASSESSMENTS.—Not later than
7 June 15, 2020, and annually thereafter, the Comp-
8 troller General of the United States shall submit to
9 the congressional defense committees an assessment
10 of Department of Defense progress in implementing
11 the framework required under subsection (b).

12 **SEC. 832. ASSESSMENT OF PRECISION-GUIDED MISSILES**
13 **FOR RELIANCE ON FOREIGN-MADE MICRO-**
14 **ELECTRONIC COMPONENTS.**

15 (a) IN GENERAL.—Not later than August 31, 2020,
16 the Secretary of the Air Force shall brief the congressional
17 defense committees on the findings of an assessment of
18 the Air Force’s precision-guided missiles for reliance on
19 foreign-made microelectronic components.

20 (b) ELEMENTS.—The assessment required under
21 subsection (a) shall—

22 (1) consider certain risks such as—

23 (A) where microelectronic components for
24 all of the Air Force’s precision-guided missiles
25 currently in production were made;

1 (B) the contract tier level of the microelec-
 2 tronic components supplier; and

3 (C) which of the microelectronic compo-
 4 nents are cyber security concerns; and

5 (2) identify mitigation strategies.

6 **SEC. 833. MITIGATING RISKS RELATED TO FOREIGN OWN-**
 7 **ERSHIP, CONTROL, OR INFLUENCE OF DE-**
 8 **PARTMENT OF DEFENSE CONTRACTORS OR**
 9 **SUBCONTRACTORS.**

10 (a) DEFINITIONS.—In this section:

11 (1) BENEFICIAL OWNER; BENEFICIAL OWNER-
 12 SHIP.—The terms “beneficial owner” and “beneficial
 13 ownership” shall be determined in the manner set
 14 forth in section 240.13d–3 of title 17, Code of Fed-
 15 eral Regulations.

16 (2) COMPANY.—The term “company” means
 17 any corporation, company, limited liability company,
 18 limited partnership, business trust, business associa-
 19 tion, or other similar entity.

20 (3) COVERED CONTRACTOR OR SUBCON-
 21 TRACTOR.—The term “covered contractor or subcon-
 22 tractor” means a company that is an existing or pro-
 23 spective contractor or subcontractor of the Depart-
 24 ment of Defense on a contract or subcontract with

1 a value in excess of \$5,000,000, except as provided
2 in subsection (c).

3 (4) FOREIGN OWNERSHIP, CONTROL, OR INFLU-
4 ENCE; FOCI.—The terms “foreign ownership, con-
5 trol, or influence” and “FOCI” have the meanings
6 given those terms under the policy, factors, and pro-
7 cedures of the National Industrial Security Program
8 Operating Manual, DOD 5220.22-M, or a successor
9 document.

10 (b) IMPROVED ASSESSMENT AND MITIGATION OF
11 RISKS RELATED TO FOREIGN OWNERSHIP, CONTROL, OR
12 INFLUENCE.—

13 (1) IN GENERAL.—In developing and imple-
14 menting the analytical framework for mitigating risk
15 relating to ownership structures, as required by sec-
16 tion 831(b)(2)(B)(ii), the Secretary of Defense shall
17 improve the process and procedures for the assess-
18 ment and mitigation of risks related to foreign own-
19 ership, control, or influence (FOCI) of contractors
20 and subcontractors doing business with the Depart-
21 ment of Defense.

22 (2) ELEMENTS.—The process and procedures
23 for the assessment and mitigation of risk relating to
24 ownership structures referred to in paragraph (1)
25 shall include the following elements:

1 (A) ASSESSMENT OF FOCI.—(i) A require-
2 ment for covered contractors and subcontrac-
3 tors to disclose to the Defense Security Service,
4 or its successor organization, their beneficial
5 ownership and whether they are under FOCI.

6 (ii) A requirement to update such diselo-
7 sures when significant changes occur to infor-
8 mation previously provided, consistent with or
9 similar to the procedures for updating FOCI in-
10 formation under the National Industrial Secu-
11 rity Program.

12 (iii) A requirement for covered contractors
13 and subcontractors determined to be under
14 FOCI to disclose contact information for each
15 of its foreign owners that is a beneficial owner.

16 (iv) A requirement that, at a minimum,
17 the disclosures required by this paragraph be
18 provided at the time the contract or subcontract
19 is awarded, amended, or renewed, but in no
20 case later than one year after the Secretary
21 prescribes regulations to carry out this sub-
22 section.

23 (B) RESPONSIBILITY DETERMINATION.—
24 Consistent with section 831(b)(2)(C)(ii), consid-

1 eration of FOCI risks as part of responsibility
2 determinations, including—

3 (i) whether to establish a special
4 standard of responsibility relating to FOCI
5 risks for covered contractors or sub-
6 contractors, and the extent to which the
7 policies and procedures consistent with or
8 similar to those relating to FOCI under
9 the National Industrial Security Program
10 shall be applied to covered contractors or
11 subcontractors;

12 (ii) procedures for contracting officers
13 making responsibility determinations re-
14 garding whether covered contractors and
15 subcontractors may be under foreign own-
16 ership, control, or influence and for deter-
17 mining whether there is reason to believe
18 that such foreign ownership, control, or in-
19 fluence would pose a risk to national secu-
20 rity or potential risk of compromise be-
21 cause of sensitive data, systems, or proc-
22 esses, such as personally identifiable infor-
23 mation, cybersecurity, or national security
24 systems involved with the contract or sub-
25 contract; and

1 (iii) modification of policies, directives,
2 and practices to provide that an assess-
3 ment that a covered contractor or subcon-
4 tractor is under FOCI may be a sufficient
5 basis for a contracting officer to determine
6 that a contractor or subcontractor is not
7 responsible.

8 (C) CONTRACT REQUIREMENTS, ADMINIS-
9 TRATION, AND OVERSIGHT RELATING TO
10 FOCI.—

11 (i) Requirements for contract clauses
12 providing for and enforcing disclosures re-
13 lated to changes in FOCI during perform-
14 ance of the contract, consistent with sub-
15 paragraph (A), and necessitating the effec-
16 tive mitigation of risks related to FOCI
17 throughout the duration of the contract or
18 subcontract.

19 (ii) Pursuant to section 831(c), des-
20 ignation of the appropriate Department of
21 Defense official responsible to approve and
22 to take actions relating to award, modifica-
23 tion, termination of a contract, or direction
24 to modify or terminate a subcontract due
25 to an assessment by the Defense Security

1 Service, or its successor organization, that
2 a covered contractor or subcontractor
3 under FOCI poses a risk to national secu-
4 rity or potential risk of compromise.

5 (iii) A requirement for the provision
6 of additional information regarding bene-
7 ficial ownership and control of any covered
8 contractor or subcontractor on the contract
9 or subcontract.

10 (iv) Other measures as necessary to
11 be consistent with other relevant practices,
12 policies, regulations, and actions, including
13 those under the National Industrial Secu-
14 rity Program.

15 (c) APPLICABILITY TO CONTRACTS AND SUB-
16 CONTRACTS FOR COMMERCIAL PRODUCTS AND SERVICES
17 AND OTHER FORMS OF ACQUISITION AGREEMENTS.—

18 (1) COMMERCIAL PRODUCTS AND SERVICES.—

19 The disclosure requirements under subsection (b)
20 shall not apply to a contract or subcontract for com-
21 mercial products or services, unless a designated
22 senior official specifically requires the disclosures de-
23 scribed in such subparagraphs with respect to the
24 contract or subcontract based on a determination by
25 the designated senior official that the contract or

1 subcontract involves a risk to national security or
2 potential risk of compromise because of sensitive
3 data, systems, or processes, such as personally iden-
4 tifiable information, cybersecurity, or national secu-
5 rity systems.

6 (2) RESEARCH AND DEVELOPMENT AND PRO-
7 CUREMENT ACTIVITIES.—The Secretary of Defense
8 shall ensure that the requirements of this section are
9 applied to research and development and procure-
10 ment activities, including for the delivery of services,
11 established through any means including those
12 under section 2358(b) of title 10, United States
13 Code.

14 (d) AVAILABILITY OF RESOURCES.—The Secretary
15 shall ensure that sufficient resources, including subject
16 matter expertise, are allocated to execute the functions
17 necessary to carry out this section, including the assess-
18 ment, mitigation, contract administration, and oversight
19 functions.

20 (e) REPORTING REQUIREMENTS AND LIMITED
21 AVAILABILITY OF BENEFICIAL OWNERSHIP DATA.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, the Sec-
24 retary of Defense shall establish a process to update
25 systems of record to improve the assessment and

1 mitigation of risks associated with FOCI through
 2 the inclusion and updating of all appropriate associ-
 3 ated uniquely identifying information about the con-
 4 tracts and contractors and subcontracts and sub-
 5 contractors in the Federal Awardee Performance
 6 and Integrity Information System (FAPIIS), admin-
 7 istered by the General Services Administration, and
 8 the Commercial and Government Entity (CAGE)
 9 database, administered by the Defense Logistics
 10 Agency.

11 (2) LIMITED AVAILABILITY OF INFORMATION.—
 12 The Secretary of Defense shall ensure that the infor-
 13 mation required to be disclosed pursuant to this sub-
 14 section is—

- 15 (A) not made public;
- 16 (B) made available via the FAPIIS and
 17 CAGE databases; and
- 18 (C) made available to appropriate govern-
 19 ment departments or agencies.

20 **SEC. 834. EXTENSION AND REVISIONS TO NEVER CON-**
 21 **TRACT WITH THE ENEMY.**

22 (a) EXTENSION.—Section 841(n) of the National De-
 23 fense Authorization Act for Fiscal Year 2015 (10 U.S.C.
 24 2302 note) is amended by striking “December 31, 2021”
 25 and inserting “December 31, 2023”.

1 (b) EXPANSION OF PROGRAM.—Section 841(a) of
2 such Act is amended—

3 (1) in the heading, by striking “IDENTIFICA-
4 TION OF PERSONS AND ENTITIES” and inserting
5 “PROGRAM”;

6 (2) in the matter preceding paragraph (1), by
7 striking “establish in” and all that follows and in-
8 serting “establish a program to mitigate threats
9 posed by vendors supporting operations outside the
10 United States. The program shall use available intel-
11 ligence to identify persons and entities that—”;

12 (3) in paragraph (1), by striking “; or” and in-
13 serting a semicolon;

14 (4) in paragraph (2), by striking the period and
15 inserting a semicolon; and

16 (5) by adding at the end the following new
17 paragraphs:

18 “(3) directly or indirectly support a covered
19 person or entity or otherwise pose a force protection
20 risk to personnel of the United States or coalition
21 forces; or

22 “(4) pose an unacceptable national security
23 risk.”.

24 (c) INCLUSION OF ALL CONTRACTS.—Sections 841
25 and 842 of such Act are further amended by striking “cov-

1 ered contract” each place it appears and inserting “con-
2 tract”.

3 (d) INCLUSION OF ALL COMBATANT COMMANDS.—
4 Sections 841 and 842 of such Act are further amended
5 by striking “covered combatant command” each place it
6 appears and inserting “combatant command”.

7 (e) COVERED PERSON OR ENTITY.—Section 843(6)
8 of such Act is amended to read as follows:

9 “(6) COVERED PERSON OR ENTITY.—The term
10 ‘covered person or entity’ means a person that is—

11 “(A) engaging in acts of violence against
12 personnel of the United States or coalition
13 forces;

14 “(B) providing financing, logistics, train-
15 ing, or intelligence to a person described in sub-
16 paragraph (A);

17 “(C) engaging in foreign intelligence activi-
18 ties against the United States or against coali-
19 tion forces;

20 “(D) engaging in transnational organized
21 crime or criminal activities; or

22 “(E) engaging in other activities that
23 present a direct or indirect risk to the national
24 security of the United States or coalition
25 forces.”.

1 (f) DELEGATION AUTHORITY OF COMBATANT COM-
 2 MANDER.—

3 (1) USE OF DESIGNEES.—Sections 841 and
 4 842 of such Act are further amended by striking
 5 “specified deputies” each place it appears and in-
 6 serting “designee”.

7 (2) REMOVAL OF LIMITATIONS ON DELEGA-
 8 TION.—Section 841 of such Act is further amended
 9 by striking subsection (g).

10 (g) AUTHORITIES TO TERMINATE, VOID, AND RE-
 11 STRICT.—Section 841(c) of such Act is further amended—

12 (1) in paragraph (1)—

13 (A) by inserting “to a person or entity”
 14 after “concerned”; and

15 (B) by striking “the contract” and all that
 16 follows through the period at the end and in-
 17 serting “the person or entity has been identified
 18 under the program established under subsection
 19 (a).”;

20 (2) in paragraph (2), by striking “has failed”
 21 and all that follows and inserting “has been identi-
 22 fied under the program established under subsection
 23 (a).”; and

24 (3) in paragraph (3), by striking “the contract”
 25 and all that follows through the period at the end

1 and inserting “the contractor, or the recipient of the
2 grant or cooperative agreement, has been identified
3 under the program established under subsection
4 (a).”.

5 (h) CONTRACT CLAUSE.—Section 841(d)(2)(B) of
6 such Act is amended by inserting “and restrict future
7 award to any contractor, or recipient of a grant or cooper-
8 ative agreement, that has been identified under the pro-
9 gram established under subsection (a)” after “subsection
10 (c)”.

11 (i) PARTICIPATION OF SECRETARY OF STATE.—Sec-
12 tion 841 of such Act is further amended—

13 (1) in subsection (a) in the matter preceding
14 paragraph (1), by striking “in consultation with”;
15 and

16 (2) in subsection (f)(1), by striking “in con-
17 sultation with”.

18 (j) SHARING OF INFORMATION ON SUPPORTERS OF
19 THE ENEMY.—Section 841(h)(1) of such Act is further
20 amended by striking “may be providing” and all that fol-
21 lows through “or entity” and inserting “have been identi-
22 fied under the program established under subsection (a)”.

23 (k) INAPPLICABILITY TO CERTAIN CONTRACTS,
24 GRANTS, AND COOPERATIVE AGREEMENTS.—Section
25 841(j) of such Act is amended by striking “contracts,

1 grants, and cooperative agreements” and all that follows
 2 through the period at the end and inserting “a contract,
 3 grant, or cooperative agreement that is performed entirely
 4 inside the United States unless the recipient of such con-
 5 tract, grant, or cooperative agreement is a foreign entity.”.

6 (l) CONSTRUCTION WITH OTHER AUTHORITIES.—
 7 Section 841 of such Act is further amended—

8 (1) in subsection (l), by striking “Except as
 9 provided in subsection (m), the” and inserting
 10 “The”; and

11 (2) by striking subsection (m).

12 (m) ADDITIONAL ACCESS TO RECORDS.—Section
 13 842 of such Act is further amended—

14 (1) in subsection (a)—

15 (A) in paragraph (1), by striking “, except
 16 as provided under subsection (c)(1),”;

17 (B) in paragraph (2), by striking “ensure
 18 that funds” and all that follows through the pe-
 19 riod at the end and inserting “support the pro-
 20 gram established under section 841(a).”;

21 (C) in paragraph (3), by striking “that
 22 funds” and all that follows through the period
 23 at the end and inserting “that the examination
 24 of such records will support the program estab-
 25 lished under section 841(a).”; and

1 (D) by striking paragraph (4); and

2 (2) by striking subsection (c).

3 (n) REPORTS.—Subtitle E of title VIII of such Act
4 (10 U.S.C. 2302 note) is further amended—

5 (1) in section 841(i)(1), in the matter preceding
6 subparagraph (A), by striking “2016, 2017, and
7 2018” and inserting “2016 through 2023”; and

8 (2) in section 842(b)(1), by striking “2016,
9 2017, and 2018” and inserting “2016 through
10 2023”.

11 (o) TECHNICAL AND CONFORMING AMENDMENTS.—

12 (1) SECTION HEADING.—The heading of section
13 841 of such Act is amended by striking “**PRO-**
14 **VIDING FUNDS TO**” and inserting “**SUP-**
15 **PORTING**”.

16 (2) REDESIGNATIONS.—Section 841 of such
17 Act is further amended by redesignating subsections
18 (h) through (l) and (n) (as amended by subsections
19 (a) through (n) of this section) as subsections (g)
20 through (l), respectively.

21 (3) DEFINITIONS.—Section 843 of such Act is
22 amended by striking paragraphs (2) through (5) and
23 redesignating paragraphs (6) through (9) as para-
24 graphs (2) through (5), respectively.

1 **Subtitle D—Small Business Matters**

2 **SEC. 841. REAUTHORIZATION AND IMPROVEMENT OF DE-** 3 **PARTMENT OF DEFENSE MENTOR-PROTÉGÉ** 4 **PROGRAM.**

5 (a) PERMANENT AUTHORIZATION.—Section 831 of
6 the National Defense Authorization Act for Fiscal Year
7 1991 (Public Law 101–510; 10 U.S.C. 2302 note) is
8 amended by striking subsection (j).

9 (b) OFFICE OF SMALL BUSINESS PROGRAMS OVER-
10 SIGHT.—Section 831 of the National Defense Authoriza-
11 tion Act for Fiscal Year 1991 (Public Law 101–510; 10
12 U.S.C. 2302 note) is amended—

13 (1) by redesignating subsection (n) as sub-
14 section (o); and

15 (2) by inserting after subsection (m) the fol-
16 lowing new subsection:

17 “(n) ESTABLISHMENT OF PERFORMANCE GOALS
18 AND PERIODIC REVIEWS.—The Office of Small Business
19 Programs of the Department of Defense shall—

20 “(1) establish performance goals consistent with
21 the stated purpose of the Mentor-Protégé Program
22 and outcome-based metrics to measure progress in
23 meeting those goals; and

24 “(2) submit to the congressional defense com-
25 mittees, not later than February 1, 2020, a report

1 on progress made toward implementing these per-
 2 formance goals and metrics, based on periodic re-
 3 views of the procedures used to approve mentor-
 4 protégé agreements.”.

5 (c) MODIFICATION OF DISADVANTAGED SMALL
 6 BUSINESS CONCERN DEFINITION.—Subsection (o)(2) of
 7 the National Defense Authorization Act for Fiscal Year
 8 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as re-
 9 designated by subsection (b)(1) of this section, is amended
 10 by striking “has less than half the size standard cor-
 11 responding to its primary North American Industry Clas-
 12 sification System code” and inserting “is not more than
 13 the size standard corresponding to its primary North
 14 American Industry Classification System code”.

15 (d) REMOVAL OF PILOT PROGRAM REFERENCES.—
 16 Section 831 of the National Defense Authorization Act for
 17 Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302
 18 note) is amended—

19 (1) in the subsection heading for subsection (a),
 20 by striking “PILOT”; and

21 (2) by striking “pilot” each place it appears.

22 (e) INDEPENDENT REPORT ON PROGRAM EFFEC-
 23 TIVENESS.—

24 (1) IN GENERAL.—The Secretary of Defense
 25 shall direct the Defense Business Board to submit to

the congressional defense committees a report evaluating the effectiveness of the Mentor-Protégé Program established under section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), including recommendations for improving the program in terms of performance metrics, forms of assistance, and overall program effectiveness not later than March 31, 2022.

(2) CONGRESSIONAL DEFENSE COMMITTEES DEFINED.—In this subsection, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 842. MODIFICATION OF JUSTIFICATION AND APPROVAL REQUIREMENT FOR CERTAIN DEPARTMENT OF DEFENSE CONTRACTS.

(a) MODIFICATION OF JUSTIFICATION AND APPROVAL REQUIREMENT.—Notwithstanding section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2405)—

(1) no justification and approval is required under such section for a sole-source contract awarded by the Department of Defense in a covered pro-

1 curement for an amount not exceeding
2 \$100,000,000; and

3 (2) for purposes of subsections (a)(2) and
4 (c)(3)(A) of such section, the appropriate official
5 designated to approve the justification for a sole-
6 source contract awarded by the Department of De-
7 fense in a covered procurement exceeding
8 \$100,000,000 is the official designated in section
9 2304(f)(1)(B)(ii) of title 10, United States Code.

10 (b) GUIDANCE.—Not later than 90 days after the
11 date of the enactment of this Act, the Secretary of Defense
12 shall issue guidance to implement the authority under sub-
13 section (a).

14 (c) COMPTROLLER GENERAL REVIEW.—

15 (1) DATA TRACKING AND COLLECTION.—The
16 Department of Defense shall track the use of the au-
17 thority provided pursuant to subsection (a) and
18 make the data available to the Comptroller General
19 for purposes of the report required under paragraph
20 (2).

21 (2) REPORT.—Not later than February 1,
22 2022, the Comptroller General of the United States
23 shall submit a report to the congressional defense
24 committees on the use of the authority provided pur-

1 suant to subsection (a) through the end of fiscal
2 year 2021.

3 **Subtitle E—Provisions Related to**
4 **Software-Driven Capabilities**

5 **SEC. 851. IMPROVED MANAGEMENT OF INFORMATION**
6 **TECHNOLOGY AND CYBERSPACE INVEST-**
7 **MENTS.**

8 (a) IMPROVED MANAGEMENT.—

9 (1) IN GENERAL.—The Chief Information Offi-
10 cer of the Department of Defense shall work with
11 the Chief Data Officer of the Department of De-
12 fense to optimize the Department’s process for ac-
13 counting for, managing, and reporting its informa-
14 tion technology and cyberspace investments. The op-
15 timization should include alternative methods of pre-
16 senting budget justification materials to the public
17 and congressional staff to more accurately commu-
18 nicate when, how, and with what frequency capa-
19 bility is delivered to end users, in accordance with
20 best practices for managing and reporting on infor-
21 mation technology investments.

22 (2) BRIEFING.—Not later than February 3,
23 2020, the Chief Information Officer of the Depart-
24 ment of Defense shall brief the congressional defense
25 committees on the process optimization undertaken

1 pursuant to paragraph (1), including any rec-
2 ommendations for legislation.

3 (b) DELIVERY OF INFORMATION TECHNOLOGY
4 BUDGET.—The Secretary of Defense shall submit to the
5 congressional defense committees the Department of De-
6 fense budget request for information technology not later
7 than 15 days after the submittal to Congress of the budget
8 of the President for a fiscal year pursuant to section 1105
9 of title 31, United States Code.

10 **SEC. 852. SPECIAL PATHWAYS FOR RAPID ACQUISITION OF**
11 **SOFTWARE APPLICATIONS AND UPGRADES.**

12 (a) GUIDANCE REQUIRED.—Not later than 180 days
13 after the date of the enactment of this Act, the Secretary
14 of Defense shall establish guidance authorizing the use of
15 special pathways for the rapid acquisition of software ap-
16 plications and upgrades that are intended to be fielded
17 within one year.

18 (b) SOFTWARE ACQUISITION PATHWAYS.—

19 (1) USE OF PROVEN TECHNOLOGIES AND SOLU-
20 TIONS.—The guidance required by subsection (a)
21 shall provide for the use of proven technologies and
22 solutions to continuously engineer and deliver capa-
23 bilities in software.

24 (2) OBJECTIVES.—The objectives of using the
25 acquisition authority under this section shall be to

1 begin the engineering of new capabilities quickly, to
2 demonstrate viability and effectiveness of those capa-
3 bilities in operation, and to continue updating and
4 delivering new capabilities iteratively afterwards.

5 (3) TREATMENT NOT AS ACQUISITION PRO-
6 GRAM.—An acquisition using the authority under
7 this section shall not be treated as an acquisition
8 program for the purpose of section 2430 of title 10,
9 United States Code, or Department of Defense Di-
10 rective 5000.01 without the specific direction of the
11 Under Secretary of Defense for Acquisition and
12 Sustainment or a Senior Acquisition Executive.

13 (4) PATHWAYS.—The guidance shall provide for
14 the following two rapid acquisition pathways:

15 (A) APPLICATIONS.—The applications soft-
16 ware acquisition pathway shall provide for the
17 use of rapid development and implementation of
18 applications and other software and software
19 improvements running on commercial com-
20 modity hardware (including modified hardware)
21 operated by the Department of Defense.

22 (B) EMBEDDED SYSTEMS.—The embedded
23 systems software acquisition pathway shall pro-
24 vide for the rapid development and insertion of
25 upgrades and improvements for software em-

1 bedded in weapon systems and other military-
2 unique hardware systems.

3 (c) EXPEDITED PROCESS.—

4 (1) IN GENERAL.—The guidance required by
5 subsection (a) shall provide for a streamlined and
6 coordinated requirements, budget, and acquisition
7 process that results in the rapid fielding of software
8 applications and software upgrades to embedded sys-
9 tems in a period of not more than one year from the
10 time that the process is initiated. It shall also re-
11 quire the collection of data on the version fielded
12 and continuous engagement with the users of that
13 software, so as to enable engineering and delivery of
14 additional versions in periods of not more than one
15 year each.

16 (2) EXPEDITED SOFTWARE REQUIREMENTS
17 PROCESS.—

18 (A) INAPPLICABILITY OF EXISTING GUID-
19 ANCE.—Software acquisitions conducted under
20 the authority of this provision shall not be sub-
21 ject to the Joint Capabilities Integration and
22 Development System (JCIDS) Manual and De-
23 partment of Defense Directive 5000.01, except
24 to the extent specifically provided in the guid-
25 ance required under subsection (a) or by the

1 Under Secretary of Defense for Acquisition and
2 Sustainment or a Senior Acquisition Executive.

3 (B) REQUIREMENTS.—The guidance re-
4 quired by subsection (a) shall provide the fol-
5 lowing with respect to requirements:

6 (i) Requirements for covered acquisi-
7 tions are developed on an iterative basis
8 through engagement with the user commu-
9 nity, and the use of user feedback in order
10 to regularly define and set priorities for
11 software requirements and evaluate the
12 software capabilities acquired.

13 (ii) The requirements process begins
14 with the identification of the warfighter or
15 user need, including the rationale for how
16 these software capabilities will support in-
17 creased lethality and efficiency, and the
18 identification of a relevant user commu-
19 nity.

20 (iii) Initial contract requirements are
21 stated in the form of a summary-level list
22 of problems and shortcomings in existing
23 software systems and desired features or
24 capabilities of new or upgraded software
25 systems.

1 (iv) Contract requirements are con-
2 tinuously refined and set in priority order
3 in an evolutionary process through discus-
4 sions with users that may continue
5 throughout the development and implemen-
6 tation period.

7 (v) Issues related to lifecycle costs and
8 systems interoperability are continuously
9 considered.

10 (vi) Issues of logistics support in cases
11 where the software developer may stop
12 supporting the software system are ad-
13 dressed.

14 (vii) Rapid contracting procedures, to
15 include timeframes for award, contract
16 types, teaming, and options.

17 (viii) Execution processes, including
18 supporting development and test infra-
19 structure, automation and tools, data col-
20 lection and sharing, the role of develop-
21 mental and operational testing activities,
22 and key decisionmaking and oversight
23 events, and supporting processes and ac-
24 tivities such as independent costing activ-

1 ity, operational demonstration, and per-
2 formance metrics.

3 (ix) Administrative procedures, includ-
4 ing procedures related to the roles and re-
5 sponsibilities of the implementing project
6 or product teams and supporting activities,
7 team selection and staffing process, over-
8 sight roles and responsibilities, and appro-
9 priate independent technology assessments,
10 testing, and cost estimation, including rel-
11 evant thresholds or designation criteria.

12 (x) Mechanisms and waivers designed
13 to ensure flexibility in the implementation
14 of the authority, including the use of other
15 transaction authority, broad agency an-
16 nouncements, and other procedures.

17 **Subtitle F—Other Matters**

18 **SEC. 861. NOTIFICATION OF NAVY PROCUREMENT PRODUC-** 19 **TION DISRUPTIONS.**

20 (a) IN GENERAL.—Chapter 137 of title 10, United
21 States Code, is amended by adding at the end the fol-
22 lowing new section:

1 **“§ 2339b. Notification of Navy procurement produc-**
 2 **tion disruptions**

3 “(a) REQUIREMENT FOR CONTRACTOR TO PROVIDE
 4 NOTICE OF DELAYS.—The Secretary of the Navy shall re-
 5 quire prime contractors of any Navy procurement program
 6 to report within 15 calendar days any stop work order or
 7 other manufacturing disruption of 15 calendar days or
 8 more, by the prime contractor or any sub-contractor, to
 9 the respective program manager and Navy technical au-
 10 thority.

11 “(b) QUARTERLY REPORTS.—The Secretary of the
 12 Navy shall submit to the congressional defense committees
 13 not later than 15 calendar days after the end of each quar-
 14 ter of a fiscal year a report listing all notifications made
 15 pursuant to subsection (a) during the preceding quarter.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
 17 at the beginning of chapter 137 of title 10, United States
 18 Code, is amended by inserting after the item relating to
 19 section 2339a the following new item:

“2339b. Notification of Navy procurement production disruptions.”.

20 **SEC. 862. MODIFICATION TO ACQUISITION AUTHORITY OF**
 21 **THE COMMANDER OF THE UNITED STATES**
 22 **CYBER COMMAND.**

23 Section 807 of the National Defense Authorization
 24 Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C.
 25 2224 note) is amended by inserting “on new contract ef-

1 forts” after “may not obligate or expend more than
2 \$75,000,000”.

3 **SEC. 863. PROHIBITION ON OPERATION OR PROCUREMENT**
4 **OF FOREIGN-MADE UNMANNED AIRCRAFT**
5 **SYSTEMS.**

6 (a) PROHIBITION ON AGENCY OPERATION OR PRO-
7 CUREMENT.—The Secretary of Defense may not operate
8 or enter into or renew a contract for the procurement of—

9 (1) a covered unmanned aircraft system that—

10 (A) is manufactured in a covered foreign
11 country or by an entity domiciled in a covered
12 foreign country;

13 (B) uses flight controllers, radios, data
14 transmission devices, cameras, or gimbals man-
15 ufactured in a covered foreign country or by an
16 entity domiciled in a covered foreign country;

17 (C) uses a ground control system or oper-
18 ating software developed in a covered foreign
19 country or by an entity domiciled in a covered
20 foreign country; or

21 (D) uses network connectivity or data stor-
22 age located in or administered by an entity
23 domiciled in a covered foreign country; or

24 (2) a system manufactured in a covered foreign
25 country or by an entity domiciled in a covered for-

1 eign country for the detection or identification of
2 covered unmanned aircraft systems.

3 (b) EXEMPTION.—The Secretary of Defense is ex-
4 empt from the restriction under subsection (a) if the oper-
5 ation or procurement is for the purposes of—

6 (1) Counter-UAS surrogate testing and train-
7 ing; or

8 (2) intelligence, electronic warfare, and infor-
9 mation warfare operations, testing, analysis, and
10 training.

11 (c) WAIVER.—The Secretary of Defense may waive
12 the restriction under subsection (a) on a case by case basis
13 by certifying in writing to the congressional defense com-
14 mittees that the operation or procurement is required in
15 the national interest of the United States.

16 (d) DEFINITIONS.—In this section:

17 (1) COVERED FOREIGN COUNTRY.—The term
18 “covered foreign country” means the People’s Re-
19 public of China.

20 (2) COVERED UNMANNED AIRCRAFT SYSTEM.—
21 The term “covered unmanned aircraft system”
22 means an unmanned aircraft system and any related
23 services and equipment.

1 **SEC. 864. PROHIBITION ON CONTRACTING WITH PERSONS**
2 **THAT HAVE BUSINESS OPERATIONS WITH**
3 **THE MADURO REGIME.**

4 (a) PROHIBITION.—Except as provided under sub-
5 sections (c), (d), and (e), the Department of Defense may
6 not enter into a contract for the procurement of goods
7 or services with any person that has business operations
8 with an authority of the Government of Venezuela that
9 is not recognized as the legitimate Government of Ven-
10 ezuela by the United States Government.

11 (b) DEFINITIONS.—In this section:

12 (1) BUSINESS OPERATIONS.—The term “busi-
13 ness operations” means engaging in commerce in
14 any form, including acquiring, developing, maintain-
15 ing, owning, selling, possessing, leasing, or operating
16 equipment, facilities, personnel, products, services,
17 personal property, real property, or any other appa-
18 ratus of business or commerce.

19 (2) GOVERNMENT OF VENEZUELA.—(A) The
20 term “Government of Venezuela” includes the gov-
21 ernment of any political subdivision of Venezuela,
22 and any agency or instrumentality of the Govern-
23 ment of Venezuela.

24 (B) For purposes of subparagraph (A), the
25 term “agency or instrumentality of the Government
26 of Venezuela” means an agency or instrumentality

1 of a foreign state as defined in section 1603(b) of
2 title 28, United States Code, with each reference in
3 such section to “a foreign state” deemed to be a ref-
4 erence to “Venezuela”.

5 (3) PERSON.—The term “person” means—

6 (A) a natural person, corporation, com-
7 pany, business association, partnership, society,
8 trust, or any other nongovernmental entity, or-
9 ganization, or group;

10 (B) any governmental entity or instrumen-
11 tality of a government, including a multilateral
12 development institution (as defined in section
13 1701(c)(3) of the International Financial Insti-
14 tutions Act (22 U.S.C. 262r(c)(3))); and

15 (C) any successor, subunit, parent entity,
16 or subsidiary of, or any entity under common
17 ownership or control with, any entity described
18 in subparagraph (A) or (B).

19 (c) EXCEPTIONS.—

20 (1) IN GENERAL.—The prohibition under sub-
21 section (a) does not apply to a contract that the Sec-
22 retary of Defense determines—

23 (A) is necessary—

1 (i) for purposes of providing humani-
2 tarian assistance to the people of Ven-
3 ezuela;

4 (ii) for purposes of providing disaster
5 relief and other urgent life-saving meas-
6 ures;

7 (iii) to carry out noncombatant evacu-
8 ations; or

9 (iv) to carry out stabilization activi-
10 ties; or

11 (B) is vital to the national security inter-
12 ests of the United States.

13 (2) NOTIFICATION REQUIREMENT.—The Sec-
14 retary of Defense shall notify the congressional de-
15 fense committees of any contract entered into on the
16 basis of an exception provided for under paragraph
17 (1).

18 (d) OFFICE OF FOREIGN ASSETS CONTROL LI-
19 CENSES.—The prohibition in subsection (a) shall not
20 apply to a person that has a valid license to operate in
21 Venezuela issued by the Office of Foreign Assets Control.

22 (e) AMERICAN DIPLOMATIC MISSION IN VEN-
23 EZUELA.—The prohibition in subsection (a) shall not
24 apply to contracts related to the operation and mainte-

1 nance of the United States Government's consular offices
2 and diplomatic posts in Venezuela.

3 (f) APPLICABILITY.—This section shall apply with re-
4 spect to any contract entered into on or after the date
5 of the enactment of this section.

6 **SEC. 865. COMPTROLLER GENERAL OF THE UNITED**
7 **STATES REPORT ON DEPARTMENT OF DE-**
8 **ENSE EFFORTS TO COMBAT HUMAN TRAF-**
9 **FICKING THROUGH PROCUREMENT PRAC-**
10 **TICES.**

11 (a) IN GENERAL.—Not later than one year after the
12 date of the enactment of this Act, the Comptroller General
13 of the United States shall submit to the appropriate con-
14 gressional committees a report on Department of Defense
15 efforts to combat human trafficking.

16 (b) ELEMENTS.—The report required under sub-
17 section (a) shall evaluate—

18 (1) the efforts of the Department of Defense to
19 combat human trafficking in its contracting and
20 supply chain policy, regulation, and practices, to in-
21 clude implementation of title XVII of the National
22 Defense Authorization Act for Fiscal Year 2013
23 (Public Law 112–239; 126 Stat. 2092) and Execu-
24 tive Order 13627 (77 Fed. Reg. 60029), as well as
25 the nature and extent of training for Department of

1 Defense contract officers on how to evaluate compli-
2 ance plans, monitor contractor adherence to the
3 plans, and respond to reports of noncompliance;

4 (2) the role of the current trafficking in per-
5 son's office within the Department of Defense in
6 helping the Department address all forms of human
7 trafficking, and what, if any, improvements should
8 be made to the office;

9 (3) the process used by contract officers to
10 evaluate compliance plans with regards to preventing
11 human trafficking; and

12 (4) how many instances of human trafficking
13 have been reported to the Inspector General of the
14 Department of Defense and the outcome of those
15 cases.

16 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
17 FINED.—In this section , the term “appropriate congres-
18 sional committees” means—

19 (1) the Committee on Armed Services and the
20 Committee on the Judiciary of the Senate; and

21 (2) the Committee on Armed Services and the
22 Committee on the Judiciary of the House of Rep-
23 resentatives.

1 **TITLE IX—DEPARTMENT OF DE-**
 2 **FENSE ORGANIZATION AND**
 3 **MANAGEMENT**

4 **Subtitle A—Office of the Secretary**
 5 **of Defense and Related Matters**

6 **SEC. 901. HEADQUARTERS ACTIVITIES OF THE DEPART-**
 7 **MENT OF DEFENSE MATTERS.**

8 (a) ASSESSMENT AND REFORM OF ENTERPRISE
 9 BUSINESS OPERATIONS.—Subsection (b) of section 921 of
 10 the John S. McCain National Defense Authorization Act
 11 for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.
 12 2222 note) is amended to read as follows:

13 “(b) ASSESSMENT AND REFORM OF ENTERPRISE
 14 BUSINESS OPERATIONS.—

15 “(1) PERIODIC ASSESSMENTS AND ACTIONS.—
 16 Not later than January 1, 2020, and not less fre-
 17 quently than once every five years thereafter, the
 18 Secretary of Defense shall, acting through the Chief
 19 Management Officer of the Department of De-
 20 fense—

21 “(A) assess enterprise business operations
 22 of the Department of Defense across all organi-
 23 zations and elements of the Department; and

24 “(B) take or direct the taking of such ac-
 25 tions as will minimize the duplication of efforts

1 and maximize efficiency and effectiveness in
2 mission execution.

3 “(2) CMO REPORTS.—Not later than January
4 1 of every fifth calendar year beginning with Janu-
5 ary 1, 2025, the Chief Management Officer shall
6 submit to the congressional defense committees a re-
7 port that describes the assessments carried out and
8 the actions taken by the Chief Management Officer,
9 and by other officers or employees of the Depart-
10 ment at the direction of the Chief Management Of-
11 fice, under this subsection during the preceding five
12 years, including the following:

13 “(A) A description of the metrics for per-
14 formance relating to minimization of duplica-
15 tion of efforts and maximization of efficiency
16 and effectiveness in mission execution estab-
17 lished for applicable organizations and elements
18 of the Department.

19 “(B) A certification of any costs avoided or
20 cost savings achieved as a result of such assess-
21 ments and actions.”.

22 (b) REPORT ON MILITARY AND CIVILIAN PER-
23 SONNEL FOR THE NGB AND NATIONAL GUARD JOINT
24 STAFF.—Not later than January 1, 2020, the Secretary

1 of Defense shall submit to the congressional defense com-
2 mittees a report setting forth the following:

3 (1) The total number of members of the Armed
4 Forces and civilian employees of the Department of
5 Defense assigned to the Office of the Chief of the
6 National Guard Bureau and the National Guard
7 Joint Staff.

8 (2) A recommendation for the total number of
9 members and employees required for the Office of
10 the Chief of the National Guard Bureau and the Na-
11 tional Guard Joint Staff to execute the missions and
12 functions of the National Guard Bureau and the Na-
13 tional Guard Joint Staff.

14 (c) REPEAL OF SUPERSEDED LIMITATIONS.—The
15 following provisions are repealed:

16 (1) Section 601 of the Goldwater-Nichols De-
17 partment of Defense Reorganization Act of 1986 (10
18 U.S.C. 194 note).

19 (2) Section 1111 of the Duncan Hunter Na-
20 tional Defense Authorization Act for Fiscal Year
21 2009 (10 U.S.C. 143 note).

22 (d) MODIFICATION OF LIMITATIONS ON NUMBER OF
23 PERSONNEL IN OSD AND OTHER DoD HEAD-
24 QUARTERS.—

1 (1) OSD.—Section 143 of title 10, United
2 States Code, is amended—

3 (A) in subsection (a), by striking “3,767”
4 and inserting “4,000”; and

5 (B) in subsection (b), by striking “, civil-
6 ian, and detailed personnel” and inserting “and
7 civilian personnel”.

8 (2) JOINT STAFF.—

9 (A) IN GENERAL.—Section 155(h) of such
10 title is amended—

11 (i) in paragraph (1), by striking
12 “2,069” and inserting “2,250”; and

13 (ii) in paragraph (2), by striking
14 “1,500” and inserting “1,600”.

15 (B) EFFECTIVE DATE.—The amendments
16 made by subparagraph (A) shall take effect on
17 December 31, 2019, immediately after the com-
18 ing into effect of the amendment made by sec-
19 tion 903(b) of the National Defense Authoriza-
20 tion Act for Fiscal Year 2017 (Public Law
21 114–328; 130 Stat. 2344), to which such
22 amendments relate

23 (3) OFFICE OF SECRETARY OF THE ARMY.—
24 Section 7014(f) of title 10, United States Code, is
25 amended—

1 (A) in paragraph (1), by striking “3,105”
2 and inserting “3,250”; and

3 (B) in paragraph (2), by striking “1,865”
4 and inserting “1,900”.

5 (4) OFFICE OF SECRETARY OF THE NAVY.—
6 Section 8014(f) of such title is amended—

7 (A) in paragraph (1), by striking “2,866”
8 and inserting “3,000”; and

9 (B) in paragraph (2), by striking “1,720”
10 and inserting “1,800”.

11 (5) OFFICE OF SECRETARY OF THE AIR
12 FORCE.—Section 9014(f) of such title is amended—

13 (A) in paragraph (1), by striking “2,639”
14 and inserting “2,750”; and

15 (B) in paragraph (2), by striking “1,585”
16 and inserting “1,650”.

17 (e) SUNSET OF REDUCTION IN FUNDING FOR DoD
18 HEADQUARTERS, ADMINISTRATIVE, AND SUPPORT AC-
19 TIVITIES.—Section 346 of the National Defense Author-
20 ization Act for Fiscal Year 2016 (10 U.S.C. 111 note)
21 is amended by adding at the end the following new sub-
22 section:

23 “(c) SUNSET.—No action is required under this sec-
24 tion with respect to any fiscal year after fiscal year
25 2019.”.

1 **SEC. 902. RESPONSIBILITY OF UNDER SECRETARY OF DE-**
 2 **FENSE FOR ACQUISITION AND SUSTAINMENT**
 3 **FOR PROCUREMENT TECHNICAL ASSISTANCE**
 4 **COOPERATIVE AGREEMENT PROGRAM.**

5 (a) IN GENERAL.—Section 2411(3) of title 10,
 6 United States Code, is amended by striking “Secretary of
 7 Defense acting through the Director of the Defense Logis-
 8 tics Agency” and inserting “Secretary of Defense acting
 9 through the Under Secretary of Defense for Acquisition
 10 and Sustainment”.

11 (b) AUTHORITY TO PAY ADMINISTRATIVE AND
 12 OTHER COSTS.—Section 2417 of title 10, United States
 13 Code, is amended by striking “Director of the Defense Lo-
 14 gistics Agency” and inserting “Under Secretary of De-
 15 fense for Acquisition and Sustainment”.

16 **SEC. 903. RETURN TO CHIEF INFORMATION OFFICER OF**
 17 **THE DEPARTMENT OF DEFENSE OF RESPON-**
 18 **SIBILITY FOR BUSINESS SYSTEMS AND RE-**
 19 **LATED MATTERS.**

20 (a) RETURN OF RESPONSIBILITY.—

21 (1) IN GENERAL.—Section 142(b)(1) of title
 22 10, United States Code, is amended by striking
 23 “systems and” each place it appears in subpara-
 24 graphs (A), (B), and (C).

(2) CONFORMING AMENDMENTS TO CMO AUTHORITIES.—Section 132a(b) of such title is amended—

(A) in paragraph (2), by striking “performance measurement and management, and business information technology management and improvement activities and programs” and inserting “and performance measurement and management activities and programs”;

(B) by striking paragraphs (4) and (5); and

(C) by redesignating paragraphs (6) and (7) as paragraphs (4) and (5), respectively.

(b) CHIEF DATA OFFICER RESPONSIBILITY FOR DoD DATA SETS.—

(1) IN GENERAL.—In addition to any other functions and responsibilities specified in section 3520(c) of title 44, United States, Code, the Chief Data Officer of the Department of Defense shall also be the official in the Department of Defense with principal responsibility for providing for the availability of common, usable, Defense-wide data sets.

(2) ACCESS TO ALL DOD DATA.—In order to carry out the responsibility specified in paragraph

1 (1), the Chief Data Officer shall have access to all
2 Department of Defense data, including data in con-
3 nection with warfighting missions and back-office
4 data.

5 (3) RESPONSIBLE TO CIO.—The Chief Data Of-
6 ficer shall report directly to the Chief Information
7 Officer of the Department of Defense in the per-
8 formance of the responsibility specified in paragraph
9 (1).

10 (4) REPORT.—Not later than December 1,
11 2019, the Secretary of Defense shall submit to the
12 Committees on Armed Services of the Senate and
13 the House of Representatives a report setting forth
14 such recommendations for legislative or administra-
15 tive action as the Secretary considers appropriate to
16 carry out this subsection.

17 **SEC. 904. SENIOR MILITARY ADVISOR FOR CYBER POLICY**
18 **AND DEPUTY PRINCIPAL CYBER ADVISOR.**

19 (a) ADVISOR.—

20 (1) IN GENERAL.—The Under Secretary of De-
21 fense for Policy shall, acting through the Joint
22 Staff, designate an officer within the Office of the
23 Under Secretary of Defense for Policy to serve with-
24 in that Office as the Senior Military Advisor for

1 Cyber Policy, and concurrently, as the Deputy Prin-
2 cipal Cyber Advisor.

3 (2) OFFICERS ELIGIBLE FOR DESIGNATION.—

4 The officer designated pursuant to this subsection
5 shall be designated from among commissioned reg-
6 ular officers of the Armed Forces in a general or
7 flag officer grade who are qualified for designation

8 (3) GRADE.—The officer designated pursuant
9 to this subsection shall have the grade of major gen-
10 eral or rear admiral while serving in that position,
11 without vacating the officer's permanent grade.

12 (b) SCOPE OF POSITIONS.—

13 (1) IN GENERAL.—The officer designated pur-
14 suant to subsection (a) is each of the following:

15 (A) The Senior Military Advisor for Cyber
16 Policy to the Under Secretary of Defense for
17 Policy.

18 (B) The Deputy Principal Cyber Advisor
19 to the Under Secretary of Defense for Policy.

20 (2) DIRECTION AND CONTROL AND REPORT-
21 ING.—In carrying out duties under this section, the
22 officer designed pursuant to subsection (a) shall be
23 subject to the authority, direction, and control of,
24 and shall report directly to, the following:

1 (A) The Under Secretary with respect to
2 Senior Military Advisor for Cyber Policy duties.

3 (B) The Principal Cyber Advisor with re-
4 spect to Deputy Principal Cyber Advisor duties.

5 (c) DUTIES.—

6 (1) DUTIES AS SENIOR MILITARY ADVISOR FOR
7 CYBER POLICY.—The duties of the officer designated
8 pursuant to subsection (a) as Senior Military Advi-
9 sor for Cyber Policy are as follows:

10 (A) To serve as the principal uniformed
11 military advisor on military cyber forces and ac-
12 tivities to the Under Secretary of Defense for
13 Policy.

14 (B) To assess and advise the Under Sec-
15 retary on aspects of policy relating to military
16 cyberspace operations, resources, personnel,
17 cyber force readiness, cyber workforce develop-
18 ment, and defense of Department of Defense
19 networks.

20 (C) To advocate, in consultation with the
21 Joint Staff, and senior officers of the Armed
22 Forces and the combatant commands, for con-
23 sideration of military issues within the Office of
24 the Under Secretary of Defense for Policy, in-

cluding coordination and synchronization of Department cyber forces and activities.

(D) To maintain open lines of communication between the Chief Information Officer of the Department of Defense, senior civilian leaders within the Office of the Under Secretary, and senior officers on the Joint Staff, the Armed Forces, and the combatant commands on cyber matters, and to ensure that military leaders are informed on cyber policy decisions.

(2) DUTIES AS DEPUTY PRINCIPAL CYBER ADVISOR.—The duties of the officer designated pursuant to subsection (a) as Deputy Principal Cyber Advisor are as follows:

(A) To synchronize, coordinate, and oversee implementation of the Cyber Strategy of the Department of Defense and other relevant policy and planning.

(B) To advise the Secretary of Defense on cyber programs, projects, and activities of the Department, including with respect to policy, training, resources, personnel, manpower, and acquisitions and technology.

(C) To oversee implementation of Department policy and operational directives on cyber

1 programs, projects, and activities, including
2 with respect to resources, personnel, manpower,
3 and acquisitions and technology.

4 (D) To assist in the overall supervision of
5 Department cyber activities relating to offensive
6 missions.

7 (E) To assist in the overall supervision of
8 Department defensive cyber operations, includ-
9 ing activities of component-level cybersecurity
10 service providers and the integration of such ac-
11 tivities with activities of the Cyber Mission
12 Force.

13 (F) To advise senior leadership of the De-
14 partment on, and advocate for, investment in
15 capabilities to execute Department missions in
16 and through cyberspace.

17 (G) To identify shortfalls in capabilities to
18 conduct Department missions in and through
19 cyberspace, and make recommendations on ad-
20 dressing such shortfalls in the Program Budget
21 Review process.

22 (H) To coordinate and consult with stake-
23 holders in the cyberspace domain across the De-
24 partment in order to identify other issues on

1 cyberspace for the attention of senior leadership
2 of the Department.

3 (I) On behalf of the Principal Cyber Advi-
4 sor, to lead the cross-functional team estab-
5 lished pursuant to 932(c)(3) of the National
6 Defense Authorization Act for Fiscal Year 2014
7 (10 U.S.C. 2224 note) in order to synchronize
8 and coordinate military and civilian cyber forces
9 and activities of the Department.

10 **SEC. 905. LIMITATION ON TRANSFER OF STRATEGIC CAPA-**
11 **BILITIES OFFICE.**

12 (a) LIMITATION.—The Under Secretary of Defense
13 for Research and Engineering may not transfer the Stra-
14 tegic Capabilities Office or change the reporting structure
15 of the Office, as in effect on the day before the date of
16 the enactment of this Act, until the Secretary of Defense,
17 acting through the Chief Management Officer and the
18 Under Secretary of Defense for Research and Engineering
19 and in consultation with the United States Indo-Pacific,
20 Europe, and Special Operations Command, submits the
21 report required by subsection (b)(1).

22 (b) REPORT.—

23 (1) IN GENERAL.—The Secretary shall submit
24 to the congressional defense committees a report

1 that evaluates the following options for transferring
2 the Office:

3 (A) Transferring the Office so that the Di-
4 rector of the Office reports directly to the
5 Under Secretary of Defense for Acquisition and
6 Sustainment.

7 (B) Maintaining the arrangement in effect
8 on the day before the date of the enactment of
9 this Act such that the Director continues to re-
10 port to the Under Secretary of Defense for Re-
11 search and Engineering.

12 (C) Transferring the Office to the Defense
13 Advanced Research Projects Agency.

14 (D) Such other options as the Under Sec-
15 retary may identify.

16 (2) CONTENTS.—The report submitted under
17 paragraph (1) shall include, for each option evalu-
18 ated under such paragraph, an evaluation of whether
19 the option considered will provide for—

20 (A) responding to the critical needs of
21 combatant commanders;

22 (B) augmentation of cross-Department of
23 Defense efforts with respect to developing stra-
24 tegic capabilities;

1 (C) developing new and innovative ways to
2 counter advanced threats;

3 (D) providing sound technical and program
4 management for activities of the Strategic Ca-
5 pabilities Office;

6 (E) coordinating appropriately with other
7 research and technology development activities
8 of the Department; and

9 (F) partnering with and responding to sen-
10 ior leadership across the Department.

11 **Subtitle B—Organization and Man-**
12 **agement of Other Department of**
13 **Defense Offices and Elements**

14 **SEC. 911. ASSISTANT SECRETARIES OF THE MILITARY DE-**
15 **PARTMENTS FOR ENERGY, INSTALLATIONS,**
16 **AND ENVIRONMENT.**

17 (a) ASSISTANT SECRETARY OF THE ARMY.—Section
18 7016(b) of title 10, United States Code, is amended by
19 adding at the end the following new paragraph:

20 “(6) One of the Assistant Secretaries shall be the As-
21 sistant Secretary of the Army for Energy, Installations,
22 and Environment.”.

23 (b) ASSISTANT SECRETARY OF THE NAVY.—Section
24 8016(b) of such title is amended by adding at the end
25 the following new paragraph:

1 “(5) One of the Assistant Secretaries shall be the As-
 2 sistant Secretary of the Navy for Energy, Installations,
 3 and Environment.”.

4 (c) ASSISTANT SECRETARY OF THE AIR FORCE.—
 5 Section 9016(b) of such title is amended by adding at the
 6 end the following new paragraph:

7 “(5) One of the Assistant Secretaries shall be the As-
 8 sistant Secretary of the Air Force for Energy, Installa-
 9 tions, and Environment.”.

10 **SEC. 912. REPEAL OF CONDITIONAL DESIGNATION OF EX-**
 11 **PLOSIVE ORDNANCE DISPOSAL CORPS AS A**
 12 **BASIC BRANCH OF THE ARMY.**

13 Section 582 of the National Defense Authorization
 14 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
 15 1415) is repealed, and the amendment otherwise provided
 16 for by subsection (a) of that section shall not be made.

17 **Subtitle C—Other Matters**

18 **SEC. 921. EXCLUSION FROM LIMITATIONS ON PERSONNEL**
 19 **IN THE OFFICE OF THE SECRETARY OF DE-**
 20 **FENSE AND DEPARTMENT OF DEFENSE**
 21 **HEADQUARTERS OF FELLOWS APPOINTED**
 22 **UNDER THE JOHN S. MCCAIN DEFENSE FEL-**
 23 **LOWS PROGRAM.**

24 Section 932(f)(3) of the John S. McCain National
 25 Defense Authorization Act for Fiscal Year 2019 (Public

1 Law 115–232; 132 Stat. 1935; 10 U.S.C. prec. 1580 note)
2 is amended by adding at the end the following new sen-
3 tence: “An individual appointed pursuant to this para-
4 graph shall not count against the limitation on the number
5 of Office of the Secretary of Defense personnel in section
6 143 of title 10, United States Code, or any similar limita-
7 tion in law on the number of personnel in headquarters
8 of the Department that would otherwise apply to the office
9 or headquarters to which appointed.”.

10 **SEC. 922. REPORT ON RESOURCES TO IMPLEMENT THE CI-**
11 **VILIAN CASUALTY POLICY OF THE DEPART-**
12 **MENT OF DEFENSE.**

13 Not later than 30 days after the date of the enact-
14 ment of this Act, the Secretary of Defense shall submit
15 to the congressional defense committees a report, in un-
16 classified form, on the resources necessary over the period
17 of the future-years defense plan for fiscal year 2020 under
18 section 221 of title United States Code, to fulfill the re-
19 quirements of section 936 of the John S. McCain National
20 Defense Authorization Act for Fiscal Year 2019 (Public
21 Law 115–232; 132 Stat. 1939; 10 U.S.C. 134 note) and
22 fully implement policies developed as a result of such sec-
23 tion.

1 **TITLE X—GENERAL PROVISIONS**

2 **Subtitle A—Financial Matters**

3 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

4 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.—**

5 (1) **AUTHORITY.**—Upon determination by the
6 Secretary of Defense that such action is necessary in
7 the national interest, the Secretary may transfer
8 amounts of authorizations made available to the De-
9 partment of Defense in this division for fiscal year
10 2020 between any such authorizations for that fiscal
11 year (or any subdivisions thereof). Amounts of au-
12 thorizations so transferred shall be merged with and
13 be available for the same purposes as the authoriza-
14 tion to which transferred.

15 (2) **LIMITATION.**—Except as provided in para-
16 graph (3), the total amount of authorizations that
17 the Secretary may transfer under the authority of
18 this section may not exceed \$4,000,000,000.

19 (3) **EXCEPTION FOR TRANSFERS BETWEEN**
20 **MILITARY PERSONNEL AUTHORIZATIONS.**—A trans-
21 fer of funds between military personnel authoriza-
22 tions under title IV shall not be counted toward the
23 dollar limitation in paragraph (2).

24 (b) **LIMITATIONS.**—The authority provided by sub-
25 section (a) to transfer authorizations—

1 (1) may only be used to provide authority for
2 items that have a higher priority than the items
3 from which authority is transferred; and

4 (2) may not be used to provide authority for an
5 item that has been denied authorization by Con-
6 gress.

7 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
8 transfer made from one account to another under the au-
9 thority of this section shall be deemed to increase the
10 amount authorized for the account to which the amount
11 is transferred by an amount equal to the amount trans-
12 ferred.

13 (d) NOTICE TO CONGRESS.—The Secretary shall
14 promptly notify Congress of each transfer made under
15 subsection (a).

16 **SEC. 1002. MODIFICATION OF REQUIRED ELEMENTS OF AN-**
17 **NUAL REPORTS ON EMERGENCY AND EX-**
18 **TRAORDINARY EXPENSES OF THE DEPART-**
19 **MENT OF DEFENSE.**

20 Paragraph (2) of section 127(d) of title 10, United
21 States Code, is amended to read as follows:

22 “(2) Each report submitted under paragraph (1)
23 shall include, for each individual expenditure covered by
24 such report in an amount in excess of \$20,000, the fol-
25 lowing:

1 “(A) A detailed description of the purpose of
2 such expenditure.

3 “(B) The amount of such expenditure.

4 “(C) An identification of the approving author-
5 ity for such expenditure.

6 “(D) A justification why other authorities avail-
7 able to the Department could not be used for such
8 expenditure.

9 “(E) Any other matters the Secretary considers
10 appropriate.”.

11 **SEC. 1003. INCLUSION OF MILITARY CONSTRUCTION**
12 **PROJECTS IN ANNUAL REPORTS ON UN-**
13 **FUNDED PRIORITIES OF THE ARMED FORCES**
14 **AND THE COMBATANT COMMANDS.**

15 (a) INCLUSION OF MILITARY CONSTRUCTION
16 PROJECTS AMONG UNFUNDED PRIORITIES.—Subsection
17 (d) of section 222a of title 10, United States Code, is
18 amended in the matter preceding paragraph (1) by insert-
19 ing “, including a military construction project,” after
20 “program, activity, or mission requirement”.

21 (b) ORDER OF URGENCY OF PRIORITY.—Paragraph
22 (2) of subsection (c) of such section is amended to read
23 as follows:

1 “(2) PRIORITIZATION OF PRIORITIES.—Each
 2 report shall present the unfunded priorities covered
 3 by such report as follows:

4 “(A) In overall order of urgency of pri-
 5 ority.

6 “(B) In overall order of urgency of priority
 7 among unfunded priorities (other than military
 8 construction projects).

9 “(C) In overall order of urgency of priority
 10 among military construction projects.”.

11 **SEC. 1004. PROHIBITION ON DELEGATION OF RESPONSI-**
 12 **BILITY FOR SUBMITTAL TO CONGRESS OF**
 13 **OUT-YEAR UNCONSTRAINED TOTAL MUNI-**
 14 **TIONS REQUIREMENTS AND OUT-YEAR IN-**
 15 **VENTORY NUMBERS.**

16 Section 222c of title 10, United States Code, is
 17 amended—

18 (1) in subsection (a), by striking “subsection
 19 (b)” and inserting “subsection (c)”;

20 (2) by redesignating subsections (b), (c), and
 21 (d) as subsections (c), (d), and (e), respectively;

22 (3) by inserting after subsection (a) the fol-
 23 lowing new subsection (b):

24 “(b) PROHIBITION ON DELEGATION OF SUBMITTAL
 25 RESPONSIBILITY.—The responsibility of the chief of staff

1 of an armed force in subsection (a) to submit a report
2 may not be delegated outside the armed force concerned.”;
3 and

4 (4) in subsection (c), as redesignated by para-
5 graph (2), by striking “subsection (c)” in paragraph
6 (6) and inserting “subsection (d)”.

7 **SEC. 1005. ELEMENT IN ANNUAL REPORTS ON THE FINAN-**
8 **CIAL IMPROVEMENT AND AUDIT REMEDI-**
9 **ATION PLAN ON ACTIVITIES WITH RESPECT**
10 **TO CLASSIFIED PROGRAMS.**

11 Section 240b(b)(1) of title 10, United States Code,
12 is amended—

13 (1) in subparagraph (B), by adding at the end
14 the following new clause:

15 “(ix) A description of audit activities
16 and results for classified programs, includ-
17 ing a description of the use of procedures
18 and requirements to prevent unauthorized
19 exposure of classified information in such
20 activities.”; and

21 (2) in subparagraph (C)(i), by inserting “or
22 (ix)” after “clause (vii)”.

1 **SEC. 1006. MODIFICATION OF SEMIANNUAL BRIEFINGS ON**
2 **THE CONSOLIDATED CORRECTIVE ACTION**
3 **PLAN OF THE DEPARTMENT OF DEFENSE**
4 **FOR FINANCIAL MANAGEMENT INFORMA-**
5 **TION.**

6 (a) IN GENERAL.—Paragraph (2) of section 240b(b)
7 of title 10, United States Code, is amended to read as
8 following:

9 “(2) SEMIANNUAL BRIEFINGS.—

10 “(A) IN GENERAL.—Not later than Feb-
11 ruary 28 and September 30 each year, the
12 Under Secretary of Defense (Comptroller) and
13 the comptrollers of the military departments
14 shall provide a briefing to the congressional de-
15 fense committees on the status of the consoli-
16 dated corrective action plan referred to in para-
17 graph (1)(B)(i) as of the end of the most recent
18 calendar half-year ending before such briefing.

19 “(B) ELEMENTS.—Each briefing under
20 subparagraph (A) shall include the following:

21 “(i) The absolute number, and the
22 percentage, of personnel performing the
23 amount of auditing or audit remediation
24 services being performed by professionals
25 meeting the qualifications described in sec-
26 tion 240d(b) of this title as of the last day

1 of the calendar half-year covered by such
2 briefing.

3 “(ii) With respect to each finding and
4 recommendation issued in connection with
5 the audit of the financial statements of a
6 department, agency, component, or other
7 element of the Department of Defense, or
8 the Department of Defense as a whole,
9 that was received by the Department dur-
10 ing the calendar half-year covered by such
11 briefing, each of the following:

12 “(I) A description of the manner
13 in which the corrective action plan of
14 such department, agency, component,
15 or element and the corrective action
16 plan of the Department as a whole, or
17 the corrective action plan of the De-
18 partment as a whole (in the case of a
19 finding or recommendation regarding
20 the Department as a whole), has been
21 modified in order to incorporate such
22 finding or recommendation into such
23 plans or plan.

24 “(II) An identification of the
25 processes, systems, procedures, and

1 technologies required to implement
 2 such corrective action plans or plan,
 3 as so modified.

4 “(III) A determination of the
 5 funds required to procure, obtain, or
 6 otherwise implement each process,
 7 system, and technology identified pur-
 8 suant to subclause (II).

9 “(IV) An identification the man-
 10 ner in which such corrective action
 11 plans or plan, as so modified, support
 12 the National Defense Strategy (NDS)
 13 of the United States.”.

14 (b) TECHNICAL AMENDMENT.—Paragraph (1)(B)(i)
 15 of such section is amended by striking “section 253a” and
 16 inserting “section 240c”.

17 (c) EFFECTIVE DATE.—The amendment made by
 18 subsection (a) shall take effect on the date of the enact-
 19 ment of this Act, and shall apply with respect to calender
 20 half-years that end on or after that date.

21 **SEC. 1007. UPDATE OF AUTHORITIES AND RENAMING OF**
 22 **DEPARTMENT OF DEFENSE ACQUISITION**
 23 **WORKFORCE DEVELOPMENT FUND.**

24 (a) RENAMING AS ACCOUNT.—

1 (1) IN GENERAL.—Section 1705 of title 10,
 2 United States Code, is amended—

3 (A) in subsection (a), by striking “the ‘De-
 4 partment of Defense Acquisition Workforce De-
 5 velopment Fund’ (in this section referred to as
 6 the ‘Fund’)” and inserting “the ‘Department of
 7 Defense Acquisition Workforce Development
 8 Account’ (in this section referred to as the ‘Ac-
 9 count’)”; and

10 (B) by striking “Fund” each place it ap-
 11 pears (other than subsection (e)(6)) and insert-
 12 ing “Account”.

13 (2) CONFORMING AND CLERICAL AMEND-
 14 MENTS.—

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

17 **“§ 1705. Department of Defense Acquisition Work-
 18 force Development Account”.**

19 (B) CLERICAL AMENDMENT.—The table of
 20 sections at the beginning of subchapter I of
 21 chapter 87 of such title is amended by striking
 22 the item relating to section 1705 and inserting
 23 the following new item:

“1705. Department of Defense Acquisition Workforce Development Account.”.

24 (b) MANAGEMENT.—Such section is further amended
 25 by striking “Under Secretary of Defense for Acquisition,

1 Technology, and Logistics” each place it appears and in-
 2 serting “Under Secretary of Defense for Acquisition and
 3 Sustainment”.

4 (c) APPROPRIATIONS AS SOLE ELEMENTS OF AC-
 5 COUNT.—Subsection (d) of such section is amended to
 6 read as follows:

7 “(d) ELEMENTS.—The Account shall consist of
 8 amounts appropriated to the Account by law.”.

9 (d) AVAILABILITY OF AMOUNTS IN ACCOUNT.—Sub-
 10 section (e)(6) of such section is amended by striking
 11 “credited to the Fund” and all that follows and inserting
 12 “appropriated to the Account pursuant to subsection (d)
 13 shall remain available for expenditure for the fiscal year
 14 in which appropriated and the succeeding fiscal year.”.

15 (e) EFFECTIVE DATE.—

16 (1) IN GENERAL.—The amendments made by
 17 this section shall take effect on October 1, 2019,
 18 and shall apply with respect to fiscal years that
 19 begin on or after that date.

20 (2) DURATION OF AVAILABILITY OF PRE-
 21 VIOUSLY DEPOSITED FUNDS.—Nothing in the
 22 amendments made by this section shall modify the
 23 duration of availability of amounts in the Depart-
 24 ment of Defense Acquisition Workforce Development
 25 Fund that were appropriated or credited to, or de-

1 posited, in the Fund, before October 1, 2019, as
 2 provided for in section 1705(e)(6) of title 10, United
 3 States Code, as in effect on the day before such
 4 date.

5 **Subtitle B—Counterdrug Activities**

6 **SEC. 1011. MODIFICATION OF AUTHORITY TO SUPPORT A** 7 **UNIFIED COUNTERDRUG AND COUNTERTER-** 8 **RORISM CAMPAIGN IN COLOMBIA.**

9 Section 1021(a)(1) of the Ronald W. Reagan Na-
 10 tional Defense Authorization Act for Fiscal Year 2005
 11 (Public Law 108–375; 118 Stat. 2042), as most recently
 12 amended by section 1011(1) of the National Defense Au-
 13 thorization Act for Fiscal Year 2018 (Public Law 115–
 14 91; 131 Stat. 1545), is further amended by striking “orga-
 15 nizations designated as” and all that follows and inserting
 16 “terrorist organizations or other illegally armed groups
 17 that the Secretary of Defense, with the concurrence of the
 18 Secretary of State, determines pose a threat to the na-
 19 tional security interests of the United States.”.

1 **SEC. 1012. TWO-YEAR EXTENSION OF AUTHORITY FOR**
2 **JOINT TASK FORCES TO PROVIDE SUPPORT**
3 **TO LAW ENFORCEMENT AGENCIES CON-**
4 **DUCTING COUNTER-TERRORISM ACTIVITIES.**

5 Section 1022(b) of the National Defense Authoriza-
6 tion Act for Fiscal Year 2004 (10 U.S.C. 271 note) is
7 amended by striking “2020” and inserting “2022”.

8 **Subtitle C—Naval Vessels and**
9 **Shipyards**

10 **SEC. 1016. MODIFICATION OF AUTHORITY TO PURCHASE**
11 **VESSELS USING FUNDS IN NATIONAL DE-**
12 **FENSE SEALIFT FUND.**

13 (a) IN GENERAL.—Section 2218(f)(3)(E) of title 10,
14 United States Code, is amended—

15 (1) in clause (i), by striking “ten new sealift
16 vessels” and inserting “ten new vessels that are sea-
17 lift vessels, auxiliary vessels, or a combination of
18 such vessels”; and

19 (2) in clause (ii), by striking “sealift”.

20 (b) EFFECTIVE DATE.—The amendments made by
21 subsection (a) shall take effect on October 1, 2019, and
22 shall apply with respect to fiscal years beginning on or
23 after that date.

1 **SEC. 1017. SENIOR TECHNICAL AUTHORITY FOR EACH**
2 **NAVAL VESSEL CLASS.**

3 (a) SENIOR TECHNICAL AUTHORITY FOR EACH
4 CLASS REQUIRED.—Chapter 863 of title 10, United
5 States Code, is amended by inserting after section 8669a
6 the following new section:

7 **“§ 8669b. Senior Technical Authority for each naval**
8 **vessel class**

9 “(a) SENIOR TECHNICAL AUTHORITY.—

10 “(1) DESIGNATION FOR EACH VESSEL CLASS
11 REQUIRED.—The Secretary of the Navy shall des-
12 ignate, in writing, a Senior Technical Authority for
13 each class of naval vessels as follows:

14 “(A) In the case of a class of vessels which
15 has received Milestone A approval, an approval
16 to enter into technology maturation and risk re-
17 duction, or an approval to enter into a subse-
18 quent Department of Defense or Department of
19 the Navy acquisition phase as of the date of the
20 enactment of the National Defense Authoriza-
21 tion Act for Fiscal Year 2020, not later than
22 30 days after such date of enactment.

23 “(B) In the case of any class of vessels
24 which has not received any approval described
25 in subparagraph (A) as of such date of enact-
26 ment, at or before the first of such approvals.

1 “(2) PROHIBITION ON DELEGATION.—The Sec-
2 retary may not delegate designations under para-
3 graph (1).

4 “(3) INDIVIDUALS ELIGIBLE FOR DESIGNA-
5 TION.—Each individual designated as a Senior
6 Technical Authority under paragraph (1) shall be an
7 employee of the Navy in the Senior Executive Serv-
8 ice in an organization of the Navy that—

9 “(A) possesses the technical expertise re-
10 quired to carry out the responsibilities specified
11 in subsection (b); and

12 “(B) operates independently of chains-of-
13 command for acquisition program management.

14 “(4) TERM.—Each Senior Technical Authority
15 shall be designated for a term, not fewer than six
16 years, specified by the Secretary at the time of des-
17 ignation.

18 “(5) REMOVAL.—An individual may be removed
19 involuntarily from designation as a Senior Technical
20 Authority only by the Secretary. Not later than 15
21 days after the involuntary removal of an individual
22 from designation as a Senior Technical Authority,
23 the Secretary shall notify, in writing, the congres-
24 sional defense committees of the removal, including
25 the reasons for the removal.

1 “(b) RESPONSIBILITIES AND AUTHORITY.—Each
2 Senior Technical Authority shall be responsible for, and
3 have the authority to, establish, monitor, and approve
4 technical standards, tools, and processes for the class of
5 naval vessels for which designated under this section in
6 conformance with applicable Department of Defense and
7 Department of the Navy policies, requirements, architec-
8 tures, and standards.

9 “(c) LIMITATION ON OBLIGATION OF FUNDS ON
10 LEAD VESSEL IN VESSEL CLASS.—

11 “(1) IN GENERAL.—On or after October 1,
12 2020, funds authorized to be appropriated for Ship-
13 building and Conversion, Navy or Other Procure-
14 ment, Navy may not be obligated for the first time
15 on the lead vessel in a class of naval vessels unless
16 the Secretary of the Navy certifies as described in
17 paragraph (2).

18 “(2) CERTIFICATION ELEMENTS.—The certifi-
19 cation on a class of naval vessels described in this
20 paragraph is a certification containing each of the
21 following:

22 “(A) The name of the individual des-
23 ignated as the Senior Technical Authority for
24 such class of vessels, and the qualifications and

1 professional biography of the individual so des-
2 ignated.

3 “(B) A description by the Senior Technical
4 Authority of the systems engineering, tech-
5 nology, and ship integration risks for such class
6 of vessels.

7 “(C) The designation by the Senior Tech-
8 nical Authority of each critical hull, mechanical,
9 electrical, propulsion, and combat system of
10 such class of vessels, including systems relating
11 to power generation, power distribution, and
12 key operational mission areas.

13 “(D) The date on which the Senior Tech-
14 nical Authority approved the systems engineer-
15 ing, engineering development, and land-based
16 engineering and testing plans for such class of
17 vessels.

18 “(E) A description by the Senior Technical
19 Authority of the key technical knowledge objec-
20 tives and demonstrated system performance of
21 each plan approved as described in subpara-
22 graph (D).

23 “(F) A determination by the Senior Tech-
24 nical Authority that such plans are sufficient to
25 achieve thorough technical knowledge of critical

1 systems of such class of vessels before the start
2 of detail design and construction.

3 “(G) A determination by the Senior Tech-
4 nical Authority that actual execution of activi-
5 ties in support of such plans as of the date of
6 the certification have been and continue to be
7 effective and supportive of the acquisition
8 schedule for such class of vessels.

9 “(H) A description by the Senior Technical
10 Authority of other technology maturation and
11 risk reduction efforts not included in such plans
12 for such class of vessels taken as of the date of
13 the certification.

14 “(I) A certification by the Senior Technical
15 Authority that each critical system covered by
16 subparagraph (C) has been demonstrated
17 through testing of a prototype or identical com-
18 ponent in its final form, fit, and function in a
19 realistic environment.

20 “(J) A determination by the Secretary that
21 the plans approved as described in subpara-
22 graph (D) are fully funded and will be fully
23 funded in the future-years defense program for
24 the fiscal year beginning in the year in which
25 the certification is submitted.

1 “(K) A determination by the Secretary
2 that the Senior Technical Authority will ap-
3 prove, in writing, the ship specification for such
4 class of vessels before the request for proposals
5 for detail design, construction, or both, as ap-
6 plicable, is released.

7 “(3) DEADLINE FOR SUBMITTAL OF CERTIFI-
8 CATION.—The certification required by this sub-
9 section with respect to a class of naval vessels shall
10 be submitted, in writing, to the congressional de-
11 fense committees not fewer than 30 days before the
12 Secretary obligates for the first time funds author-
13 ized to be appropriated for Shipbuilding and Conver-
14 sion, Navy or Other Procurement, Navy for the lead
15 vessel in such class of naval vessels.

16 “(d) DEFINITIONS.—In this section:

17 “(1) The term ‘class of naval vessels’—

18 “(A) means any group of similar undersea
19 or surface craft procured with Shipbuilding and
20 Conversion, Navy or Other Procurement, Navy
21 funds, including manned, unmanned, and op-
22 tionally-manned craft; and

23 “(B) includes—

1 “(i) a substantially new class of craft
 2 (including craft procured using ‘new start’
 3 procurement); and

4 “(ii) a class of craft undergoing a sig-
 5 nificant incremental change in its existing
 6 class (such as a next ‘flight’ of destroyers
 7 or next ‘block’ of attack submarines).

8 “(2) The term ‘future-years defense program’
 9 has the meaning given that term in section 221 of
 10 this title.

11 “(3) The term ‘Milestone A approval’ has the
 12 meaning given that term in section 2431a of this
 13 title.”

14 (b) CLERICAL AMENDMENT.—The table of sections
 15 at the beginning of chapter 863 of such title is amended
 16 by inserting after the item relating to section 8669a the
 17 following new item:

“8669b. Senior Technical Authority for each naval vessel class.”.

18 **SEC. 1018. PERMANENT AUTHORITY FOR SUSTAINING**
 19 **OPERATIONAL READINESS OF LITTORAL**
 20 **COMBAT SHIPS ON EXTENDED DEPLOYMENT.**

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

1 **Subtitle D—Counterterrorism**

2 **SEC. 1021. EXTENSION OF PROHIBITION ON USE OF FUNDS**
3 **FOR TRANSFER OR RELEASE OF INDIVID-**
4 **UALS DETAINED AT UNITED STATES NAVAL**
5 **STATION, GUANTANAMO BAY, CUBA, TO THE**
6 **UNITED STATES.**

7 Section 1033 of the John S. McCain National De-
8 fense Authorization Act for Fiscal Year 2019 (Public Law
9 115–232) is amended by striking “December 31, 2019”
10 and inserting “December 31, 2020”.

11 **SEC. 1022. EXTENSION OF PROHIBITION ON USE OF FUNDS**
12 **TO CONSTRUCT OR MODIFY FACILITIES IN**
13 **THE UNITED STATES TO HOUSE DETAINEES**
14 **TRANSFERRED FROM UNITED STATES NAVAL**
15 **STATION, GUANTANAMO BAY, CUBA.**

16 Section 1034(a) of the John S. McCain National De-
17 fense Authorization Act for Fiscal Year 2019 (Public Law
18 115–232) is amended by striking “December 31, 2019”
19 and inserting “December 31, 2020”.

1 **SEC. 1023. EXTENSION OF PROHIBITION ON USE OF FUNDS**
2 **FOR TRANSFER OR RELEASE OF INDIVID-**
3 **UALS DETAINED AT UNITED STATES NAVAL**
4 **STATION, GUANTANAMO BAY, CUBA, TO CER-**
5 **TAIN COUNTRIES.**

6 Section 1035 of the John S. McCain National De-
7 fense Authorization Act for Fiscal Year 2018 (Public Law
8 115–232) is amended by striking “December 31, 2019”
9 and inserting “December 31, 2020”.

10 **SEC. 1024. EXTENSION OF PROHIBITION ON USE OF FUNDS**
11 **TO CLOSE OR RELINQUISH CONTROL OF**
12 **UNITED STATES NAVAL STATION, GUANTA-**
13 **NAMO BAY, CUBA.**

14 Section 1036 of the National Defense Authorization
15 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
16 1551), as amended by section 1032 of the John S. McCain
17 National Defense Authorization Act for Fiscal Year 2019
18 (Public Law 115–232), is further amended by striking “or
19 2019” and inserting “, 2019, or 2020”.

20 **SEC. 1025. AUTHORITY TO TRANSFER INDIVIDUALS DE-**
21 **TAINED AT UNITED STATES NAVAL STATION,**
22 **GUANTANAMO BAY, CUBA, TO THE UNITED**
23 **STATES TEMPORARILY FOR EMERGENCY OR**
24 **CRITICAL MEDICAL TREATMENT.**

25 (a) TEMPORARY TRANSFER FOR MEDICAL TREAT-
26 MENT.—Notwithstanding section 1033 of the John S.

1 McCain National Defense Authorization Act for Fiscal
2 Year 2019 (Public Law 115–232), or any similar provision
3 of law enacted after September 30, 2015, the Secretary
4 of Defense may, after consultation with the Secretary of
5 Homeland Security, temporarily transfer an individual de-
6 tained at Guantanamo to a Department of Defense med-
7 ical facility in the United States for the sole purpose of
8 providing the individual medical treatment if the Secretary
9 of Defense determines that—

10 (1) the medical treatment of the individual is
11 necessary to prevent death or imminent significant
12 injury or harm to the health of the individual;

13 (2) the necessary medical treatment is not
14 available to be provided at United States Naval Sta-
15 tion, Guantanamo Bay, Cuba, without incurring ex-
16 cessive and unreasonable costs; and

17 (3) the Department of Defense has provided for
18 appropriate security measures for the custody and
19 control of the individual during any period in which
20 the individual is temporarily in the United States
21 under this section.

22 (b) LIMITATION ON EXERCISE OF AUTHORITY.—The
23 authority of the Secretary of Defense under subsection (a)
24 may be exercised only by the Secretary of Defense or an-

1 other official of the Department of Defense at the level
2 of Under Secretary of Defense or higher.

3 (c) CONDITIONS OF TRANSFER.—An individual who
4 is temporarily transferred under the authority in sub-
5 section (a) shall—

6 (1) while in the United States, remain in the
7 custody and control of the Secretary of Defense at
8 all times; and

9 (2) be returned to United States Naval Station,
10 Guantanamo Bay, Cuba, as soon as feasible after a
11 Department of Defense physician determines, in con-
12 sultation with the Commander, Joint Task Force-
13 Guantanamo Bay, Cuba, that any necessary follow-
14 up medical care may reasonably be provided the in-
15 dividual at United States Naval Station, Guanta-
16 namo Bay.

17 (d) STATUS WHILE IN UNITED STATES.—An indi-
18 vidual who is temporarily transferred under the authority
19 in subsection (a), while in the United States—

20 (1) shall be deemed at all times and in all re-
21 spects to be in the uninterrupted custody of the Sec-
22 retary of Defense, as though the individual remained
23 physically at United States Naval Station, Guanta-
24 namo Bay, Cuba;

1 (2) shall not at any time be subject to, and may
2 not apply for or obtain, or be deemed to enjoy, any
3 right, privilege, status, benefit, or eligibility for any
4 benefit under any provision of the immigration laws
5 (as defined in section 101(a)(17) of the Immigration
6 and Nationality Act (8 U.S.C. 1101(a)(17)), or any
7 other law or regulation;

8 (3) shall not be permitted to avail himself of
9 any right, privilege, or benefit of any law of the
10 United States beyond those available to individuals
11 detained at United States Naval Station, Guanta-
12 namo Bay; and

13 (4) shall not, as a result of such transfer, have
14 a change in any designation that may have attached
15 to that detainee while detained at United States
16 Naval Station, Guantanamo Bay, pursuant to the
17 Authorization for Use of Military Force (Public Law
18 107–40), as determined in accordance with applica-
19 ble law and regulations.

20 (e) NO CAUSE OF ACTION.—Any decision to transfer
21 or not to transfer an individual made under the authority
22 in subsection (a) shall not give rise to any claim or cause
23 of action.

24 (f) LIMITATION ON JUDICIAL REVIEW.—

1 (1) LIMITATION.—Except as provided in para-
2 graph (2), no court, justice, or judge shall have ju-
3 risdiction to hear or consider any claim or action
4 against the United States or its departments, agen-
5 cies, officers, employees, or agents arising from or
6 relating to any aspect of the detention, transfer,
7 treatment, or conditions of confinement of an indi-
8 vidual transferred under this section.

9 (2) EXCEPTION FOR HABEAS CORPUS.—The
10 United States District Court for the District of Co-
11 lumbia shall have exclusive jurisdiction to consider
12 an application for writ of habeas corpus seeking re-
13 lease from custody filed by or on behalf of an indi-
14 vidual who is in the United States pursuant to a
15 temporary transfer under the authority in subsection
16 (a). Such jurisdiction shall be limited to that re-
17 quired by the Constitution, and relief shall be only
18 as provided in paragraph (3). In such a proceeding
19 the court may not review, halt, or stay the return of
20 the individual who is the object of the application to
21 United States Naval Station, Guantanamo Bay,
22 Cuba, pursuant to subsection (c).

23 (3) RELIEF.—A court order in a proceeding
24 covered by paragraph (2)—

1 (A) may not order the release of the indi-
2 vidual within the United States; and

3 (B) shall be limited to an order of release
4 from custody which, when final, the Secretary
5 of Defense shall implement in accordance with
6 section 1034 of the National Defense Author-
7 ization Act for Fiscal Year 2016 (10 U.S.C.
8 801 note).

9 (g) NOTIFICATION.—Whenever a temporary transfer
10 of an individual detained at Guantanamo is made under
11 the authority of subsection (a), the Secretary of Defense
12 shall notify the Committees on Armed Services of the Sen-
13 ate and the House of Representatives of the transfer not
14 later than five days after the date on which the transfer
15 is made.

16 (h) INDIVIDUAL DETAINED AT GUANTANAMO DE-
17 FINED.—In this section, the term “individual detained at
18 Guantanamo” means an individual located at United
19 States Naval Station, Guantanamo Bay, Cuba, as of Octo-
20 ber 1, 2009, who—

21 (1) is not a national of the United States (as
22 defined in section 101(a)(22) of the Immigration
23 and Nationality Act (8 U.S.C. 1101(a)(22)) or a
24 member of the Armed Forces of the United States;
25 and

1 (2) is—

2 (A) in the custody or under the control of
3 the Department of Defense; or

4 (B) otherwise detained at United States
5 Naval Station, Guantanamo Bay.

6 (i) APPLICABILITY.—This section shall apply to an
7 individual temporarily transferred under the authority in
8 subsection (a) regardless of the status of any pending or
9 completed proceeding or detention on the date of the en-
10 actment of this Act.

11 **SEC. 1026. CHIEF MEDICAL OFFICER AT UNITED STATES**
12 **NAVAL STATION, GUANTANAMO BAY, CUBA.**

13 (a) CHIEF MEDICAL OFFICER.—

14 (1) IN GENERAL.—There shall be at United
15 States Naval Station, Guantanamo Bay, Cuba, a
16 Chief Medical Officer of United States Naval Sta-
17 tion, Guantanamo Bay (in this section referred to as
18 the “Chief Medical Officer”).

19 (2) GRADE.—The individual serving as Chief
20 Medical Officer shall be an officer of the Armed
21 Forces who holds a grade not below the grade of
22 colonel, or captain in the Navy.

23 (3) CHAIN OF COMMAND.—The Chief Medical
24 Officer shall report to the Assistant Secretary of De-
25 fense for Health Affairs in the performance of duties

1 and the exercise of powers of the Chief Medical Offi-
2 cer under this section.

3 (b) DUTIES.—

4 (1) IN GENERAL.—The Chief Medical Officer
5 shall oversee the provision of medical care to individ-
6 uals detained at Guantanamo.

7 (2) QUALITY OF CARE.—The Chief Medical Of-
8 ficer shall ensure that medical care provided as de-
9 scribed in paragraph (1) meets applicable standards
10 of care.

11 (c) POWERS.—

12 (1) IN GENERAL.—The Chief Medical Officer
13 shall make medical determinations relating to med-
14 ical care for individuals detained at Guantanamo, in-
15 cluding—

16 (A) decisions regarding assessment, diag-
17 nosis, and treatment; and

18 (B) determinations concerning medical ac-
19 commodations to living conditions and oper-
20 ating procedures for detention facilities.

21 (2) RESOLUTION OF DECLINATION TO FOLLOW
22 DETERMINATIONS.—If the commander of Joint Task
23 Force Guantanamo declines to follow a determina-
24 tion of the Chief Medical Officer under paragraph
25 (1), the matter covered by such determination shall

1 be jointly resolved by the Assistant Secretary of De-
2 fense for Special Operations and Low Intensity Con-
3 flict and the Assistant Secretary of Defense for
4 Health Affairs not later than seven days after re-
5 ceipt of notification of the matter by either Assistant
6 Secretary.

7 (3) SECURITY CLEARANCES.—The appropriate
8 departments or agencies of the Federal Government
9 shall, to the extent practicable in accordance with
10 existing procedures and requirements, process expe-
11 ditiously any application and adjudication for a secu-
12 rity clearance required by the Chief Medical Officer
13 to carry out the Chief Medical Officer's duties and
14 powers under this section.

15 (d) ACCESS TO INDIVIDUALS, INFORMATION, AND
16 ASSISTANCE.—

17 (1) IN GENERAL.—The Chief Medical Officer
18 may secure directly from the Department of Defense
19 access to any individual, information, or assistance
20 that the Chief Medical Officer considers necessary to
21 enable the Chief Medical Officer to carry out this
22 section, including full access to the following:

23 (A) Any individual detained at Guanta-
24 namo.

1 (B) Any medical records of any individual
2 detained at Guantanamo.

3 (C) Medical professionals of the Depart-
4 ment who are working, or have worked, at
5 United States Naval Station, Guantanamo Bay.

6 (2) ACCESS UPON REQUEST.—Upon request of
7 the Chief Medical Officer, the Department shall
8 make available to the Chief Medical Officer on an
9 expeditious basis access to individuals, information,
10 and assistance as described in paragraph (1).

11 (3) LACK OF EXPEDITIOUS AVAILABILITY.—If
12 access to individuals, information, or assistance is
13 not made available to the Chief Medical Officer upon
14 request on an expeditious basis as required by para-
15 graph (2), the Chief Medical Officer shall notify the
16 Assistant Secretary of Defense for Health Affairs,
17 who shall take actions to resolve the matter expedi-
18 tiously.

19 (e) DEFINITIONS.—In this section:

20 (1) INDIVIDUAL DETAINED AT GUANTANAMO
21 DEFINED.—The term “individual detained at Guan-
22 tanamo” means an individual located at United
23 States Naval Station, Guantanamo Bay, Cuba, as of
24 October 1, 2009, who—

1 (A) is not a national of the United States
2 (as defined in section 101(a)(22) of the Immi-
3 gration and Nationality Act (8 U.S.C.
4 1101(a)(22)) or a member of the Armed Forces
5 of the United States; and

6 (B) is—

7 (i) in the custody or under the control
8 of the Department of Defense; or

9 (ii) otherwise detained at United
10 States Naval Station, Guantanamo Bay.

11 (2) MEDICAL CARE.—The term “medical care”
12 means physical and mental health care.

13 (3) STANDARD OF CARE.—The term “standard
14 of care” means evaluation and treatment that is ac-
15 cepted by medical experts and reflected in peer-re-
16 viewed medical literature as the appropriate medical
17 approach for a condition, symptoms, illness, or dis-
18 ease and that is widely used by healthcare profes-
19 sionals.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1031. CLARIFICATION OF AUTHORITY OF MILITARY COMMISSIONS UNDER CHAPTER 47A OF TITLE 10, UNITED STATES CODE, TO PUNISH CONTEMPT.

(a) CLARIFICATION.—

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

“§ 949o–1. Contempt

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

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

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

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

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

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

3 “(B) Any military judge detailed to a military
4 commission or any other proceeding under this chap-
5 ter.

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

9 “(c) REVIEW.—(1) A punishment under this sec-
10 tion—

11 “(A) is not reviewable by the convening author-
12 ity of a military commission under this chapter;

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

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

24 “(2) In reviewing a punishment for contempt imposed
25 under this section, the reviewing court shall affirm such

1 punishment unless the court finds that imposing such pun-
2 ishment was an abuse of the discretion of the judicial offi-
3 cer who imposed such punishment.

4 “(3) A petition for review of punishment for contempt
5 imposed under this section shall be filed not later than
6 60 days after the date on which the authenticated record
7 upon which the contempt punishment is based and any
8 contempt proceedings conducted by the judicial officer are
9 served on the person punished for contempt.

10 “(d) PUNISHMENT NOT CONVICTION.—Punishment
11 for contempt is not a conviction or sentence within the
12 meaning of section 949m of this title. The imposition of
13 punishment for contempt is not governed by other provi-
14 sions of this chapter applicable to military commissions,
15 except that the Secretary of Defense may prescribe proce-
16 dures for contempt proceedings and punishments, pursu-
17 ant to the authority provided in section 949a of this
18 title.”.

19 (2) CLERICAL AMENDMENT.—The table of sec-
20 tions at the beginning of subchapter IV of such
21 chapter is amended by adding at the end the fol-
22 lowing new item:

“949o–1. Contempt.”.

23 (b) CONFORMING AMENDMENTS.—Section 950t of
24 title 10, United States Code, is amended—

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

1 (2) by redesignating paragraph (32) as para-
2 graph (31).

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

7 (d) **APPLICABILITY.**—The amendments made by sub-
8 sections (a) and (b) shall take effect on the date of the
9 enactment of this Act, and shall apply with respect to con-
10 duct by a person that occurs on or after such date.

11 **SEC. 1032. COMPREHENSIVE DEPARTMENT OF DEFENSE**
12 **POLICY ON COLLECTIVE SELF-DEFENSE.**

13 (a) **COMPREHENSIVE POLICY REQUIRED.**—The Sec-
14 retary of Defense shall prescribe a comprehensive written
15 policy for the Department of Defense on the issuance of
16 authorization for, and the provision by members and units
17 of the United States Armed Forces of, collective self-de-
18 fense to designated foreign nationals, their facilities, and
19 their property.

20 (b) **ELEMENTS.**—The policy required by subsection
21 (a) shall address the following:

22 (1) Each basis under domestic and inter-
23 national law pursuant to which a member or unit of
24 the United States Armed Forces has been or may be
25 authorized to provide collective self-defense to des-

1 ignated foreign nationals, their facilities, or their
2 property under each circumstance as follows:

3 (A) Inside an area of active hostilities, or
4 in a country or territory in which United States
5 forces are authorized to conduct or support di-
6 rect action operations.

7 (B) Outside an area of active hostilities, or
8 in a country or territory in which United States
9 forces are not authorized to conduct direct ac-
10 tion military operations.

11 (C) When United States personnel, facili-
12 ties, or equipment are not threatened, including
13 both as described in subparagraph (A) and as
14 described in subparagraph (B).

15 (D) When members of the United States
16 Armed Forces are not participating in a mili-
17 tary operation as part of an international coali-
18 tion.

19 (E) Any other circumstance not encom-
20 passed by subparagraphs (A) through (D) in
21 which a member or unit of the United States
22 Armed Forces has been or may be authorized to
23 provide such collective self-defense.

24 (2) A list and explanation of any limitations im-
25 posed by law or policy on the provision of collective

1 self-defense to designated foreign nationals, their fa-
2 cilities, and their property under any of the bases in
3 domestic or international law in the circumstances
4 enumerated in paragraph (1), and the conditions
5 under which any such limitation applies.

6 (3) The procedure by which a proposal that any
7 member or unit of the United States Armed Forces
8 provide collective self-defense in support of des-
9 ignated foreign nationals, their facilities, and their
10 property is to be submitted, processed, and endorsed
11 through offices, officers, and officials of the Depart-
12 ment to the applicable approval authority for final
13 decision, and a list of any information, advice, or
14 opinion to be included with such proposal in order
15 to inform appropriate action on such proposal by
16 such approval authority.

17 (4) The title and duty position of any officers
18 and officials of the Department empowered to render
19 a final decision on a proposal described in paragraph
20 (3), and the conditions applicable to, and limitations
21 on, the exercise of such decisionmaking authority by
22 each such officer or official.

23 (5) A description of the Rules of Engagement
24 applicable to the provision of collective self-defense
25 to designated foreign nationals, their facilities, and

1 their property under any of the bases in domestic or
2 international law in the circumstances enumerated
3 in paragraph (1), and the conditions under which
4 any such Rules of Engagement would be modified.

5 (6) A description of the process through which
6 policy guidance pertaining to the authorization for,
7 and the provision by members of the United States
8 Armed Forces of, collective self-defense to des-
9 ignated foreign nationals, their facilities, and their
10 property is to be disseminated to the level of tactical
11 execution.

12 (7) Such other matters as the Secretary con-
13 siders appropriate.

14 (c) REPORT ON POLICY.—

15 (1) IN GENERAL.—Not later than 60 days after
16 the date of the enactment of this Act, the Secretary
17 shall submit to the congressional defense committees
18 a report setting forth the policy required by sub-
19 section (a).

20 (2) DoD GENERAL COUNSEL STATEMENT.—
21 The Secretary shall include in the report under
22 paragraph (1) a statement by the General Counsel
23 of the Department of Defense as to whether the pol-
24 icy prescribed pursuant to subsection (a) is con-
25 sistent with domestic and international law.

1 (3) FORM.—The report required by paragraph
2 (1) may be submitted in classified form.

3 (d) BRIEFING ON POLICY.—Not later than 30 days
4 after the date of the submittal of the report required by
5 subsection (c), the Secretary shall provide the congres-
6 sional defense committees a classified briefing on the pol-
7 icy prescribed pursuant to subsection (a). The briefing
8 shall make use of vignettes designated to illustrate real
9 world application of the policy in each the circumstances
10 enumerated in subsection (b)(1).

11 **SEC. 1033. OVERSIGHT OF DEPARTMENT OF DEFENSE EXE-**
12 **CUTE ORDERS.**

13 (a) REVIEW OF EXECUTE ORDERS.—Upon a written
14 request by the Chairman or Ranking Member of a con-
15 gressional defense committee, the Secretary of Defense
16 shall provide the committee, including appropriately des-
17 ignated staff of the committee, with an execute order ap-
18 proved by the Secretary or the commander of a combatant
19 command for reveiw within 30 days of receiving the writ-
20 ten request.

21 (b) EXCEPTION.—

22 (1) IN GENERAL.—In extraordinary cir-
23 cumstances necessary to protect operations security,
24 the sensitivity of the execute order, or other appro-

1 piate considerations, the Secretary may limit review
2 of an execute order.

3 (2) SUMMARY AND OTHER INFORMATION.—In
4 extraordinary circumstances described in paragraph
5 (1) with respect to an execute order, the Secretary
6 shall provide the committee concerned, including ap-
7 propriately designated staff of the committee, a de-
8 tailed summary of the execute order and other infor-
9 mation necessary for the conduct of the oversight
10 duties of the committee within 30 days of receiving
11 the written request under subsection (a).

12 **SEC. 1034. PROHIBITION ON OWNERSHIP OR TRADING OF**
13 **STOCKS IN CERTAIN COMPANIES BY DEPART-**
14 **MENT OF DEFENSE OFFICERS AND EMPLOY-**
15 **EES.**

16 (a) PROHIBITION ON OWNERSHIP AND TRADING BY
17 CERTAIN SENIOR OFFICIALS.—

18 (1) PROHIBITION.—An official of the Depart-
19 ment of Defense described in paragraph (2) may not
20 own or trade a publicly traded stock of a company
21 if, during the preceding calendar year, the company
22 received more than \$1,000,000,000 in revenue from
23 the Department of Defense, including through one
24 or more contracts with the Department.

1 (2) DEPARTMENT OF DEFENSE OFFICIALS.—

2 An official of the Department of Defense described
3 in this paragraph is any current Department of De-
4 fense official described by section 847(c) of the Na-
5 tional Defense Authorization Act for Fiscal Year
6 2008 (10 U.S.C. 1701 note).

7 (3) ADMINISTRATIVE ACTIONS.—In the event
8 that an official of the Department of Defense de-
9 scribed in subsection (a) knowingly fails to comply
10 with the requirements of this subsection, the Sec-
11 retary of Defense may take administrative action
12 against the official, including suspension or termi-
13 nation, in accordance with the procedures otherwise
14 applicable to administrative actions against such of-
15 ficials.

16 (b) PROHIBITION ON OWNERSHIP AND TRADING BY
17 ALL OFFICERS AND EMPLOYEES.—An officer or employee
18 of the Department of Defense may not own or trade a
19 publicly traded stock of a company that is a contractor
20 or subcontractor of the Department if the Office of Stand-
21 ards and Compliance of the Office of the General Counsel
22 of the Department of Defense determines that the value
23 of the stock may be directly or indirectly influenced by
24 any official action of the officer or employee for the De-
25 partment.

1 (c) INAPPLICABILITY TO MUTUAL FUNDS.—For pur-
2 poses of this section, publically-traded stock does not in-
3 clude a widely-held investment fund described in section
4 102(f)(8) of the Ethics in Government Act of 1978 (5
5 U.S.C. App.).

6 **SEC. 1035. POLICY REGARDING THE TRANSITION OF DATA**
7 **AND APPLICATIONS TO THE CLOUD.**

8 (a) POLICY REQUIRED.—Not later than 180 days
9 after the date of the enactment of this Act, the Chief In-
10 formation Officer of the Department of Defense and the
11 Chief Data Officer of the Department shall, in consulta-
12 tion with the J6 of the Joint Staff and the Chief Manage-
13 ment Officer, develop and issue enterprise-wide policy and
14 implementing instructions regarding the transition of data
15 and applications to the cloud under the Department cloud
16 strategy in accordance with subsection (b).

17 (b) DESIGN.—The policy required by subsection (a)
18 shall be designed to dramatically improve support to oper-
19 ational missions and management processes, including by
20 the use of artificial intelligence and machine learning tech-
21 nologies, by—

22 (1) making the data of the Department avail-
23 able to support new types of analyses;

24 (2) preventing, to the maximum extent prac-
25 ticable, the replication in the cloud of data stores

1 that cannot readily be accessed by applications for
2 which the data stores were not originally engineered;

3 (3) ensuring that data sets can be readily dis-
4 covered and combined with others to enable new in-
5 sights and capabilities; and

6 (4) ensuring that data and applications are
7 readily portable and not tightly coupled to a specific
8 cloud infrastructure or platform.

9 **SEC. 1036. MODERNIZATION OF INSPECTION AUTHORITIES**

10 **APPLICABLE TO THE NATIONAL GUARD AND**
11 **EXTENSION OF INSPECTION AUTHORITY TO**
12 **THE CHIEF OF THE NATIONAL GUARD BU-**
13 **REAU.**

14 (a) MODERNIZATION OF INSPECTION AUTHORITIES
15 OF SECRETARIES OF THE ARMY AND AIR FORCE.—Sub-
16 section (a) of section 105 of title 32, United States Code,
17 is amended—

18 (1) in the matter preceding paragraph (1)—

19 (A) by striking “by him, the Secretary of
20 the Army shall have” and inserting “by such
21 Secretary, the Secretary of the Army and the
22 Secretary of the Air Force shall each have”;

23 (B) by striking “, if necessary,”; and

1 (C) by striking “the Regular Army” and
2 inserting “the Regular Army or the Regular Air
3 Force”;

4 (2) by striking “Army National Guard” each
5 place it appears and inserting “Army National
6 Guard or Air National Guard”; and

7 (3) by striking the flush matter following para-
8 graph (7).

9 (b) INSPECTION AUTHORITY OF CHIEF OF THE NA-
10 TIONAL GUARD BUREAU.—Such section is further amend-
11 ed by adding at the end the following new subsection:

12 “(c) Under regulations prescribed by the Chief of the
13 National Guard Bureau, the Chief of the National Guard
14 Bureau may have an inspection made by inspectors gen-
15 eral, or by commissioned officers of the Army National
16 Guard of the United States or the Air National Guard
17 of the United States detailed for that purpose, in order
18 to determine the following:

19 “(1) Whether the units and members of the
20 Army National Guard comply with Federal law and
21 policy applicable to the National Guard, including
22 policies issued by the Department of Defense, the
23 Department of the Army, and the National Guard
24 Bureau.

1 “(2) Whether the units and members of the Air
 2 National Guard comply with Federal law and policy
 3 applicable to the National Guard, including policies
 4 issued by the Department of Defense, the Depart-
 5 ment of the Air Force, and the National Guard Bu-
 6 reau.”.

7 **SEC. 1037. ENHANCEMENT OF AUTHORITIES ON FOR-**
 8 **FEITURE OF FEDERAL BENEFITS BY THE NA-**
 9 **TIONAL GUARD.**

10 (a) IN GENERAL.—The text of section 108 of title
 11 32, United States Code, is amended to read as follows:

12 “(a) AVAILABILITY OF FUNDS CONTINGENT ON COM-
 13 PLIANCE WITH FEDERAL LAW AND POLICY.—The avail-
 14 ability of Federal funds provided to the National Guard
 15 of individual States is contingent upon compliance with
 16 Federal law and policy applicable to the National Guard.

17 “(b) BAR OF STATES FOR FAILURE TO COMPLY.—
 18 If, within a time fixed by the President, a State fails to
 19 comply with Federal law or policy applicable to the Na-
 20 tional Guard, a requirement of this title, or a regulation
 21 prescribed under this title, the National Guard of that
 22 State is barred, in whole or in part (as the President may
 23 prescribe), from receiving such money or other aid, ben-
 24 efit, or privilege authorized by law with respect to the Na-
 25 tional Guard of that State as the President may prescribe.

1 “(c) BAR OR WITHDRAWAL OF RECOGNITION OF OF-
 2 FICERS FOR FAILURE TO COMPLY.—If, within a time
 3 fixed by the President, an officer of the National Guard
 4 fails to comply with Federal law or policy applicable to
 5 the National Guard, the President may bar the officer
 6 from receiving Federal funds, or withdraw the officer’s
 7 Federal recognition under section 323 of this title.

8 “(d) BAR OR WITHDRAWAL OF RECOGNITION OF
 9 UNITS FOR FAILURE TO COMPLY.—If, within a time fixed
 10 by the President, a unit of the National Guard fails to
 11 comply with Federal law or policy applicable to the Na-
 12 tional Guard, the President may bar the unit from receiv-
 13 ing Federal funds, or withdraw the unit’s Federal recogni-
 14 tion.

15 “(e) ADVANCE NOTICE TO CONGRESS ON FINAL AC-
 16 TIONS.—Before taking a final action under subsection (c)
 17 or (d), President shall notify the Committees on Armed
 18 Services of the Senate and the House of Representatives
 19 of such final action.

20 “(f) LIMITATION ON DELEGATION OF FINAL AC-
 21 TIONS.—The President may not delegate the authority to
 22 take a final action under subsection (c) or (d) to any offi-
 23 cial other than the Secretary of Defense.”.

24 (b) EFFECTIVE DATE.—The amendment made by
 25 subsection (a) shall take effect on October 1, 2019, and

1 shall apply with respect to amounts authorized to be ap-
2 propriated for fiscal years that begin on or after that date.

3 **SEC. 1038. MODERNIZATION OF AUTHORITIES ON PROP-**
4 **ERTY AND FISCAL OFFICERS OF THE NA-**
5 **TIONAL GUARD.**

6 (a) PROPERTY AND FISCAL OFFICER FOR EACH
7 STATE FROM NGB.—Section 708 of title 32, United
8 States Code, is amended—

9 (1) by striking subsection (a) and inserting the
10 following new subsection (a):

11 “(a) PROPERTY AND FISCAL OFFICER FOR EACH
12 STATE.—(1) The Chief of the National Guard Bureau
13 shall assign, designate, or detail, subject to the approval
14 of the Secretary of the Army or the Secretary of the Air
15 Force, as applicable, a qualified commissioned officer or-
16 dered to active duty in the National Guard Bureau under
17 section 12402(a) of title 10 to be the property and fiscal
18 officer of each State, Territory, and the District of Colum-
19 bia.

20 “(2)(A) An officer may not be assigned, designated,
21 or detailed as the property and fiscal officer of a State,
22 Territory, or the District of Columbia under paragraph
23 (1) if the officer has served within such jurisdiction during
24 the 36 months preceding such assignment, designation, or
25 detail.

1 “(B) The Secretary of the Army or the Secretary of
 2 the Air Force may waive the applicability of subparagraph
 3 (A) to the assignment, designation, or detail of a par-
 4 ticular officer if such Secretary considers the waiver to
 5 be in the best interests of the State, Territory, or District
 6 of Columbia, as applicable, concerned.

7 “(3) An officer assigned, designated, or detailed as
 8 a property and fiscal officer under paragraph (1) shall,
 9 while so serving as such an officer, serve in a grade com-
 10 mensurate with the functions and responsibilities of the
 11 officer, but not above the grade of colonel.”; and

12 (2) by striking subsection (d).

13 (b) SUPPORT STAFF.—Such section is further
 14 amended—

15 (1) by redesignating subsections (b) and (c) as
 16 subsections (c) and (d), respectively; and

17 (2) by inserting after subsection (a), as amend-
 18 ed by subsection (a) of this section, the following
 19 new subsection (b):

20 “(b) SUPPORT STAFF.—The Chief of the National
 21 Guard Bureau shall assign, designate, or detail other per-
 22 sonnel of the National Guard Bureau to serve as the Fed-
 23 eral support staff for the property and fiscal officer for
 24 the National Guard of each State, Territory, or the Dis-
 25 trict of Columbia under subsection (a).”.

1 (c) RESPONSIBILITIES.—Subsection (c) of such sec-
 2 tion, as redesignated by subsection (b)(1) of this section,
 3 is amended—

4 (1) by inserting “RESPONSIBILITIES OF OFFI-
 5 CERS.—” after “(c)”;

6 (2) in paragraph (1), by striking “he” and in-
 7 serting “such officer”; and

8 (3) in paragraph (2), by inserting “, the Chief
 9 of Staff of the Army or the Chief of Staff of the Air
 10 Force (as applicable), or the Chief of the National
 11 Guard Bureau” before the period at the end.

12 (d) OTHER MATTERS.—Such section is further
 13 amended—

14 (1) by striking subsection (d), as redesignated
 15 by subsection (b)(1) of this section; and

16 (2) by striking subsection (e).

17 (e) INTRUSTMENT OF MONIES.—Such section is fur-
 18 ther amended—

19 (1) by redesignating subsection (f) as sub-
 20 section (d); and

21 (2) in subsection (d), as so redesignated—

22 (A) by inserting “INTRUSTMENT OF MON-
 23 IES.—” after “(d)”;

24 (B) by striking “an officer” and inserting
 25 “a Federally recognized officer”;

1 (C) by striking “him” and inserting “such
2 agent officer”; and

3 (D) by striking “he” and inserting “the
4 agent officer”.

5 **SEC. 1039. LIMITATION ON PLACEMENT BY THE UNDER**
6 **SECRETARY OF DEFENSE FOR PERSONNEL**
7 **AND READINESS OF WORK WITH FEDERALLY**
8 **FUNDED RESEARCH AND DEVELOPMENT**
9 **CENTERS.**

10 (a) LIMITATION.—The Under Secretary of Defense
11 for Personnel and Readiness may not place any work with
12 a federally funded research and development center
13 (FFRDC) until the Under Secretary submits to the Com-
14 mittees on Armed Services of the Senate and the House
15 of Representatives a report on all studies, reports, and
16 other analyses being undertaken for the Under Secretary
17 as of the date of the report by federally funded research
18 and development centers.

19 (b) ELEMENTS.—The report required by subsection
20 (a) shall set forth the following:

21 (1) A list of each study, report, and analysis de-
22 scribed by subsection (a).

23 (2) For each study, report, or analysis, the fol-
24 lowing:

25 (A) Title.

1 (B) Federally funded research and develop-
2 ment center undertaking.

3 (C) Amount of contract.

4 (D) Anticipated completion date.

5 **SEC. 1040. TERMINATION OF REQUIREMENT FOR DEPART-**
6 **MENT OF DEFENSE FACILITY ACCESS CLEAR-**
7 **ANCES FOR JOINT VENTURES COMPOSED OF**
8 **PREVIOUSLY-CLEARED ENTITIES.**

9 A clearance for access to a Department of Defense
10 installation or facility may not be required for a joint ven-
11 ture if that joint venture is composed entirely of entities
12 that are currently cleared for access to such installation
13 or facility.

14 **SEC. 1041. DESIGNATION OF DEPARTMENT OF DEFENSE**
15 **STRATEGIC ARCTIC PORTS.**

16 (a) FINDINGS.—Congress makes the following find-
17 ings:

18 (1) The strategic importance of the Arctic con-
19 tinues to increase as the United States and other
20 countries recognize the military significance of the
21 sea lanes and choke points within the region and un-
22 derstand the potential for power projection from the
23 Arctic into multiple regions.

24 (2) On January 19, 2018, Secretary of Defense
25 James Mattis released the document titled “2018

1 National Defense Strategy of the United States of
2 America” in which the Secretary outlined the re-
3 emergence of long-term, strategic competition by
4 countries classified by the National Security Strat-
5 egy as revisionist powers.

6 (3) Russia and China have conducted military
7 exercises together in the Arctic, have agreed to con-
8 nect the Northern Sea Route, claimed by Russia,
9 with China’s Maritime Silk Road, and are working
10 together in developing natural gas resources in the
11 Arctic.

12 (4) The Government of the Russian Federa-
13 tion—

14 (A) has prioritized the development of Arc-
15 tic capabilities and has made significant invest-
16 ments in military infrastructure in the Arctic,
17 including the creation of a new Arctic Com-
18 mand and the construction or refurbishment of
19 16 deepwater ports and 14 airfields in the re-
20 gion;

21 (B) has approximately 40 icebreakers as of
22 May 2019, including several nuclear-powered
23 icebreakers, is currently constructing four ice-
24 breakers, and is planning to build an additional
25 eight icebreakers; and

1 (C) conducted the largest military exercise
2 since the 1980s, Vostok 2018, which included—

- 3 (i) 300,000 troops;
4 (ii) 1,000 aircraft;
5 (iii) 80 ships;
6 (iv) 36,000 vehicles; and
7 (v) notably, 3,200 Chinese troops, 30
8 Chinese rotary and fixed-wing aircraft, and
9 900 Chinese tanks.

10 (5) The Government of the People’s Republic of
11 China—

12 (A) released, in January 2018, its new
13 Arctic Strategy, the Polar Silk Road, in which
14 it declares itself as a “near-Arctic state”, even
15 though its nearest territory to the Arctic is 900
16 miles away;

17 (B) has publicly stated that it seeks to ex-
18 pand its “Belt and Road Initiative” to the Arc-
19 tic region, including current investment in the
20 natural gas fields in the Yamal Peninsula in
21 Russia, rare-earth element mines in Greenland,
22 and the real estate, alternative energy, and fish-
23 eries in Iceland; and

24 (C) has shown great interest in expanding
25 its Arctic presence, including through—

1 (i) the operation of research vessels in
2 the region;

3 (ii) the recent construction of the
4 Xuelong 2, or Snow Dragon II, the only
5 polar research boat vessel in the world that
6 can break ice while going forward or back-
7 ward;

8 (iii) a freedom of navigation operation
9 in the Aleutian Islands in 2015; and

10 (iv) its recent plans to develop a
11 33,000 ton nuclear-powered icebreaker.

12 (6) The economic significance of the Arctic con-
13 tinues to grow as countries around the globe begin
14 to understand the potential for maritime transpor-
15 tation through, and economic and trade development
16 in, the region.

17 (7) The Arctic is home to 13 percent of the
18 world's undiscovered oil, 30 percent of its undis-
19 covered gas, an abundance of uranium, rare earth
20 minerals, gold, diamonds, and millions of square
21 miles of untapped resources, including abundant
22 fisheries.

23 (8) The Bering Strait is experiencing signifi-
24 cant increases in international traffic from vessels
25 transiting the Northern Sea Route, increases which

1 are projected to continue if decreases in sea ice cov-
2 erage continue.

3 (9) Along a future ice-free Arctic shipping
4 route, a ship sailing from South Korea to Germany
5 would have an average travel time of just 23 days,
6 compared to 34 days via the Suez Canal and 46
7 days via the Cape of Good Hope.

8 (10) In a speech at the Arctic Forum in Sep-
9 tember 2011, Russian Federation President Vladi-
10 mir Putin highlighted the Northern Sea Route as a
11 potential alternative to the Suez Canal and has pub-
12 licly stated plans to invest \$11,400,000,000 along
13 the Northern Sea Route by 2024.

14 (11) Increases in human, maritime, and re-
15 source development activity in the Arctic region are
16 expected to create additional mission requirements
17 for the Department of Defense and the Department
18 of Homeland Security, given—

19 (A) the strategic focus of the Government
20 of the Russian Federation and the Government
21 of the People’s Republic of China on the Arctic;

22 (B) overlapping territorial claims; and

23 (C) the potential for maritime accidents,
24 oil spills, and illegal fishing near the exclusive
25 economic zone of the United States.

1 (12) The increasing role of the United States in
2 the Arctic has been highlighted in each of the last
3 four National Defense Authorization Acts.

4 (13) Section 1068 of the National Defense Au-
5 thorization Act for Fiscal Year 2016 (Public Law
6 114–92; 129 Stat. 992) required a new Department
7 of Defense strategy to protect United States na-
8 tional security interests in the Arctic region.

9 (14) Section 1095 of the National Defense Au-
10 thorization Act for Fiscal Year 2017 (Public Law
11 114–328; 130 Stat. 2438) required the Department
12 of Defense to create criteria to designate a Depart-
13 ment of Defense Strategic Arctic Port.

14 (15) Section 122 of the National Defense Au-
15 thorization Act for Fiscal Year 2018 (Public Law
16 115–91; 131 Stat. 1310) authorized the procure-
17 ment of one polar-class heavy icebreaker vessel.

18 (16) Section 151 of the John S. McCain Na-
19 tional Defense Authorization Act for Fiscal Year
20 2019 (Public Law 115–232) authorized the procure-
21 ment of five additional polar-class icebreaker vessels
22 and expressed that the Coast Guard should—

23 (A) maintain an inventory of not fewer
24 than six polar-class icebreaker vessels;

1 (B) award a contract for the first new
2 polar-class icebreaker not later than fiscal year
3 2019 and deliver the icebreaker not later than
4 fiscal year 2023; and

5 (C) deliver the second through sixth polar-
6 class icebreakers at a rate of one vessel per
7 year in fiscal years 2025 through 2029.

8 (17) In January 2017, the Department of De-
9 fense released a report entitled “Report to Congress
10 on Strategy to Protect United States National Secu-
11 rity Interests in the Arctic Region” to update “the
12 ways and means” the Department of Defense in-
13 tends to use to achieve its objectives as it imple-
14 ments the 2013 National Strategy for the Arctic Re-
15 gion, including—

16 (A) enhancing the capability of United
17 States forces to defend the homeland and exer-
18 cise sovereignty;

19 (B) strengthening deterrence at home and
20 abroad;

21 (C) preserving freedom of the seas in the
22 Arctic; and

23 (D) evolving the infrastructure and capa-
24 bilities of the Department in the Arctic con-
25 sistent with changing conditions and needs.

1 (18) The United States Coast Guard Arctic
2 Strategic Outlook released in April 2019 states,
3 “Demonstrating commitment to operational pres-
4 ence, Canada, Denmark, and Norway have made
5 strategic investments in ice-capable patrol ships
6 charged with national or homeland security missions.
7 [The United States] is the only Arctic State that
8 has not made similar investments in ice-capable sur-
9 face maritime security assets. This limits the ability
10 of the Coast Guard, and the Nation, to credibly up-
11 hold sovereignty or respond to contingencies in the
12 Arctic”.

13 (19) On January 12, 2017, Secretary of De-
14 fense James Mattis stated, “The Arctic is key stra-
15 tegic terrain . . . Russia is taking aggressive steps
16 to increase its presence there . . . I will prioritize
17 the development of an integrated strategy for the
18 Arctic. I believe that our interests and the security
19 of the Arctic would benefit from increasing the focus
20 of the Department of Defense on this region”.

21 (20) On January 9, 2019, Secretary of the Air
22 Force Heather Wilson and Chief of Staff of the Air
23 Force General David Goldfein wrote, “. . . the Arc-
24 tic has become even more important to the nation.
25 Both a northern approach to the United States, as

1 well as a critical location for projecting American
2 power, its geo-strategic significance is difficult to
3 overstate”.

4 (21) On February 26, 2019, General John
5 Hyten, Commander of the United States Strategic
6 Command, stated, “In particular, the Arctic is an
7 area that we really need to focus on and really look
8 at investing. That is no longer a buffer zone. We
9 need to be able to operate there. We need to be able
10 to communicate there. We need to have a presence
11 there that we have not invested in in the same way
12 that our adversaries have. And they see that as a
13 vulnerability from us, whereas it is becoming a
14 strength for them and it is a weakness for us, we
15 need to flip that equation”.

16 (22) On February 26, 2019, General Terrence
17 O’Shaughnessy, Commander of the United States
18 Northern Command stated, “It has become clear
19 that defense of the homeland depends on our ability
20 to detect and defeat threats operating both in the
21 Arctic and passing through the Arctic. Russia’s
22 fielding of advanced, long-range cruise missiles capa-
23 ble of flying through the northern approaches and
24 striking targets in the United States and Canada
25 has emerged as the dominant military threat in the

1 Arctic. . . . Meanwhile, China has declared that it
2 is not content to remain a mere observer in the Arctic
3 and has taken action to normalize its naval and
4 commercial presence in the region in order to increase
5 its access to lucrative resources and shipping
6 routes. I view the Arctic as the front line in the defense
7 of the United States and Canada . . .”.

8 (23) On May 6, 2019, Admiral Karl Schultz,
9 Commandant of the Coast Guard stated, “We talk
10 about the Arctic as a competitive space. We’ve seen
11 China, we see Russia investing extensively. China
12 built icebreakers in the time since we updated our
13 strategy. China’s been operating off the Alaskan
14 Arctic for a good part of the last six years on an annual
15 basis. [The Coast Guard is] championing increased
16 capabilities in the Arctic . . . better communications,
17 better domain awareness I want to
18 see the Arctic remain a peaceful domain. China’s a
19 self-declared Arctic state. They’re not one of the
20 eight Arctic nations, so for me, for the service, its
21 presence equals influence”.

22 (24) On May 6, 2019, Secretary of State Mike
23 Pompeo stated that—

24 (A) the Arctic “has become an arena for
25 power and for competition”, and the United

1 States is “entering a new age of strategic en-
 2 gagement in the Arctic, complete with new
 3 threats to the Arctic and its real estate, and to
 4 all of our interests in that region.”;

5 (B) “Arctic sea lanes could become the
 6 21st century Suez and Panama Canals.”;

7 (C) “We’re concerned about Russia’s claim
 8 over the international waters of the Northern
 9 Sea Route, including its newly announced plans
 10 to connect it with China’s Maritime Silk
 11 Road.”;

12 (D) “In the Northern Sea Route, Moscow
 13 already illegally demands other nations request
 14 permission to pass, requires Russian maritime
 15 pilots to be aboard foreign ships, and threatens
 16 to use military force to sink any that fail to
 17 comply with their demands.”;

18 (E) there is a “pattern of aggressive Rus-
 19 sian behavior here in the Arctic” and “we know
 20 Russian territorial ambitions can turn violent”;
 21 and

22 (F) we do not want “the Arctic Ocean to
 23 transform into a new South China Sea, fraught
 24 with militarization and competing territorial
 25 claims”, nor do we want “the fragile Arctic en-

1 vironment exposed to the same ecological devas-
2 tation caused by China’s fishing fleet in the
3 seas off its coast, or unregulated industrial ac-
4 tivity in its own country”.

5 (25) On December 6, 2018, Secretary of the
6 Navy Richard Spencer stated, “We need to have a
7 strategic Arctic port up in Alaska. We need to be
8 doing FONOPs in the northwest – in the northern
9 passage. . . . peace through presence with a sub-
10 marine is a little tough”.

11 (26) Meanwhile, the two closest strategic sea-
12 ports, as designated by the Department of Defense,
13 to the Arctic Circle are the Port of Anchorage and
14 the Port of Tacoma, located approximately 1,500
15 nautical miles and 2,400 nautical miles away, re-
16 spectively, and approximately 1,900 nautical miles
17 and 2,800 nautical miles respectively from Barrow,
18 Alaska.

19 (27) The distance from Bangor, Maine, to Key
20 West, Florida, is approximately 1,450 nautical miles.

21 (b) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that—

23 (1) the Arctic is a region of strategic impor-
24 tance to the national security interests of the United
25 States and the Department of Defense must better

1 align its presence, force posture, and capabilities to
2 meet the growing array of challenges in the region;
3 and

4 (2) although much progress has been made to
5 increase awareness of Arctic issues and to promote
6 increased presence in the region, additional meas-
7 ures, including the designation of one or more stra-
8 tegic Arctic ports, are needed to show the commit-
9 ment of the United States to this emerging strategic
10 choke point of future great power competition.

11 (c) REPORT REQUIRED.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment of this Act, the Sec-
14 retary of Defense, in consultation with the Chairman
15 of the Joint Chiefs of Staff, the Commanding Gen-
16 eral of the United States Army Corps of Engineers,
17 the Commandant of the Coast Guard, and the Ad-
18 ministrator of the Maritime Administration, shall
19 submit to the congressional defense committees a re-
20 port evaluating potential sites for one or more stra-
21 tegic ports in the Arctic.

22 (2) ELEMENTS.—Consistent with the updated
23 military strategy for the protection of United States
24 national security interests in the Arctic region set
25 forth in the report required under section 1068 of

1 the National Defense Authorization Act for Fiscal
2 Year 2016 (Public Law 114–92; 129 Stat. 992), the
3 report required under paragraph (1) shall include—

4 (A) an evaluation of the amount of suffi-
5 cient and suitable space needed to create capac-
6 ity for port and other necessary infrastructure
7 for at least one of each of type of Navy or
8 Coast Guard vessel, including an Arleigh Burke
9 class destroyer of the Navy, a national security
10 cutter, and a heavy polar ice breaker of the
11 Coast Guard;

12 (B) an evaluation of the amount of suffi-
13 cient and suitable space needed to create capac-
14 ity for equipment and fuel storage, techno-
15 logical infrastructure, and civil infrastructure to
16 support military and civilian operations, includ-
17 ing—

18 (i) aerospace warning;

19 (ii) maritime surface and subsurface
20 warning;

21 (iii) maritime control and defense;

22 (iv) maritime domain awareness;

23 (v) homeland defense;

24 (vi) defense support to civil authori-
25 ties;

- 1 (vii) humanitarian relief;
- 2 (viii) search and rescue;
- 3 (ix) disaster relief;
- 4 (x) oil spill response;
- 5 (xi) medical stabilization and evacu-
- 6 ation; and
- 7 (xii) meteorological measurements and
- 8 forecasting;
- 9 (C) an identification of proximity and road
- 10 access required to an airport designated as a
- 11 commercial service airport by the Federal Avia-
- 12 tion Administration that is capable of sup-
- 13 porting military and civilian aircraft for oper-
- 14 ations designated in subparagraph (B);
- 15 (D) a description of the requirements, to
- 16 include infrastructure and installations, commu-
- 17 nications, and logistics necessary to improve re-
- 18 sponse effectiveness to support military and ci-
- 19 vilian operations described in subparagraph
- 20 (B);
- 21 (E) an identification of the sites that the
- 22 Secretary recommends as potential sites for
- 23 designation as Department of Defense Strategic
- 24 Arctic Ports;

1 (F) the estimated cost of sufficient con-
2 struction necessary to initiate and sustain ex-
3 pected operations at such sites; and

4 (G) such other information as the Sec-
5 retary deems relevant.

6 (d) DESIGNATION OF STRATEGIC ARCTIC PORTS.—

7 Not later than 90 days after the date on which the report
8 required under subsection (c) is submitted, the Secretary
9 of Defense, in consultation with the Chairman of the Joint
10 Chiefs of Staff, the Commanding General of the United
11 States Army Corps of Engineers, the Commandant of the
12 Coast Guard, and the Administrator of the Maritime Ad-
13 ministration, shall designate one or more ports as Depart-
14 ment of Defense Strategic Arctic Ports from the sites
15 identified under subsection (c)(2)(E).

16 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion may be construed to authorize any additional appro-
18 priations for the Department of Defense for the establish-
19 ment of any port designated pursuant to this section.

20 (f) ARCTIC DEFINED.—In this section, the term
21 “Arctic” has the meaning given that term in section 112
22 of the Arctic Research and Policy Act of 1984 (15 U.S.C.
23 4111).

1 **SEC. 1042. EXTENSION OF NATIONAL SECURITY COMMIS-**
2 **SION ON ARTIFICIAL INTELLIGENCE.**

3 (a) EXTENSION.—Subsection (e) of section 1051 of
4 the John S. McCain National Defense Authorization Act
5 for Fiscal Year 2019 (Public Law 115–232; 132 Stat.
6 1962) is amended by striking “October 1, 2020” and in-
7 serting “March 1, 2021”.

8 (b) REPORTS.—Subsection (c) of such section is
9 amended—

10 (1) in paragraph (1), by striking “Not later
11 than 180 days after the date of the enactment of
12 this Act” and inserting “Not later than August 1,
13 2019”;

14 (2) by redesignating paragraph (3) as para-
15 graph (4); and

16 (3) by inserting after paragraph (1) the fol-
17 lowing new paragraphs:

18 “(2) INTERIM REPORTS.—Not later than each
19 of December 1, 2019, and December 1, 2020, the
20 Commission shall submit as described in that para-
21 graph an interim report on the review required
22 under subsection (b).

23 “(3) FINAL REPORT.—Not later than March 1,
24 2021, the Commission shall submit as described in
25 paragraph (1) a comprehensive final report on the
26 review required under subsection (b).”.

1 **SEC. 1043. AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA**
2 **DIOXIN CLEANUP.**

3 (a) **TRANSFER AUTHORITY.**—Notwithstanding sec-
4 tion 2215 of title 10, United States Code, the Secretary
5 of Defense may transfer to the Secretary of State, for use
6 by the United States Agency for International Develop-
7 ment, amounts to be used for the Bien Hoa dioxin cleanup
8 in Vietnam.

9 (b) **LIMITATION ON AMOUNT.**—Not more than
10 \$15,000,000 may be transferred in fiscal year 2020 under
11 the authority in subsection (a).

12 (c) **ADDITIONAL TRANSFER AUTHORITY.**—The
13 transfer authority in subsection (a) is in addition to any
14 other transfer authority available to the Department of
15 Defense.

16 **SEC. 1044. LIMITATION ON USE OF FUNDS TO HOUSE CHIL-**
17 **DREN SEPARATED FROM PARENTS.**

18 (a) **IN GENERAL.**—None of the amounts authorized
19 to be appropriated by this Act to the Department of De-
20 fense for fiscal year 2020 may be used to house a child
21 separated from a parent.

22 (b) **CHILD SEPARATED FROM A PARENT DE-**
23 **FINED.**—The term “child separated from a parent” means
24 a person who—

1 (1) entered the United States, before attaining
 2 18 years of age, at a port of entry or between ports
 3 of entry; and

4 (2) was separated from his or her parent or
 5 legal guardian by the Department of Homeland Se-
 6 curity, and the Department of Homeland Security
 7 failed to demonstrate in a hearing that the parent
 8 or legal guardian was unfit or presented a danger to
 9 the child.

10 **SEC. 1045. USE OF FUNDS FOR DEFENSE OF THE ARMED**
 11 **FORCES AND UNITED STATES CITIZENS**
 12 **AGAINST ATTACK BY FOREIGN HOSTILE**
 13 **FORCES.**

14 Amounts authorized to be appropriated by this Act
 15 may be used to ensure the ability of the Armed Forces
 16 of the United States to defend themselves, and United
 17 States citizens, against attack by the government, military
 18 forces, or proxies of a foreign nation or by other hostile
 19 forces.

20 **Subtitle F—Studies and Reports**

21 **SEC. 1051. MODIFICATION OF ANNUAL REPORTING RE-**
 22 **QUIREMENTS ON DEFENSE MANPOWER.**

23 (a) CONVERSION OF ANNUAL REQUIREMENTS RE-
 24 PORT INTO ANNUAL PROFILE REPORT.—Section 115a of
 25 title 10, United States Code, is amended—

1 (1) in subsection (a)—

2 (A) in the matter preceding paragraph (1),
3 by striking the first two sentences and inserting
4 the following new sentence: “Not later than
5 April 1 each year, the Secretary of Defense
6 shall submit to Congress a defense manpower
7 profile report.”;

8 (B) in paragraph (1), by adding “and” at
9 the end;

10 (C) in paragraph (2), by striking “; and”
11 and inserting a period; and

12 (D) by striking paragraph (3);

13 (2) in subsection (b)—

14 (A) by striking “(1)”; and

15 (B) by striking paragraphs (2) and (3);

16 (3) in subsection (c), by striking “the fol-
17 lowing:” and all that follows and inserting “the
18 manpower required for support and overhead func-
19 tions within the armed forces and the Department of
20 Defense.”;

21 (4) by striking subsections (e) and (h); and

22 (5) by redesignating subsections (f) and (g) as
23 subsections (e) and (f), respectively.

1 (b) CONVERSION OF CERTAIN CURRENT REPORT
 2 ELEMENTS INTO SEPARATE, MODIFIED REPORTS.—Such
 3 section is further amended—

4 (1) in subsection (e), as redesignated by sub-
 5 section (a)(5) of this section—

6 (A) in the matter preceding paragraph (1),
 7 by striking “The Secretary shall also include in
 8 each such report” and inserting “Not later than
 9 June 1 each year, the Secretary shall submit to
 10 Congress a report that sets forth”; and

11 (B) in paragraph (1), by striking “and es-
 12 timates of such numbers for the current fiscal
 13 year and subsequent fiscal years”; and

14 (2) in subsection (f), as so redesignated—

15 (A) in the matter preceding paragraph (1),
 16 by striking “In each report submitted under
 17 subsection (a), the Secretary shall also include
 18 a detailed discussion” and inserting “Not later
 19 than September 1 each year, the Secretary shall
 20 submit to Congress a report that sets forth a
 21 detailed discussion, current as of the preceding
 22 fiscal year”; and

23 (B) by striking “the year” each place it
 24 appears and inserting “the fiscal year”.

25 (c) CONFORMING AND CLERICAL AMENDMENTS.—

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

3 **“§ 115a. Annual defense manpower profile report and**
 4 **related reports”.**

5 (2) CLERICAL AMENDMENT.—The table of sec-
 6 tions at the beginning of chapter 3 of such title is
 7 amended by striking the item relating to section
 8 115a and inserting the following new item:

“115a. Annual defense manpower profile report and related reports.”.

9 **SEC. 1052. REPORT ON DEPARTMENT OF DEFENSE EF-**
 10 **FORTS TO IMPLEMENT A FORCE PLANNING**
 11 **PROCESS IN SUPPORT OF IMPLEMENTATION**
 12 **OF THE 2018 NATIONAL DEFENSE STRATEGY.**

13 (a) REPORT REQUIRED.—Not later than February 1,
 14 2020, the Under Secretary of Defense for Policy shall sub-
 15 mit to the congressional defense committees a report set-
 16 ting forth the plan and processes of the Department of
 17 Defense to provide analytic support to senior leaders of
 18 the Department for the force planning required to imple-
 19 ment the 2018 National Defense Strategy. The analytic
 20 support shall be designed to weigh options, examine trade-
 21 offs across the joint force, and drive decisions on force
 22 sizing, shaping, capability, and concept development in
 23 order to address the threats outlined in the 2018 National
 24 Defense Strategy.

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

3 (1) The major elements, products, and mile-
4 stones of the force planning process of the Depart-
5 ment.

6 (2) The conclusions and recommendations of
7 the Defense Planning and Analysis Community ini-
8 tiative.

9 (3) The progress of the Department in imple-
10 menting the recommendations of the Comptroller
11 General of the United States set forth in Govern-
12 ment Accountability Office Report GAO–19–40C.

13 (4) The progress of the Under Secretary, the
14 Chairman of the Joint Chiefs of Staff, and the Di-
15 rector of Cost Assessment and Program Evaluation
16 in implementing paragraph (5) of section 134(b) of
17 title 10, United States Code, as added by section
18 902(b) of the John S. McCain National Defense Au-
19 thorization Act for Fiscal Year 2019 (Public Law
20 115–232).

21 **SEC. 1053. EXTENSION OF ANNUAL REPORTS ON CIVILIAN**
22 **CASUALTIES IN CONNECTION WITH UNITED**
23 **STATES MILITARY OPERATIONS.**

24 Section 1057(e) of the National Defense Authoriza-
25 tion Act for Fiscal Year 2018 (Public Law 115–91; 131

1 Stat. 1572) is amended by striking “the date this is five
2 years after the date of the enactment of this Act” and
3 inserting “December 31, 2025”.

4 **SEC. 1054. REPORT ON JOINT FORCE PLAN FOR IMPLEMEN-**
5 **TATION OF STRATEGIES OF THE DEPART-**
6 **MENT OF DEFENSE FOR THE ARCTIC.**

7 (a) IN GENERAL.—Not later than 270 days after the
8 date on which the Secretary of Defense submits to the
9 congressional defense committees the report on an up-
10 dated Arctic strategy to improve and enhance joint oper-
11 ations required by section 1071 of the John S. McCain
12 National Defense Authorization Act for Fiscal Year 2019
13 (Public Law 115–232), the Secretary of Defense shall, in
14 coordination with the Secretary of the Army, the Secretary
15 of the Navy, and the Secretary of the Air Force, submit
16 to the congressional defense committees a joint force plan
17 for implementation of the following:

18 (1) The December 2016 Report to Congress on
19 the Strategy to Protect United States National Se-
20 curity Interests in the Arctic Region.

21 (2) The updated Arctic strategy to improve and
22 enhance joint operations.

23 (b) ELEMENTS.—The report required by subsection
24 (a) shall include the following in connection with the strat-
25 egies for the Arctic referred to in that subsection:

1 (1) A description of the specific means for—

2 (A) enhancing the capability of the Armed
3 Forces to defend the homeland and exercise
4 sovereignty;

5 (B) strengthening deterrence at home and
6 abroad;

7 (C) strengthening alliances and partner-
8 ships;

9 (D) preserving freedom of the seas in the
10 Arctic;

11 (E) engaging public, private, and inter-
12 national partners to improve domain awareness
13 in the Arctic;

14 (F) developing Department of Defense
15 Arctic infrastructure and capabilities consistent
16 with changing conditions and needs;

17 (G) providing support to civil authorities,
18 as directed;

19 (H) partnering with other departments,
20 agencies, and countries to support human and
21 environmental security; and

22 (I) supporting international institutions
23 that promote regional cooperation and the rule
24 of law.

1 (2) An analysis of the operational and contin-
 2 gency plans for the protection of United States na-
 3 tional security interests in the Arctic region.

4 (3) A description of training, capability, and re-
 5 source gaps that must be addressed to execute each
 6 mission described in the updated Arctic strategy.

7 (4) A description of the current and projected
 8 Arctic capabilities of the Russian Federation and the
 9 People's Republic of China, and an analysis of
 10 United States capabilities for satisfying—

11 (A) each mission described in the updated
 12 Arctic strategy; and

13 (B) the strategic objectives in the National
 14 Defense Strategy.

15 (c) FORM.—The report required by subsection (a)
 16 shall be submitted in unclassified form, but may include
 17 a classified annex.

18 **SEC. 1055. REPORT ON USE OF NORTHERN TIER BASES IN**
 19 **IMPLEMENTATION OF ARCTIC STRATEGY OF**
 20 **THE UNITED STATES.**

21 (a) IN GENERAL.—Not later than 180 days after the
 22 date of the enactment of this Act, the Secretary of De-
 23 fense, in coordination with the Secretary of the Air Force,
 24 shall submit to the congressional defense committees a re-
 25 port outlining how bases in the northern latitudes, includ-

1 ing Northern Tier bases, may be used in the implementa-
2 tion of—

3 (1) recommendations included in the report
4 submitted by the Secretary of Defense to Congress
5 in December 2016 entitled “Report to Congress on
6 Strategy to Protect United States National Security
7 Interests in the Arctic Region”; and

8 (2) the updated Arctic strategy to improve and
9 enhance joint operations required to be submitted to
10 the congressional defense committees under section
11 1071 of the John S. McCain National Defense Au-
12 thorization Act for Fiscal Year 2019 (Public Law
13 115–232).

14 (b) INCLUSION OF MISSION SETS.—The report under
15 subsection (a) shall include a description of current and
16 future mission sets at Northern Tier bases that may fur-
17 ther the Arctic strategy of the United States.

18 (c) NORTHERN TIER BASES DEFINED.—In this sec-
19 tion, the term “Northern Tier bases” means installations
20 in the continental United States that are located in States
21 bordering Canada.

1 **SEC. 1056. REPORT ON THE DEPARTMENT OF DEFENSE**
2 **PLAN FOR MASS-CASUALTY DISASTER RE-**
3 **SPONSE OPERATIONS IN THE ARCTIC.**

4 (a) SENSE OF SENATE.—It is the sense of the Senate
5 that—

6 (1) the Department of Defense may be called
7 upon to support the Coast Guard and other agencies
8 of the Department of Homeland Security in re-
9 sponding to any mass-casualty disaster response op-
10 erations in the Arctic;

11 (2) coordination between the Department of
12 Defense and the Coast Guard might be necessary for
13 responding to a mass-casualty event in the Arctic;
14 and

15 (3) prior planning for Arctic mass-casualty dis-
16 aster response operations will bolster the response of
17 the Federal Government to a mass-casualty disaster
18 in the Arctic environment.

19 (b) REPORT.—Not later than 180 days after the date
20 of the enactment of this Act, the Secretary of Defense
21 shall, in coordination with the Secretary of Homeland Se-
22 curity, submit to the appropriate committees of Congress
23 a report on the plan of the Department of Defense for
24 assisting mass-casualty disaster response operations in the
25 Arctic.

1 (c) ELEMENTS.—The report required by subsection
2 (b) shall include the following:

3 (1) A description of the assets that could be
4 made available to support other agencies and depart-
5 ments of the Federal Government for mass-casualty
6 disaster response operations in the Arctic.

7 (2) A description and assessment of the com-
8 mand, control, and coordination relationships that
9 would be useful to integrate rescue forces for such
10 operations from multiple departments and agencies
11 of the Federal Government.

12 (3) A description and assessment of the com-
13 munications assets that could be made available in
14 support of other agencies and departments of the
15 Federal Government for communication and coordi-
16 nation in such operations.

17 (4) A description of any cooperative arrange-
18 ments with Canada and other regional partners in
19 providing rescue assets and infrastructure in connec-
20 tion with such operations.

21 (5) A description of available medical infra-
22 structure and assets that could be made available in
23 support of other agencies and departments of the
24 Federal Government for aeromedical evacuation in
25 connection with such operations.

1 (6) A description of available shelter locations
2 that could be made available in support of other
3 agencies and departments of the Federal Govern-
4 ment for use in connection with such operations, in-
5 cluding the number of people that can be sheltered
6 per location.

7 (7) An assessment of logistical challenges that
8 evacuations from the Arctic in connection with such
9 operations entail, including potential rotary and
10 fixed-wing aircraft trans-load locations and onward
11 movement requirements.

12 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
13 FINED.—In this section, the term “appropriate commit-
14 tees of Congress” means—

15 (1) the Committee on Armed Services, the
16 Committee on Homeland Security and Governmental
17 Affairs, and the Committee on Appropriations of the
18 Senate; and

19 (2) the Committee on Armed Services, the
20 Committee on Homeland Security, and the Com-
21 mittee on Appropriations of the House of Represent-
22 atives.

1 **SEC. 1057. 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 by adding at the end the
8 following new subsection:

9 “(d) ANNUAL REPORTS ON APPROVALS FOR RE-
10 TIRED GENERAL AND FLAG OFFICERS.—(1) Not later
11 than January 31 each year, the Secretaries of the military
12 departments shall jointly submit to the appropriate com-
13 mittees and Members of Congress a report on each ap-
14 proval under subsection (b) for employment or compensa-
15 tion described in subsection (a) for a retired member of
16 the armed forces in a general or flag officer grade that
17 was issued during the preceding year.

18 “(2) In this subsection, the appropriate committees
19 and Members of Congress are—

20 “(A) the Committee on Armed Services, the
21 Committee on Foreign Relations, and the Committee
22 on Appropriations of the Senate;

23 “(B) the Committee on Armed Services, the
24 Committee on Foreign Affairs, and the Committee
25 on Appropriations of the House of Representatives;

1 “(C) the Majority Leader and the Minority
2 Leader of the Senate; and

3 “(D) the Speaker of the House of Representa-
4 tives and the Minority Leader of the House of Rep-
5 resentatives.”.

6 (b) SCOPE OF FIRST REPORT.—The first report sub-
7 mitted pursuant to subsection (d) of section 908 of title
8 37, United States Code (as added by subsection (a) of this
9 section), after the date of the enactment of this Act shall
10 cover the five-year period ending with the year before the
11 year in which such report is submitted.

12 **SEC. 1058. TRANSMITTAL TO CONGRESS OF REQUESTS FOR**
13 **ASSISTANCE RECEIVED BY THE DEPART-**
14 **MENT OF DEFENSE FROM OTHER DEPART-**
15 **MENTS.**

16 (a) REQUESTS FOR ASSISTANCE.—Not later than
17 seven calendar days after the receipt by the Department
18 of Defense of a Request for Assistance from the Depart-
19 ment of Homeland Security or the Department of Health
20 and Human Services, the Secretary of Defense shall elec-
21 tronically transmit to the Committees on Armed Services
22 of the Senate and the House of Representatives a copy
23 of such Request for Assistance.

24 (b) RESPONSES TO REQUESTS.—At the same time
25 the Secretary of Defense submits to the Secretary of

1 Homeland Security or the Secretary of Health and
2 Human Services an official response of the Department
3 of Defense to a Request for Assistance from the Depart-
4 ment of Homeland Security or the Department of Health
5 and Human Services, as applicable, the Secretary of De-
6 fense shall transmit to the Committees on Armed Services
7 of the Senate and the House of Representatives a copy
8 of such official response.

9 **SEC. 1059. SEMIANNUAL REPORT ON CONSOLIDATED ADJU-**
10 **DICATION FACILITY OF THE DEFENSE COUN-**
11 **TERINTELLIGENCE AND SECURITY AGENCY.**

12 Not less frequently than once every six months until
13 the Director of the Defense Counterintelligence and Secu-
14 rity Agency determines that a steady-state level has been
15 achieved for the Consolidated Adjudication Facility of the
16 Agency, the Director shall submit to the congressional de-
17 fense committees a report on inventory and timeliness
18 metrics relating to such facility.

19 **SEC. 1060 COMPTROLLER GENERAL OF THE UNITED**
20 **STATES REPORT ON POST-GOVERNMENT EM-**
21 **PLOYMENT OF FORMER DEPARTMENT OF DE-**
22 **FENSE OFFICIALS.**

23 Not later than 90 days after the date of the enact-
24 ment of this Act, the Comptroller General of the United
25 States shall initiate a review updating the information and

1 findings contained in the May 2008 Government Account-
 2 ability Office report entitled, “Defense Contracting: Post-
 3 Government Employment of Former DOD Officials Needs
 4 Greater Transparency” (GAO–08–485). The Comptroller
 5 General shall provide an interim briefing on the status of
 6 the review to the congressional defense committees not
 7 later than December 31, 2020, with a report to follow by
 8 a date agreed upon with the committees.

9 **Subtitle G—Treatment of Contami-**
 10 **nated Water Near Military In-**
 11 **stallations**

12 **SEC. 1071. SHORT TITLE.**

13 This subtitle may be cited as the “Prompt and Fast
 14 Action to Stop Damages Act of 2019”.

15 **SEC. 1072. DEFINITIONS.**

16 In this subtitle:

17 (1) PFOA.—The term “PFOA” means
 18 perfluorooctanoic acid.

19 (2) PFOS.—The term “PFOS” means
 20 perfluorooctane sulfonate.

21 **SEC. 1073. PROVISION OF WATER UNCONTAMINATED WITH**
 22 **PERFLUOROOCTANOIC ACID (PFOA) AND**
 23 **PERFLUOROOCTANE SULFONATE (PFOS) FOR**
 24 **AGRICULTURAL PURPOSES.**

25 (a) AUTHORITY.—

1 (1) IN GENERAL.—Using amounts authorized
2 to be appropriated or otherwise made available for
3 operation and maintenance for the military depart-
4 ment concerned, or for operation and maintenance
5 Defense-wide in the case of the Secretary of De-
6 fense, the Secretary concerned may provide water
7 sources uncontaminated with perfluoroalkyl and
8 polyfluoroalkyl substances, including PFOA and
9 PFOS, or treatment of contaminated waters, for ag-
10 ricultural purposes used to produce products des-
11 tined for human consumption in an area in which a
12 water source has been determined pursuant to para-
13 graph (2) to be contaminated with such compounds
14 by reason of activities on a military installation
15 under the jurisdiction of the Secretary concerned.

16 (2) APPLICABLE STANDARD.—For purposes of
17 paragraph (1), an area is determined to be contami-
18 nated with PFOA or PFOS if—

19 (A) the level of contamination is above the
20 Lifetime Health Advisory for contamination
21 with such compounds issued by the Environ-
22 mental Protection Agency and printed in the
23 Federal Register on May 25, 2016; or

24 (B) on or after the date the Food and
25 Drug Administration sets a standard for PFOA

1 and PFOS in raw agricultural commodities and
2 milk, the level of contamination is above such
3 standard.

4 (b) SECRETARY CONCERNED DEFINED.—In this sec-
5 tion, the term “Secretary concerned” means the following:

6 (1) The Secretary of the Army, with respect to
7 the Army.

8 (2) The Secretary of the Navy, with respect to
9 the Navy, the Marine Corps, and the Coast Guard
10 (when it is operating as a service in the Navy).

11 (3) The Secretary of the Air Force, with re-
12 spect to the Air Force.

13 (4) The Secretary of Defense, with respect to
14 the Defense Agencies.

15 **SEC. 1074. ACQUISITION OF REAL PROPERTY BY AIR**
16 **FORCE.**

17 (a) AUTHORITY.—

18 (1) IN GENERAL.—The Secretary of the Air
19 Force may acquire one or more parcels of real prop-
20 erty within the vicinity of an Air Force base that
21 has shown signs of contamination from PFOA and
22 PFOS due to activities on the base and which would
23 extend the contiguous geographic footprint of the
24 base and increase the force protection standoff near
25 critical infrastructure and runways.

1 (2) IMPROVEMENTS AND PERSONAL PROP-
2 ERTY.—The authority under paragraph (1) to ac-
3 quire real property described in that paragraph shall
4 include the authority to purchase improvements and
5 personal property located on that real property.

6 (3) RELOCATION EXPENSES.—The authority
7 under paragraph (1) to acquire real property de-
8 scribed in that paragraph shall include the authority
9 to provide Federal financial assistance for moving
10 costs, relocation benefits, and other expenses in-
11 curred in accordance with the Uniform Relocation
12 Assistance and Real Property Acquisition Policies
13 Act of 1970 (42 U.S.C. 4601 et seq.).

14 (b) ENVIRONMENTAL ACTIVITIES.—The Air Force
15 shall conduct such activities at a parcel or parcels of real
16 property acquired under subsection (a) as are necessary
17 to remediate contamination from PFOA and PFOS re-
18 lated to activities at the Air Force base.

19 (c) FUNDING.—Funds for the land acquisitions au-
20 thorized under subsection (a) shall be derived from
21 amounts authorized to be appropriated for fiscal year
22 2020 for military construction or the unobligated balances
23 of appropriations for military construction that are en-
24 acted after the date of the enactment of this Act.

1 (d) RULE OF CONSTRUCTION.—The authority under
2 this section constitutes authority to carry out land acqui-
3 sitions for purposes of section 2802 of title 10, United
4 States Code.

5 **SEC. 1075. REMEDIATION PLAN.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of Defense
8 shall submit to Congress a remediation plan for cleanup
9 of all water at or adjacent to a military base that is con-
10 taminated with PFOA or PFOS.

11 (b) STUDY.—In preparing the remediation plan
12 under subsection (a), the Secretary shall conduct a study
13 on the contamination of water at military bases with
14 PFOA or PFOS.

15 (c) BUDGET AMOUNT.—The Secretary shall ensure
16 that each budget of the President submitted to Congress
17 under section 1105(a) of title 31, United States Code, re-
18 quests funding in amounts necessary to address remedi-
19 ation efforts under the remediation plan submitted under
20 subsection (a).

Subtitle H—Other Matters

SEC. 1081. REVISION TO AUTHORITIES RELATING TO MAIL SERVICE FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CI- VILIANS OVERSEAS.

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

“(a)(1) First-class letter mail having the character of personal correspondence shall be carried, at no cost to the sender, in the manner provided by this section, when mailed by an eligible individual described in paragraph (2) and addressed to a place within the delivery limits of a United States post office, if—

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

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

1 “(2) An eligible individual described in this
2 paragraph is—

3 “(A) a member of the Armed Forces of the
4 United States on active duty, as defined in sec-
5 tion 101 of title 10; or

6 “(B) a civilian employee of the Depart-
7 ment of Defense or a military department who
8 is providing support to military operations.”.

9 (b) SURFACE SHIPMENT OF MAIL AUTHORIZED.—
10 Section 3401 of title 39, United States Code, is amend-
11 ed—

12 (1) by striking subsection (c);

13 (2) by redesignating subsections (d), (e), (f),
14 and (g) as subsections (c), (d), (e), and (f), respec-
15 tively; and

16 (3) by amending subsection (b) to read as fol-
17 lows:

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

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

1 “(2) Any parcel exceeding 1 pound in weight
2 but less than 70 pounds in weight and less than 130
3 inches in length and girth combined.

4 “(3) Publications published not less frequently
5 than once per week and featuring principally current
6 news of interest to members of the Armed Forces of
7 the United States and the general public.”.

8 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

9 (1) Section 3401 of title 39, United States
10 Code, is amended in the section heading by striking
11 **“and of friendly foreign nations”**.

12 (2) The table of sections for chapter 34 of title
13 39, United States Code, is amended by striking the
14 item relating to section 3401 and inserting the fol-
15 lowing:

“3401. Mailing privileges of members of Armed Forces of the United States.”.

16 **SEC. 1082. ACCESS TO AND USE OF MILITARY POST OF-**
17 **FICES BY UNITED STATES CITIZENS EM-**
18 **PLOYED OVERSEAS BY THE NORTH ATLANTIC**
19 **TREATY ORGANIZATION WHO PERFORM**
20 **FUNCTIONS IN SUPPORT OF MILITARY OPER-**
21 **ATIONS OF THE ARMED FORCES.**

22 Section 406 of title 39, United States Code, is
23 amended by adding at the end the following:

24 “(c)(1) The Secretary of Defense may authorize the
25 use of a post office established under subsection (a) in

1 a location outside the United States by citizens of the
2 United States—

3 “(A) who—

4 “(i) are employed by the North Atlantic
5 Treaty Organization; and

6 “(ii) perform functions in support of the
7 Armed Forces of the United States; and

8 “(B) if the Secretary makes a written deter-
9 mination that such use is—

10 “(i) in the best interests of the Depart-
11 ment of Defense; and

12 “(ii) otherwise authorized by applicable
13 host nation law or agreement.

14 “(2) No funds may be obligated or expended to estab-
15 lish, maintain, or expand a post office established under
16 subsection (a) for the purpose of use described in para-
17 graph (1) of this subsection.”.

18 **SEC. 1083. GUARANTEE OF RESIDENCY FOR SPOUSES OF**
19 **MEMBERS OF UNIFORMED SERVICES.**

20 (a) IN GENERAL.—Title VI of the Servicemembers
21 Civil Relief Act (50 U.S.C. 4021 et seq.) is amended by
22 adding at the end the following new section:

1 **“SEC. 707. GUARANTEE OF RESIDENCY FOR SPOUSES OF**
 2 **SERVICEMEMBERS.**

3 “For the purposes of establishing the residency of a
 4 spouse of a servicemember for any purpose, the spouse of
 5 a servicemember may elect to use the same residence as
 6 the servicemember regardless of the date on which the
 7 marriage of the spouse and the servicemember occurred.”.

8 (b) CLERICAL AMENDMENT.—The table of contents
 9 in section 1(b) of such Act is amended by inserting after
 10 the item relating to section 706 the following new item:

“Sec. 707. Guarantee of residency for spouses of servicemembers.”.

11 **SEC. 1084. EXTENSION OF REQUIREMENT FOR BRIEFINGS**
 12 **ON THE NATIONAL BIODEFENSE STRATEGY.**

13 Section 1086(d) of the National Defense Authoriza-
 14 tion Act for Fiscal year 2017 (Public Law 114–328; 130
 15 Stat. 2423; 6 U.S.C. 104) is amended by striking “March
 16 1, 2019” and inserting “March 1, 2025”.

17 **SEC. 1085. EXTENSION OF NATIONAL COMMISSION ON MILI-**
 18 **TARY AVIATION SAFETY.**

19 (a) EXTENSION OF DEADLINE FOR REPORT.—Sec-
 20 tion 1087(h)(2) of the John S. McCain National Defense
 21 Authorization Act for Fiscal Year 2019 (Public Law 115–
 22 232; 132 Stat. 1995) is amended by striking “March 1,
 23 2020” and inserting “December 31, 2020”.

24 (b) CALENDAR YEAR 2020 FUNDING.—Of the
 25 amount authorized to be appropriated for fiscal year 2020

1 for the Department of Defense by this Act, \$3,000,000
 2 shall be available for the National Commission on Aviation
 3 Safety under section 1087 of the John S. McCain National
 4 Defense Authorization Act for Fiscal Year 2019 in cal-
 5 endar year 2020.

6 **TITLE XI—CIVILIAN PERSONNEL** 7 **MATTERS**

8 **SEC. 1101. MODIFICATION OF TEMPORARY ASSIGNMENTS** 9 **OF DEPARTMENT OF DEFENSE EMPLOYEES** 10 **TO A PRIVATE-SECTOR ORGANIZATION.**

11 Section 1599g(e)(2)(A) of title 10, United States
 12 Code, is amended by inserting “permanent” after “with-
 13 out the”.

14 **SEC. 1102. MODIFICATION OF NUMBER OF AVAILABLE AP-** 15 **POINTMENTS FOR CERTAIN AGENCIES** 16 **UNDER PERSONNEL MANAGEMENT AUTHOR-** 17 **ITY TO ATTRACT EXPERTS IN SCIENCE AND** 18 **ENGINEERING.**

19 Section 1599h(b)(1) of title 10, United States Code,
 20 is amended—

21 (1) in subparagraph (A), by striking “40” and
 22 inserting “10”; and

23 (2) in subparagraph (B), by striking “100” and
 24 inserting “130”.

1 **SEC. 1103. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
2 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
3 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
4 **FICIAL DUTY IN A COMBAT ZONE.**

5 Paragraph (2) of section 1603(a) of the Emergency
6 Supplemental Appropriations Act for Defense, the Global
7 War on Terror, and Hurricane Recovery, 2006 (Public
8 Law 109–234; 120 Stat. 443), as added by section 1102
9 of the Duncan Hunter National Defense Authorization
10 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.
11 4616) and most recently amended by section 1115 of the
12 John S. McCain National Defense Authorization Act for
13 Fiscal Year 2019 (Public Law 115–232), is further
14 amended by striking “2020” and inserting “2021”.

15 **SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
16 **ANNUAL LIMITATION ON PREMIUM PAY AND**
17 **AGGREGATE LIMITATION ON PAY FOR FED-**
18 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
19 **SEAS.**

20 Subsection (a) of section 1101 of the Duncan Hunter
21 National Defense Authorization Act for Fiscal Year 2009
22 (Public Law 110–417; 122 Stat. 4615), as most recently
23 amended by section 1104(a) of the John S. McCain Na-
24 tional Defense Authorization Act for Fiscal Year 2019
25 (Public Law 115–232), is further amended by striking
26 “through 2019” and inserting “through 2020”.

1 **SEC. 1105. REIMBURSEMENT OF FEDERAL EMPLOYEES FOR**
2 **FEDERAL, STATE, AND LOCAL INCOME TAXES**
3 **INCURRED DURING TRAVEL, TRANSPOR-**
4 **TATION, AND RELOCATION.**

5 (a) IN GENERAL.—5724b of title 5, United States
6 Code, is amended—

7 (1) in the section heading by striking “**of em-**
8 **ployees transferred**”;

9 (2) in subsection (a)—

10 (A) in the first sentence, by striking “em-
11 ployee, or by an employee and such employee’s
12 spouse (if filing jointly), for any moving or stor-
13 age” and inserting “individual, or by an indi-
14 vidual and such individual’s spouse (if filing
15 jointly), for any travel, transportation, or relo-
16 cation”; and

17 (B) in the second sentence, by striking
18 “employee” and inserting “individual, or the in-
19 dividual”; and

20 (3) by striking subsection (b) and inserting the
21 following:

22 “(b) For purposes of this section, the term ‘travel,
23 transportation, or relocation expenses’ means all travel,
24 transportation, or relocation expenses reimbursed or fur-
25 nished in kind pursuant to this subchapter or chapter
26 41.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 2 The table of sections for chapter 57 of title 5, United
 3 States Code, is amended by striking the item relating to
 4 section 5724b and inserting the following:

“5724b. Taxes on reimbursements for travel, transportation, and relocation ex-
 penses.”.

5 (c) EFFECTIVE DATE.—The amendments made by
 6 this section shall—

7 (1) take effect on the date of the enactment of
 8 this Act; and

9 (2) apply to travel, transportation, or relocation
 10 expenses incurred on or after that date.

11 **TITLE XII—MATTERS RELATING**
 12 **TO FOREIGN NATIONS**
 13 **Subtitle A—Assistance and**
 14 **Training**

15 **SEC. 1201. EXTENSION OF SUPPORT OF SPECIAL OPER-**
 16 **ATIONS FOR IRREGULAR WARFARE.**

17 Section 1202(a) of the National Defense Authoriza-
 18 tion Act for Fiscal Year 2018 (Public Law 115–91; 131
 19 Stat. 1639) is amended by striking “fiscal years 2018
 20 through 2020” and inserting “fiscal years 2020 through
 21 2025”.

1 **SEC. 1202. EXTENSION OF AUTHORITY FOR CROSS SERV-**
 2 **ICING AGREEMENTS FOR LOAN OF PER-**
 3 **SONNEL PROTECTION AND PERSONNEL SUR-**
 4 **VIVABILITY EQUIPMENT IN COALITION OPER-**
 5 **ATIONS.**

6 Section 1207(e) of the Carl Levin and Howard P.
 7 “Buck” McKeon National Defense Authorization Act for
 8 Fiscal Year 2015 (10 U.S.C. 2342 note) is amended by
 9 striking “September 30, 2019” and inserting “September
 10 30, 2024”.

11 **SEC. 1203. TWO-YEAR EXTENSION OF PROGRAM AUTHORITY**
 12 **FOR GLOBAL SECURITY CONTINGENCY FUND.**

13 Section 1207 of the National Defense Authorization
 14 Act for Fiscal Year 2012 (22 U.S.C. 2151 note) is amend-
 15 ed—

16 (1) in subsection (i)(1), by striking “September
 17 30, 2019” and inserting “September 30, 2021”; and

18 (2) in subsection (o)—

19 (A) in the first sentence, by striking “Sep-
 20 tember 30, 2019” and inserting “September 30,
 21 2021”; and

22 (B) in the second sentence, by striking
 23 “through 2019” and inserting “through 2021”.

1 **SEC. 1204. MODIFICATION OF REPORTING REQUIREMENT**
2 **FOR USE OF FUNDS FOR SECURITY CO-**
3 **OPERATION PROGRAMS AND ACTIVITIES.**

4 Section 381(b) of title 10, United States Code, is
5 amended by striking “30 days” and inserting “60 days”.

6 **SEC. 1205. INSTITUTIONAL LEGAL CAPACITY BUILDING INI-**
7 **TIATIVE FOR FOREIGN DEFENSE FORCES.**

8 (a) AUTHORIZATION.—The Secretary of Defense may
9 carry out, consistent with section 332 of title 10, United
10 States Code, an initiative of institutional legal capacity
11 building in collaboration with the appropriate institutions
12 of one or more foreign countries to enhance the capacity
13 of the applicable foreign country to organize, administer,
14 manage, maintain, sustain, or oversee the military legal
15 institutions of such country.

16 (b) PURPOSE.—The purpose of the initiative under
17 subsection (a) is to enhance, as appropriate, the institu-
18 tional legal capacity of the applicable foreign country to
19 do the following:

20 (1) Integrate legal matters into the authority,
21 doctrine, and policies of the defense ministry of such
22 country.

23 (2) Provide appropriate legal support to com-
24 manders conducting military operations.

25 (3) With respect to military law, institutionalize
26 education, training, and professional development for

1 military personnel, including military lawyers, offi-
 2 cers, and civilian leadership within such defense
 3 ministry.

4 (4) Establish a military justice system that is
 5 objective, transparent, and impartial.

6 (5) Build the legal capacity of military forces to
 7 provide equitable, transparent, and accountable in-
 8 stitutions and provide for anti-corruption measures
 9 within such defense ministry.

10 (6) Build capacity—

11 (A) to provide for the protection of civil-
 12 ians consistent with the law of armed conflict;
 13 and

14 (B) to investigate incidents of civilian cas-
 15 ualties.

16 (7) Promote understanding and observance of—

17 (A) the law of armed conflict;

18 (B) human rights and fundamental free-
 19 doms;

20 (C) the rule of law; and

21 (D) civilian control of the military.

22 (c) ELEMENTS.—The initiative under subsection (a)
 23 shall include the following elements:

24 (1) An assessment of the organizational weak-
 25 nesses for institutional legal capacity building of the

1 applicable foreign country, including baseline infor-
2 mation, an assessment of gaps in the capability and
3 capacity of the appropriate institutions of such coun-
4 try, and any other indicator of efficacy for purposes
5 of monitoring and evaluation, as determined by the
6 Secretary.

7 (2) A multi-year engagement plan for building
8 institutional capacity that addresses the weaknesses
9 identified under paragraph (1), including objectives,
10 milestones, and a timeline.

11 (3) The assignment of advisors, as appropriate,
12 to the ministry of defense or other institutions of
13 such country to assist in building core legal institu-
14 tional capacity, competencies, and capabilities.

15 (4) A measure for monitoring the implementa-
16 tion of the initiative and evaluating the efficiency
17 and effectiveness of the initiative, consistent with
18 section 383 of title 10, United States Code.

19 (d) REPORTS.—

20 (1) IN GENERAL.—Not later than 30 days after
21 the end of each fiscal year beginning in fiscal year
22 2020 through the fiscal year in which the initiative
23 under subsection (a) terminates, the Secretary shall
24 submit to the Committee on Armed Services of the
25 Senate and the Committee on Armed Services of the

1 House of Representatives a report on the progress of
2 the legal capacity building activities under this sec-
3 tion.

4 (2) MATTERS TO BE INCLUDED.—Each report
5 under paragraph (1) shall include, for the preceding
6 fiscal year, the following:

7 (A) The names of the one or more coun-
8 tries in which the initiative was conducted.

9 (B) For each such country—

10 (i) the purpose of the initiative;

11 (ii) the objectives, milestones, and
12 timeline of the initiative;

13 (iii) the number and type of advisors
14 assigned and deployed to the country, as
15 applicable;

16 (iv) an assessment of the progress of
17 the implementation of the initiative; and

18 (v) an evaluation of the efficiency and
19 effectiveness of the initiative.

20 (e) SUNSET.—The initiative under subsection (a)
21 shall terminate on the date that is five years after the date
22 of the enactment of this Act.

1 **SEC. 1206. DEPARTMENT OF DEFENSE SUPPORT FOR STA-**
2 **BILIZATION ACTIVITIES IN NATIONAL SECU-**
3 **RITY INTEREST OF THE UNITED STATES.**

4 (a) IN GENERAL.—The Secretary of Defense may,
5 with the concurrence of the Secretary of State and in con-
6 sultation with the Administrator of the United States
7 Agency for International Development, provide support for
8 the stabilization activities of other Federal agencies speci-
9 fied under subsection (c).

10 (b) DESIGNATION OF FOREIGN AREAS.—

11 (1) IN GENERAL.—Amounts authorized to be
12 provided pursuant to this section shall be available
13 only for support for stabilization activities—

14 (A) in a country specified in paragraph
15 (2); and

16 (B) that the Secretary of Defense, with the
17 concurrence of the Secretary of State, has de-
18 termined are in the national security interest of
19 the United States.

20 (2) SPECIFIED COUNTRIES.—The countries
21 specified in this paragraph are as follows:

22 (A) Iraq.

23 (B) Syria.

24 (C) Afghanistan.

25 (D) Somalia.

26 (E) Yemen.

1 (F) Libya.

2 (c) SUPPORT TO OTHER AGENCIES.—

3 (1) IN GENERAL.—Support may be provided for
4 stabilization activities under subsection (a) to the
5 Department of State, the United States Agency for
6 International Development, or other Federal agen-
7 cies, on a reimbursable or nonreimbursable basis.

8 (2) TYPE OF SUPPORT.—Support under sub-
9 section (a) may consist of—

10 (A) logistic support, supplies, and services;

11 and

12 (B) equipment.

13 (d) REQUIREMENT FOR A STABILIZATION STRAT-
14 EGY.—

15 (1) LIMITATION.—With respect to any country
16 specified in subsection (b)(2), no amount of support
17 may be provided under subsection (a) until 15 days
18 after the date on which the Secretary of Defense,
19 with the concurrence of the Secretary of State, sub-
20 mits to the appropriate committees of Congress a
21 detailed report setting forth a stabilization strategy
22 for such country.

23 (2) ELEMENTS OF STRATEGY.—The stabiliza-
24 tion strategy required by paragraph (1) shall set
25 forth the following:

1 (A) The United States interests in con-
2 ducting stabilization activities in the country
3 specified in subsection (b)(2).

4 (B) The key foreign partners and actors in
5 such country.

6 (C) The desired end states and objectives
7 of the United States stabilization activities in
8 such country.

9 (D) The Department of Defense support
10 intended to be provided for the stabilization ac-
11 tivities of other Federal agencies under sub-
12 section (a).

13 (E) Any mechanism for civil-military co-
14 ordination regarding support for stabilization
15 activities.

16 (F) The mechanisms for monitoring and
17 evaluating the effectiveness of Department of
18 Defense support for United States stabilization
19 activities in the area.

20 (e) IMPLEMENTATION IN ACCORDANCE WITH GUID-
21 ANCE.—Support provided under subsection (a) shall be
22 implemented in accordance with the guidance of the De-
23 partment of Defense entitled “DoD Directive 3000.05
24 Stabilization”, dated December 13, 2018 (or successor
25 guidance).

1 (f) REPORT.—The Secretary of Defense, with the
2 concurrence of the Secretary of State, shall submit to the
3 appropriate committees of Congress on an annual basis
4 a report that includes the following:

5 (1) The identification of each foreign area with-
6 in countries specified in subsection (b)(2) for which
7 support to stabilization has occurred.

8 (2) The total amount spent by the Department
9 of Defense, broken out by recipient Federal agency
10 and activity.

11 (3) An assessment of the contribution of each
12 activity toward greater stability.

13 (4) An articulation of any plans for continued
14 Department of Defense support to stabilization in
15 the specified foreign area in order to maintain or im-
16 prove stability.

17 (5) Other matters as the Secretary of Defense
18 considers to be appropriate.

19 (g) USE OF FUNDS.—

20 (1) SOURCE OF FUNDS.—Amounts for activities
21 carried out under this section in a fiscal year shall
22 be derived only from amounts authorized to be ap-
23 propriated for such fiscal year for the Department
24 of Defense for Operation and Maintenance, Defense-
25 wide.

1 (2) LIMITATION.—Not more than \$25,000,000
2 in each fiscal year is authorized to be used to pro-
3 vide nonreimbursable support under this section.

4 (h) EXPIRATION.—The authority provided under this
5 section may not be exercised after December 31, 2020.

6 (i) DEFINITIONS.—In this section:

7 (1) APPROPRIATE COMMITTEES OF CON-
8 GRESS.—The term “appropriate committees of Con-
9 gress” means—

10 (A) the Committee on Armed Services and
11 the Committee on Foreign Relations of the Sen-
12 ate; and

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

16 (2) LOGISTIC SUPPORT, SUPPLIES, AND SERV-
17 ICES.—The term “logistic support, supplies, and
18 services” has the meaning given the term in section
19 2350(1) of title 10 United States Code.

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. EXTENSION OF AUTHORITY TO TRANSFER DE- FENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.

(a) EXTENSION.—Subsection (h) of section 1222 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1992), as most recently amended by section 1221 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), is further amended by striking “December 31, 2020” and inserting “December 31, 2021”.

(b) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section 1222, as so amended, is further amended by striking “December 31, 2020” each place it appears and inserting “December 31, 2021”.

SEC. 1212. AFGHANISTAN SECURITY FORCES FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2020 for the Afghanistan Security Forces Fund, as established by section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as most recently amended by section 1223(b) of the John

1 S. McCain National Defense Authorization Act for Fiscal
2 Year 2019 (Public Law 115–232), \$4,803,978,000.

3 (b) CONTINUATION OF PRIOR AUTHORITIES AND NO-
4 TICE AND REPORTING REQUIREMENTS.—Funds available
5 to the Department of Defense for the Afghanistan Secu-
6 rity Forces Fund for fiscal year 2020 shall be subject to
7 the conditions contained in subsections (b) through (f) of
8 such section 1513.

9 (c) USE OF FUNDS.—

10 (1) TYPE OF ASSISTANCE.—Subsection (b)(2)
11 of such section 1513 is amended by inserting “(in-
12 cluding program and security assistance manage-
13 ment support)” after “services”.

14 (d) EQUIPMENT DISPOSITION.—

15 (1) ACCEPTANCE OF CERTAIN EQUIPMENT.—
16 Subject to paragraph (2), the Secretary of Defense
17 may accept equipment that is procured using
18 amounts authorized to be appropriated for the Af-
19 ghanistan Security Forces Fund by this Act and is
20 intended for transfer to the security forces of Af-
21 ghanistan, but is not accepted by such security
22 forces.

23 (2) CONDITIONS ON ACCEPTANCE OF EQUIP-
24 MENT.—Before accepting any equipment under
25 paragraph (1), the Commander of United States

1 forces in Afghanistan shall make a determination
2 that the equipment was procured for the purpose of
3 meeting requirements of the security forces of Af-
4 ghanistan, as agreed to by both the Government of
5 Afghanistan and the United States, but is no longer
6 required by such security forces or was damaged be-
7 fore transfer to such security forces.

8 (3) ELEMENTS OF DETERMINATION.—In mak-
9 ing a determination under paragraph (2), the Com-
10 mander of United States forces in Afghanistan shall
11 consider alternatives to acceptance of the equipment
12 by the Secretary. An explanation of each determina-
13 tion, including the basis for the determination and
14 the alternatives considered, shall be included in the
15 relevant quarterly report under paragraph (5).

16 (4) TREATMENT AS DEPARTMENT OF DEFENSE
17 STOCKS.—Equipment accepted under paragraph (1)
18 may be treated as stocks of the Department of De-
19 fense upon notification to the congressional defense
20 committees of such treatment.

21 (5) QUARTERLY REPORTS ON EQUIPMENT DIS-
22 POSITION.—

23 (A) IN GENERAL.—Not later than 90 days
24 after the date of the enactment of this Act, and
25 every 90-day period thereafter during which the

1 authority provided by paragraph (1) is exer-
2 cised, the Secretary shall submit to the congres-
3 sional defense committees a report describing
4 the equipment accepted during the period cov-
5 ered by such report under the following:

6 (i) This subsection.

7 (ii) Section 1531(d) of the National
8 Defense Authorization Act for Fiscal Year
9 2014 (Public Law 113–66; 127 Stat. 938;
10 U.S.C. 2302 note).

11 (iii) 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 3612).

16 (B) ELEMENTS.—Each report under sub-
17 paragraph (A) shall include a list of all equip-
18 ment accepted during the period covered by the
19 report and treated as stocks of the Department
20 of Defense and copies of the determinations
21 made under paragraph (2), as required by para-
22 graph (3).

23 (e) SECURITY OF AFGHAN WOMEN.—

24 (1) IN GENERAL.—Of the funds available to the
25 Department of Defense for the Afghanistan Security

1 Forces Fund for fiscal year 2020, it is the goal that
2 \$25,000,000, but in no event less than \$10,000,000,
3 shall be used for—

4 (A) the recruitment, integration, retention,
5 training, and treatment of women in the Af-
6 ghan National Defense and Security Forces;
7 and

8 (B) the recruitment, training, and con-
9 tracting of female security personnel for future
10 elections.

11 (2) TYPES OF PROGRAMS AND ACTIVITIES.—
12 Such programs and activities may include—

13 (A) efforts to recruit women into the Af-
14 ghan National Defense and Security Forces, in-
15 cluding the special operations forces;

16 (B) programs and activities of the Afghan
17 Ministry of Defense Directorate of Human
18 Rights and Gender Integration and the Afghan
19 Ministry of Interior Office of Human Rights,
20 Gender, and Child Rights;

21 (C) development and dissemination of gen-
22 der and human rights educational and training
23 materials and programs within the Afghan Min-
24 istry of Defense and the Afghan Ministry of In-
25 terior;

1 (D) efforts to address harassment and vio-
2 lence against women within the Afghan Na-
3 tional Defense and Security Forces;

4 (E) improvements to infrastructure that
5 address the requirements of women serving in
6 the Afghan National Defense and Security
7 Forces, including appropriate equipment for fe-
8 male security and police forces, and transpor-
9 tation for policewomen to their station;

10 (F) support for Afghan National Police
11 Family Response Units; and

12 (G) security provisions for high-profile fe-
13 male police and army officers.

14 (f) ASSESSMENT OF EFFORTS TO BUILD CAPACITY
15 IN THE AFGHAN NATIONAL DEFENSE AND SECURITY
16 FORCES.—

17 (1) ASSESSMENT REQUIRED.—Not later than
18 90 days after the date of the enactment of this Act,
19 the Secretary of Defense, in coordination with the
20 Secretary of State, shall submit to the Committee on
21 Armed Services of the Senate and the Committee on
22 Armed Services of the House of Representatives an
23 assessment that describes the following:

24 (A) The integrated capacity development
25 strategies for—

1 (i) the Ministry of Defense and the
2 Ministry of Interior of Afghanistan; and

3 (ii) the North Atlantic Treaty Organi-
4 zation-led Train Advise Assist Commands
5 and Task Forces at the national and re-
6 gional levels in Afghanistan.

7 (B) An articulation of the key capabilities
8 to be developed and improved with respect to
9 the Ministry of Defense, the Ministry of Inte-
10 rior, and the North Atlantic Treaty Organiza-
11 tion-led Train Advise Assist Commands and
12 Task Forces, and the overall plan (including
13 timeframes, budgets, and specific initiatives) to
14 achieve the intended outcomes.

15 (C) The specific roles of Department of
16 Defense-funded advisors in building the capac-
17 ity of the Ministry of Defense and the Ministry
18 of Interior of Afghanistan and the Afghan Na-
19 tional Defense and Security Forces at the na-
20 tional and regional levels, and the manner in
21 which such roles align with the development
22 strategy referred to in subparagraph (A).

23 (D) The metrics used to assess progress on
24 the recruitment, integration, retention, training,
25 and treatment of women in the Afghan Na-

1 tional Defense and Security Forces, and a
 2 progress report on such recruitment, integra-
 3 tion, retention, training, and treatment.

4 (E) An explanation of the assessment,
 5 monitoring, and evaluation mechanisms in place
 6 to assess the relevance, effectiveness, and sus-
 7 tainability of each specific initiative and
 8 progress made toward the intended outcomes
 9 identified under subparagraph (B).

10 (F) Any other matter the Secretary con-
 11 siders appropriate.

12 **SEC. 1213. EXTENSION OF COMMANDERS' EMERGENCY RE-**
 13 **SPONSE PROGRAM.**

14 Section 1201 of the National Defense Authorization
 15 Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.
 16 1619), as most recently amended by the John S. McCain
 17 National Defense Authorization Act for Fiscal Year 2019
 18 (Public Law 115–232), is further amended—

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

21 (2) in subsection (b), by striking “of fiscal
 22 years 2017 through 2019” and inserting “for each
 23 of fiscal years 2017 through 2020”; and

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

4 **SEC. 1214. EXTENSION AND MODIFICATION OF REIMBURSE-**
5 **MENT OF CERTAIN COALITION NATIONS FOR**
6 **SUPPORT PROVIDED TO UNITED STATES**
7 **MILITARY OPERATIONS.**

8 Section 1233(a) of the National Defense Authoriza-
9 tion Act for Fiscal Year 2008 (Public Law 110–181; 122
10 Stat. 393), as most recently amended by section 1225 of
11 the John S. McCain National Defense Authorization Act
12 for Fiscal Year 2019 (Public Law 115–232), is further
13 amended to read as follows:

14 “(a) **AUTHORITY.**—From funds made available for
15 the Department of Defense for the period beginning on
16 October 1, 2019, and ending on December 31, 2020, for
17 overseas contingency operations for operation and mainte-
18 nance, Defense-wide activities, the Secretary of Defense
19 may reimburse any key cooperating nation (other than
20 Pakistan) for—

21 “(1) logistical and military support provided by
22 that nation to or in connection with United States
23 military operations in Afghanistan, Iraq, or Syria;
24 and

1 “(2) logistical, military, and other support, in-
2 cluding access, provided by that nation to or in con-
3 nection with United States military operations de-
4 scribed in paragraph (1).”.

5 **SEC. 1215. SUPPORT FOR RECONCILIATION ACTIVITIES**
6 **LED BY THE GOVERNMENT OF AFGHANISTAN.**

7 (a) IN GENERAL.—The Secretary of Defense may,
8 with the concurrence of the Secretary of State, provide
9 covered support for reconciliation activities to one or more
10 designated persons or entities or Federal agencies.

11 (b) DESIGNATION.—Not later than 15 days before
12 the Secretary of Defense designates an individual or orga-
13 nization as a designated person or entity, the Secretary
14 shall notify the congressional defense committees of the
15 intent of the Secretary to make such designation.

16 (c) REIMBURSEMENT.—

17 (1) DESIGNATED PERSONS OR ENTITIES.—The
18 Secretary of Defense may provide covered support to
19 a designated person or entity on a reimbursable or
20 nonreimbursable basis.

21 (2) FEDERAL AGENCIES.—The Secretary of De-
22 fense may provide covered support to a Federal
23 agency on a reimbursable or nonreimbursable basis.

24 (d) LOCATION OF COVERED SUPPORT.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), the Secretary of Defense may only pro-
3 vide covered support within Afghanistan.

4 (2) EXCEPTION.—Notwithstanding paragraph
5 (1), the Secretary of Defense may provide covered
6 support in Pakistan if the Secretary determines, and
7 certifies to the congressional defense committees,
8 that providing covered support in Pakistan is in the
9 national security interest of the United States.

10 (e) NOTIFICATION.—Not later than 15 days before
11 the date on which the Secretary of Defense provides cov-
12 ered support to a nongovernmental designated person or
13 entity or provides covered support in Pakistan, the Sec-
14 retary shall submit to the congressional defense commit-
15 tees written notice that includes the intended recipient of
16 such covered support and the specific covered support to
17 be provided.

18 (f) FUNDING.—

19 (1) SOURCE OF FUNDS.—Amounts for covered
20 support may only be derived from amounts author-
21 ized to be appropriated for the Department of De-
22 fense for operation and maintenance.

23 (2) LIMITATION.—Not more than \$15,000,000
24 may be used for nonreimbursable covered support.

1 (g) RULE OF CONSTRUCTION.—Covered support
2 shall not be construed to violate section 2339, 2339A, or
3 2339B of title 18, United States Code.

4 (h) REPORTS.—

5 (1) IN GENERAL.—Not later than 90 days after
6 the date of the enactment of this Act, and quarterly
7 thereafter, the Secretary of Defense shall, in coordi-
8 nation with the Secretary of State, submit to the
9 congressional defense committees a report on cov-
10 ered support during the preceding 90-day period.

11 (2) ELEMENTS.—Each report under this sub-
12 section shall include, for the preceding reporting pe-
13 riod, the following:

14 (A) A summary of the ongoing reconcili-
15 ation activities for which covered support was
16 provided.

17 (B) A description of the covered support,
18 by class or type, and the designated person or
19 entity or Federal agency that received each
20 class or type of covered support.

21 (C) The total dollar amount of each class
22 or type of covered support, including budget de-
23 tails.

24 (D) The intended duration of each provi-
25 sion of covered support.

1 (E) Any other matter the Secretary of De-
2 fense considers appropriate.

3 (i) SUNSET.—The authority to carry out this section
4 shall terminate on December 31, 2020.

5 (j) DEFINITIONS.—In this section:

6 (1) COVERED SUPPORT.—The term “covered
7 support” means logistic support, supplies, and serv-
8 ices (as defined in section 2350 of title 10, United
9 States Code) and security provided under this sec-
10 tion.

11 (2) DESIGNATED PERSON OR ENTITY.—

12 (A) IN GENERAL.—The term “designated
13 person or entity” means an individual or orga-
14 nization designated by the Secretary of Defense
15 as necessary to facilitate a reconciliation activ-
16 ity.

17 (B) EXCLUSION.—The term “designated
18 person or entity” does not include a Federal
19 agency.

20 (3) RECONCILIATION ACTIVITY.—The term
21 “reconciliation activity” means any activity intended
22 to support, facilitate, or enable a political settlement
23 between the Government of Afghanistan and the
24 Taliban for the purpose of ending the war in Af-
25 ghanistan.

1 (4) SECURITY.—The term “security” means
2 any measure determined by the Secretary of Defense
3 to be necessary to protect reconciliation activities
4 from hostile acts.

5 **SEC. 1216. SENSE OF SENATE ON SPECIAL IMMIGRANT VISA**
6 **PROGRAM FOR AFGHAN ALLIES.**

7 It is the sense of the Senate that—

8 (1) the special immigrant visa program for Af-
9 ghan allies is critical to the mission in Afghanistan
10 and the long-term interests of the United States;

11 (2) maintaining a robust special immigrant visa
12 program for Afghan allies is necessary to support
13 United States Government personnel in Afghanistan
14 who need translation, interpretation, security, and
15 other services;

16 (3) Afghan allies routinely risk their lives to as-
17 sist United States military and diplomatic personnel;

18 (4) honoring the commitments made to Afghan
19 allies with respect to such special immigrant visa
20 program is essential to ensuring the continued serv-
21 ice and safety of such allies; and

22 (5) an additional 4,000 visas should be made
23 available to principal aliens who are eligible for spe-
24 cial immigrant status under the Afghan Allies Pro-
25 tection Act of 2009 (8 U.S.C. 1101 note) to prevent

1 harm to the operations of the United States Govern-
2 ment in Afghanistan.

3 **Subtitle C—Matters Relating to**
4 **Syria, Iraq, and Iran**

5 **SEC. 1221. MODIFICATION OF AUTHORITY TO PROVIDE AS-**
6 **SISTANCE TO VETTED SYRIAN GROUPS.**

7 (a) NATURE OF ASSISTANCE.—Subsection (a) of sec-
8 tion 1209 of the Carl Levin and Howard P. “Buck”
9 McKeon National Defense Authorization Act for Fiscal
10 Year 2015 (Public Law 113–291; 128 Stat. 3541), as
11 most recently amended by section 1231(a) of the John S.
12 McCain National Defense Authorization Act for Fiscal
13 Year 2019 (Public Law 115–232), is further amended—

14 (1) in the matter preceding paragraph (1), by
15 striking “with a cost” and all that follows through
16 “December 31, 2019” and inserting “, and
17 sustainment to appropriately vetted Syrian groups
18 and individuals, through December 31, 2020”;

19 (2) in paragraph (1), by striking “Islamic State
20 of Iraq and the Levant” and all that follows through
21 the period at the end and inserting the following:
22 “Islamic State of Iraq and Syria (ISIS).”; and

23 (3) by striking paragraphs (2) and (3) and in-
24 serting the following new paragraphs:

1 “(2) Securing territory formerly controlled by
2 the Islamic State of Iraq and Syria.

3 “(3) Protecting the United States and its
4 friends and allies from the threats posed by the Is-
5 lamic State of Iraq and Syria, al Qaeda, and associ-
6 ated forces in Syria.

7 “(4) Supporting the temporary detention and
8 repatriation of Islamic State of Iraq and Syria for-
9 eign terrorist fighters in accordance with the laws of
10 armed conflict and the United Nations Convention
11 Relating to the Status of Refugees, done at Geneva
12 July 28, 1951 (as made applicable by the Protocol
13 Relating to the Status of Refugees, done at New
14 York January 31, 1967 (19 UST 6223)).”.

15 (b) SCOPE OF QUARTERLY PROGRESS REPORTS.—
16 Subsection (d) of such section, as most recently amended
17 by section 1223(b) of the National Defense Authorization
18 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
19 1653), is further amended to read as follows:

20 “(d) QUARTERLY PROGRESS REPORTS.—

21 “(1) IN GENERAL.—Beginning on January 15,
22 2020, and every 90 days thereafter, the Secretary of
23 Defense, in coordination with the Secretary of State,
24 shall submit to the appropriate congressional com-

1 mittees and leadership of the House of Representa-
2 tives and the Senate a progress report.

3 “(2) MATTERS TO BE INCLUDED.—Each
4 progress report under paragraph (1) shall include,
5 based on the most recent quarterly information, the
6 following:

7 “(A) A description of the appropriately
8 vetted recipients receiving assistance under sub-
9 section (a).

10 “(B) A description of training, equipment,
11 supplies, stipends, and other support provided
12 to appropriately vetted recipients under sub-
13 section (a) and a statement of the amount of
14 funds expended for such purposes during the
15 period covered by the report.

16 “(C) Any misuse or loss of provided train-
17 ing and equipment and how such misuse or loss
18 is being mitigated.

19 “(D) An assessment of the recruitment,
20 throughput, and retention rates of appropriately
21 vetted recipients.

22 “(E) An assessment of the operational ef-
23 fectiveness of appropriately vetted recipients in
24 meeting the purposes specified in subsection
25 (a).

1 “(F) A description of United States Gov-
2 ernment stabilization objectives and activities
3 carried out in areas formerly controlled by the
4 Islamic State of Iraq and Syria, including sig-
5 nificant projects and funding associated with
6 such projects.

7 “(G) A description of coalition contribu-
8 tions to the purposes specified in subsection (a)
9 and other related stabilization activities.

10 “(H) With respect to Islamic State of Iraq
11 and Syria foreign terrorist fighters—

12 “(i) an estimate of the number of
13 such individuals being detained by appro-
14 priately vetted Syrian groups and individ-
15 uals;

16 “(ii) an estimate of the number of
17 such individuals that have been repatriated
18 and the countries to which such individuals
19 have been repatriated; and

20 “(iii) a description of United States
21 Government support provided to facilitate
22 the repatriation of such individuals.

23 “(I) An assessment of the extent to which
24 appropriately vetted Syrian groups and individ-
25 uals have enabled progress toward establishing

1 inclusive, representative, accountable, and civil-
2 ian-led governance and security structures in
3 territories liberated from the Islamic State of
4 Iraq and Syria.”.

5 (c) ELIMINATION OF REPROGRAMMING REQUIRE-
6 MENT.—Such section is further amended by striking sub-
7 section (f).

8 (d) INCLUSION OF SUPPORT FOR STABILIZATION AC-
9 TIVITIES.—Such section is further amended by inserting
10 after subsection (e) the following new subsection (f):

11 “(f) SUPPORT FOR STABILIZATION ACTIVITIES.—

12 “(1) IN GENERAL.—The Secretary of Defense
13 may, with the concurrence of the Secretary of State
14 and in consultation with the Administrator of the
15 United States Agency for International Develop-
16 ment, provide support for the stabilization activities
17 of the Department of State, the United States Agen-
18 cy for International Development, and any other
19 Federal agency on a reimbursable or
20 nonreimbursable basis.

21 “(2) TYPES OF SUPPORT.—The support pro-
22 vided under paragraph (1) may consist of—

23 “(A) logistic support, supplies, and serv-
24 ices; or

25 “(B) equipment.”.

1 (e) PER PROJECT AND AGGREGATE COST LIMITA-
2 TIONS FOR CONSTRUCTION AND REPAIR PROJECTS.—

3 Subsection (l) of such section, as added by section 1223(d)
4 of the National Defense Authorization Act for Fiscal Year
5 2018 (Public Law 115–91; 131 Stat. 1653), is amended
6 to read as follows:

7 “(l) LIMITATION ON COST OF CONSTRUCTION AND
8 REPAIR PROJECTS.—

9 “(1) IN GENERAL.—The cost of construction
10 and repair projects carried out under this section
11 may not exceed, in any fiscal year—

12 “(A) \$4,000,000 per project; or

13 “(B) \$12,000,000 in the aggregate.

14 “(2) FOREIGN CONTRIBUTIONS.—The limita-
15 tion under paragraph (1) shall not apply to the ex-
16 penditure of foreign contributions in excess of the
17 per-project or aggregate limitation set forth in that
18 paragraph.”.

19 (f) INCLUSION OF LIMITATION PENDING REPORT.—
20 Such section is further amended by adding at the end the
21 following new subsection:

22 “(n) LIMITATION PENDING REPORT.—None of the
23 funds authorized to be appropriated for fiscal year 2020
24 for the Department of Defense may be obligated or ex-
25 pended for activities under this section until 30 days after

1 the date on which the Secretary of Defense submits an
2 unclassified report, with a classified annex if necessary,
3 to the congressional defense committees setting forth the
4 following:

5 “(1) A description of the efforts the United
6 States will undertake to train and equip appro-
7 priately vetted Syrian groups and individuals for the
8 purposes described in subsection (a).

9 “(2) A detailed description of the appropriately
10 vetted Syrian groups and individuals to be trained
11 and equipped under this section, including a descrip-
12 tion of their geographical locations, demographic
13 profiles, political affiliations, and current capabili-
14 ties.

15 “(3) A detailed description of planned capabili-
16 ties, including categories of training, equipment, fi-
17 nancial support, sustainment, and supplies, intended
18 to be provided to appropriately vetted Syrian groups
19 and individuals under this section, and timelines for
20 delivery.

21 “(4) A description of the planned posture of
22 United States forces and the planned level of en-
23 gagement by such forces with appropriately vetted
24 Syrian groups and individuals, including the over-
25 sight of equipment provided under this section and

1 the activities conducted by such appropriately vetted
 2 Syrian groups and individuals.

3 “(5) An explanation of the processes and mech-
 4 anisms for local commanders of such forces to exer-
 5 cise command and control of the elements of the ap-
 6 propriately vetted Syrian groups and individuals
 7 after such elements have been trained and equipped
 8 under this section.

9 “(6) A detailed explanation of the relationship
 10 between appropriately vetted recipients and civilian
 11 governance authorities and a description of efforts to
 12 ensure appropriately vetted recipients are subject to
 13 the control of competent civilian authorities.”.

14 **SEC. 1222. EXTENSION OF AUTHORITY AND LIMITATION ON**
 15 **USE OF FUNDS TO PROVIDE ASSISTANCE TO**
 16 **COUNTER THE ISLAMIC STATE OF IRAQ AND**
 17 **SYRIA.**

18 (a) EXTENSION.—Subsection (a) of section 1236 of
 19 the Carl Levin and Howard P. “Buck” McKeon National
 20 Defense Authorization Act for Fiscal Year 2015 (Public
 21 Law 113–291; 128 Stat. 3559), as most recently amended
 22 by section 1233(a) of the John S. McCain National De-
 23 fense Authorization Act for Fiscal Year 2019 (Public Law
 24 115–232), is further amended by striking “December 31,
 25 2020” and inserting “December 31, 2021”.

1 (b) FUNDING.—Subsection (g) of such section, as
2 most recently amended by section 1233(b) of the John S.
3 McCain National Defense Authorization Act for Fiscal
4 Year 2019, is further amended—

5 (1) by striking “fiscal year 2019” and inserting
6 “fiscal year 2020”; and

7 (2) by striking “\$850,000,000” and inserting
8 “\$645,000,000”.

9 (c) LIMITATION ON USE OF FUNDS.—Of the
10 amounts authorized to be appropriated for fiscal year
11 2020 by this Act for activities under such section 1236,
12 as amended by subsection (a), not more than
13 \$375,000,000 may be obligated or expended for such ac-
14 tivities until the date on which the Secretary of Defense
15 submits to the congressional defense committees a report
16 setting forth the following:

17 (1) An identification of the specific units of the
18 Iraqi Security Forces to receive training and equip-
19 ment or other support in fiscal year 2020.

20 (2) A plan for ensuring that any vehicles or
21 equipment provided to the Iraqi Security Forces
22 pursuant to such authority are maintained in subse-
23 quent fiscal years using funds of Iraq.

24 (3) An estimate, by fiscal year, of the funding
25 anticipated to be required for support of the Iraqi

1 Security Forces during the five fiscal years begin-
2 ning in fiscal year 2020.

3 (4) A plan for normalizing assistance to the
4 Iraqi Security Forces under chapter 16 of title 10,
5 United States Code, beginning in fiscal year 2020.

6 (5) A detailed plan for the obligation and ex-
7 penditure of the funds requested for fiscal year 2020
8 for the Department of Defense for stipends.

9 (6) A plan for the transition to the Government
10 of Iraq the responsibility for funding for stipends for
11 any fiscal year after fiscal year 2020.

12 **SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY**
13 **TO SUPPORT OPERATIONS AND ACTIVITIES**
14 **OF THE OFFICE OF SECURITY COOPERATION**
15 **IN IRAQ.**

16 (a) **AUTHORITY.**—Section 1215 of the National De-
17 fense Authorization Act for Fiscal Year 2012 (10 U.S.C.
18 113 note) is amended—

19 (1) by amending subsection (a) to read as fol-
20 lows:

21 “(a) **AUTHORITY.**—The Secretary of Defense may
22 support United States Government security cooperation
23 activities in Iraq by providing funds for operations and
24 activities of the Office of Security Cooperation in Iraq.”;

25 (2) by striking subsection (f);

1 (3) in subsection (g)(2), by striking subpara-
2 graph (F); and

3 (4) by redesignating subsection (g) as sub-
4 section (f).

5 (b) TYPES OF SUPPORT.—Subsection (b) of such sec-
6 tion is amended by striking “life support, transportation
7 and personal security, and construction and renovation of
8 facilities” and inserting “life support, transportation, and
9 personal security”.

10 (c) AMOUNT AVAILABLE.—Such section is further
11 amended—

12 (1) in subsection (c)—

13 (A) by striking “fiscal year 2019” and in-
14 serting “fiscal year 2020”; and

15 (B) by striking “\$45,300,000” and insert-
16 ing “\$30,000,000”; and

17 (2) in subsection (d), by striking “fiscal year
18 2019” and inserting “fiscal year 2020”.

19 (d) COVERAGE OF COSTS OF THE OFFICE OF SECU-
20 RITY COOPERATION IN IRAQ.—Subsection (e) of such sec-
21 tion is amended by striking “activities of security assist-
22 ance teams in Iraq in connection with such sale” and in-
23 serting “activities of the Office of Security Cooperation
24 in Iraq in excess of the amount set forth in subsection
25 (c)”.

1 **SEC. 1224. COORDINATOR OF UNITED STATES GOVERN-**
2 **MENT ACTIVITIES AND MATTERS IN CONNEC-**
3 **TION WITH DETAINEES WHO ARE MEMBERS**
4 **OF THE ISLAMIC STATE OF IRAQ AND SYRIA.**

5 (a) IN GENERAL.—Not later than 90 days after the
6 date of the enactment of this Act, the President shall, in
7 consultation with the Secretary of Defense, the Secretary
8 of State, the Director of National Intelligence, and the At-
9 torney General, designate an existing official within the
10 Executive Branch to serve as senior-level coordinator to
11 coordinate, in conjunction with the lead and other relevant
12 agencies, all matters for the United States Government
13 relating to the long-term disposition of members of the
14 Islamic State of Iraq and Syria (ISIS) and associated
15 forces (in this section referred to as “ISIS detainees”),
16 including all matters in connection with—

17 (1) repatriation, transfer, prosecution, and in-
18 telligence-gathering; and

19 (2) all multilateral and international engage-
20 ments led by the Department of State and other
21 agencies that are related to the current and future
22 handling, detention, and prosecution of ISIS detain-
23 ees.

24 (b) RETENTION OF AUTHORITY.—The appointment
25 of a senior-level coordinator pursuant to subsection (a)

1 shall not deprive any agency of any authority to independ-
2 ently perform functions of that agency.

3 (c) ANNUAL REPORT.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, and not
6 less frequently than once each year thereafter
7 through December 31, 2024, the individual des-
8 ignated under subsection (a) shall submit to the ap-
9 propriate committees of Congress a detailed report
10 regarding the following ISIS detainees:

11 (A) Alexandra Kotey.

12 (B) El Shafee Elsheikh.

13 (C) Aine Lesley Davis.

14 (D) Umm Sayyaf.

15 (E) Any other high-value ISIS detainee
16 that the coordinator reasonably determines to
17 be subject to criminal prosecution in the United
18 States.

19 (2) ELEMENTS.—The report under paragraph
20 (1) shall include, at a minimum, the following:

21 (A) A detailed description of the facilities
22 where ISIS detainees described in paragraph
23 (1) are being held.

24 (B) An analysis of all United States efforts
25 to prosecute ISIS detainees described in para-

graph (1) and the outcomes of such efforts. Any information, the disclosure of which may violate Department of Justice policy or law, relating to a prosecution or investigation may be withheld from a report under paragraph (1).

(C) A detailed description of any option to expedite prosecution of any ISIS detainee described in paragraph (1), including in a court of competent jurisdiction outside of the United States.

(D) An analysis of factors on the ground in Syria and Iraq that may result in the unintended release of ISIS detainees described in paragraph (1), and an assessment of any measures available to mitigate such releases.

(E) A detailed description of all multilateral and other international efforts or proposals that would assist in the prosecution of ISIS detainees described in paragraph (1).

(F) An analysis of all efforts between the United States and partner countries within the Global Coalition to Defeat ISIS or other countries to share intelligence or evidence that may aid in the prosecution of members of the Islamic State of Iraq and Syria and associated

1 forces, and any legal obstacles that may hinder
2 such efforts.

3 (G) An analysis of the manner in which
4 the United States Government communicates
5 on such proposals and efforts to the families of
6 United States citizens believed to be a victim of
7 a criminal act by an ISIS detainee.

8 (3) FORM.—The report under paragraph (1)
9 shall be submitted in unclassified form, but may in-
10 clude a classified annex.

11 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
12 FINED.—In this section, the term “appropriate commit-
13 tees of Congress” means—

14 (1) the Committee on Armed Services, the
15 Committee on Foreign Relations, the Committee on
16 the Judiciary, the Select Committee on Intelligence,
17 and the Committee on Appropriations of the Senate;
18 and

19 (2) the Committee on Armed Services, the
20 Committee on Foreign Affairs, the Committee on
21 the Judiciary, the Permanent Select Committee on
22 Intelligence, and the Committee on Appropriations
23 of the House of Representatives.

1 **SEC. 1225. REPORT ON LESSONS LEARNED FROM EFFORTS**
2 **TO LIBERATE MOSUL AND RAQQAH FROM**
3 **CONTROL OF THE ISLAMIC STATE OF IRAQ**
4 **AND SYRIA.**

5 (a) REPORT REQUIRED.—Not later than 180 days
6 after the date of the enactment of this Act, the Secretary
7 of Defense shall submit to the congressional defense com-
8 mittees a report on lessons learned from coalition oper-
9 ations to liberate Mosul, Iraq, and Raqqa, Syria, from
10 control of the Islamic State of Iraq and Syria (ISIS).

11 (b) ELEMENTS.—The report required by subsection
12 (a) shall include a description of lessons learned in connec-
13 tion with each of the following:

14 (1) Combat in densely populated urban environ-
15 ments.

16 (2) Enablement of partner forces, including
17 unique aspects of conducting combined operations
18 with regular and irregular forces.

19 (3) Advise, assist, and accompany efforts, in-
20 cluding such efforts conducted remotely.

21 (4) Integration of United States general pur-
22 pose and special operations forces.

23 (5) Integration of United States and inter-
24 national forces.

25 (6) Irregular and unconventional warfare ap-
26 proaches, including the application of training and

1 doctrine by special operations and general purpose
2 forces.

3 (7) Use of command, control, communications,
4 computer, intelligence, surveillance, and reconnais-
5 sance systems and techniques.

6 (8) Logistics.

7 (9) Information operations.

8 (10) Targeting and weaponeering, including ef-
9 forts to avoid civilian casualties and other collateral
10 damage.

11 (11) Facilitation of flows of internally displaced
12 people and humanitarian assistance.

13 (12) Such other matters as the Secretary con-
14 siders appropriate and could benefit training, doc-
15 trine, and resourcing of future operations.

16 (c) FORM.—The report required by subsection (a)
17 shall be submitted in unclassified form, but may include
18 a classified annex.

1 **Subtitle D—Matters Relating to Eu-**
2 **rope and the Russian Federa-**
3 **tion**

4 **SEC. 1231. PROHIBITION ON AVAILABILITY OF FUNDS RE-**
5 **LATING TO SOVEREIGNTY OF THE RUSSIAN**
6 **FEDERATION OVER CRIMEA.**

7 (a) PROHIBITION.—None of the funds authorized to
8 be appropriated by this Act or otherwise made available
9 for fiscal year 2020 for the Department of Defense may
10 be obligated or expended to implement any activity that
11 recognizes the sovereignty of the Russian Federation over
12 Crimea.

13 (b) WAIVER.—The Secretary of Defense, with the
14 concurrence of the Secretary of State, may waive the pro-
15 hibition under subsection (a) if the Secretary of Defense—

16 (1) determines that a waiver is in the national
17 security interest of the United States; and

18 (2) on the date on which the waiver is invoked,
19 submits a notification of the waiver and a justifica-
20 tion of the reason for seeking the waiver to—

21 (A) the Committee on Armed Services and
22 the Committee on Foreign Relations of the Sen-
23 ate; and

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

4 **SEC. 1232. PROHIBITION ON USE OF FUNDS FOR WITH-**
5 **DRAWAL OF ARMED FORCES FROM EUROPE**
6 **IN THE EVENT OF UNITED STATES WITH-**
7 **DRAWAL FROM THE NORTH ATLANTIC TREA-**
8 **TY.**

9 Notwithstanding any other provision of law, if the
10 President provides notice of withdrawal of the United
11 States from the North Atlantic Treaty, done at Wash-
12 ington D.C. April 4, 1949, pursuant to Article 13 of the
13 Treaty, during the one-year period beginning on the date
14 of such notice, no funds authorized to be appropriated by
15 this Act may be obligated, expended, or reprogrammed for
16 the withdrawal of the United States Armed Forces from
17 Europe.

18 **SEC. 1233. EXTENSION OF LIMITATION ON MILITARY CO-**
19 **OPERATION BETWEEN THE UNITED STATES**
20 **AND THE RUSSIAN FEDERATION.**

21 Subsection (a) of the National Defense Authorization
22 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
23 2488), as most recently amended by section 1247 of the
24 John S. McCain National Defense Authorization Act for
25 Fiscal Year 2019 (Public Law 115–232), is further

1 amended in the matter preceding paragraph (1) by strik-
2 ing “fiscal year 2017, 2018, or 2019” and inserting “fis-
3 cal year 2017, 2018, 2019, or 2020”.

4 **SEC. 1234. MODIFICATION AND EXTENSION OF UKRAINE SE-**
5 **CURITY ASSISTANCE INITIATIVE.**

6 Section 1250 of the National Defense Authorization
7 Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.
8 1068), as most recently amended by section 1246 of the
9 John S. McCain National Defense Authorization Act for
10 Fiscal Year 2019 (Public Law 115–232), is further
11 amended—

12 (1) in subsection (a), in the matter preceding
13 paragraph (1), by striking “in coordination with the
14 Secretary of State” and inserting “with the concur-
15 rence of the Secretary of State”;

16 (2) in subsection (b)—

17 (A) by amending paragraph (11) to read
18 as follows:

19 “(11) Air defense and coastal defense radars,
20 and systems to support effective command and con-
21 trol and integration of air defense and coastal de-
22 fense capabilities.”;

23 (B) by redesignating paragraphs (14) and
24 (15) as paragraphs (15) and (16), respectively;

1 (C) by inserting after paragraph (13) the
2 following new paragraph (14):

3 “(14) Coastal defense and anti-ship missile sys-
4 tems.”; and

5 (D) in paragraph (15), as so redesignated,
6 by striking “paragraphs (1) through (13)” and
7 inserting “paragraphs (1) through (14)”;

8 (3) in subsection (c), by amending paragraph
9 (5) to read as follows:

10 “(5) LETHAL ASSISTANCE.—Of the funds avail-
11 able for fiscal year 2020 pursuant to subsection
12 (f)(5), \$100,000,000 shall be available only for le-
13 thal assistance described in paragraphs (2), (3),
14 (11), (12), and (14) of subsection (b).”;

15 (4) in subsection (f), by adding at the end the
16 following new paragraph:

17 “(5) For fiscal year 2020, \$300,000,000.”; and

18 (5) in subsection (h), by striking “December
19 31, 2021” and inserting “December 31, 2022”.

1 **SEC. 1235. EXTENSION OF AUTHORITY FOR TRAINING FOR**
 2 **EASTERN EUROPEAN NATIONAL SECURITY**
 3 **FORCES IN THE COURSE OF MULTILATERAL**
 4 **EXERCISES.**

5 Subsection (h) of section 1251 of the National De-
 6 fense Authorization Act for Fiscal Year 2016 (10 U.S.C.
 7 333 note) is amended—

8 (1) in the first sentence, by striking “December
 9 31, 2020” and inserting “December 31, 2022”; and

10 (2) in the second sentence, by striking “for for
 11 the period beginning on October 1, 2015, and ending
 12 on December 31, 2020” and inserting “for the pe-
 13 riod beginning on October 1, 2015, and ending on
 14 December 31, 2022”.

15 **SEC. 1236. LIMITATION ON TRANSFER OF F-35 AIRCRAFT**
 16 **TO THE REPUBLIC OF TURKEY.**

17 (a) LIMITATION.—Except as provided in subsection
 18 (b), none of the funds authorized to be appropriated by
 19 this Act or otherwise made available for the Department
 20 of Defense may be used to do the following:

21 (1) Transfer, or facilitate the transfer of, F-35
 22 aircraft to the territory of the Republic of Turkey.

23 (2) Transfer equipment, intellectual property,
 24 or technical data necessary for or related to the
 25 maintenance or support of the F-35 aircraft in the
 26 territory of the Republic of Turkey.

1 (3) Construct facilities for or otherwise associ-
 2 ated with the storage of F-35 aircraft in the terri-
 3 tory of the Republic of Turkey.

4 (b) WAIVER.—The Secretary of Defense, with the
 5 concurrence of the Secretary of State, may waive the limi-
 6 tation under subsection (a) if the Secretary of Defense and
 7 the Secretary of State submit to the congressional defense
 8 committees, the Committee on Foreign Relations of the
 9 Senate, and the Committee on Foreign Affairs of the
 10 House of Representatives a certification that the Govern-
 11 ment of Turkey—

12 (1) has not accepted delivery of the S-400 air
 13 and missile defense system from the Russian Fed-
 14 eration; and

15 (2) has provided reliable assurances that the
 16 Government of Turkey will not accept delivery of the
 17 S-400 air and missile defense system from the Rus-
 18 sian Federation in the future.

19 **SEC. 1237. MODIFICATIONS OF BRIEFING, NOTIFICATION,**
 20 **AND REPORTING REQUIREMENTS RELATING**
 21 **TO NON-COMPLIANCE BY THE RUSSIAN FED-**
 22 **ERATION WITH ITS OBLIGATIONS UNDER THE**
 23 **INF TREATY.**

24 (a) BRIEFING REQUIREMENT.—Section 1244(d) of
 25 the Carl Levin and Howard P. “Buck” McKeon National

1 Defense Authorization Act for Fiscal Year 2015 (Public
2 Law 113–291; 128 Stat. 3565; 22 U.S.C. 2593a note)—

3 (1) by striking “At the time” and inserting the
4 following:

5 “(A) IN GENERAL.—At the time”; and

6 (2) by adding at the end the following new sub-
7 paragraph:

8 “(B) SUNSET.—The briefing requirement
9 under subparagraph (A) shall be in effect so
10 long as the INF Treaty remains in force.”.

11 (b) NOTIFICATION REQUIREMENT RELATING TO CO-
12 ORDINATION WITH ALLIES.—Section 1243(c) of the Na-
13 tional Defense Authorization Act for Fiscal Year 2016
14 (Public Law 114–92; 129 Stat. 1601) is amended by add-
15 ing at the end the following new paragraph:

16 “(3) SUNSET.—The notification requirement
17 under paragraph (1) shall be in effect so long as the
18 INF Treaty remains in force.”.

19 (c) NOTIFICATION REQUIREMENT RELATING TO DE-
20 VELOPMENT, DEPLOYMENT, OR TEST OF A SYSTEM IN-
21 CONSISTENT WITH INF TREATY.—Section 1244(a) of the
22 National Defense Authorization Act for Fiscal Year 2018
23 (Public Law 115–91; 131 Stat. 1673; 22 U.S.C. 2593a
24 note) is amended by adding at the end the following new
25 paragraph:

1 “(3) SUNSET.—The notification requirement
 2 under paragraph (1) shall be in effect so long as the
 3 INF Treaty remains in force.”.

4 (d) REPORTING REQUIREMENT UNDER UKRAINE
 5 FREEDOM SUPPORT ACT OF 2014.—Section 10(c) of the
 6 Ukraine Freedom Support Act of 2014 (22 U.S.C. 8929)
 7 is amended by adding at the end the following new para-
 8 graph:

9 “(3) SUNSET.—The reporting requirement
 10 under paragraph (1) shall be in effect so long as the
 11 INF Treaty remains in force.”.

12 **SEC. 1238. EXTENSION AND MODIFICATION OF SECURITY**
 13 **ASSISTANCE FOR BALTIC NATIONS FOR**
 14 **JOINT PROGRAM FOR INTEROPERABILITY**
 15 **AND DETERRENCE AGAINST AGGRESSION.**

16 (a) ADDITIONAL DEFENSE ARTICLES AND SERV-
 17 ICES.—Subsection (c) of section 1279D of the National
 18 Defense Authorization Act for Fiscal Year 2018 (Public
 19 Law 115–91; 131 Stat. 1702; 22 U.S.C. 2753 note) is
 20 amended—

21 (1) by redesignating paragraph (5) as para-
 22 graph (6); and

23 (2) by inserting after paragraph (4) the fol-
 24 lowing new paragraph (5):

1 “(5) Command, control, communications, com-
2 puters, intelligence, surveillance, and reconnaissance
3 (C4ISR) equipment.”.

4 (b) FUNDING.—Subsection (f) of such section is
5 amended—

6 (1) in paragraph (2), by striking
7 “\$100,000,000” and inserting “\$125,000,000”; and
8 (2) by adding at the end the following new
9 paragraph:

10 “(3) MATCHING AMOUNT.—The amount of as-
11 sistance provided under subsection (a) for procure-
12 ment described in subsection (b) may not exceed the
13 aggregate amount contributed to such procurement
14 by the Baltic nations.”.

15 (c) EXTENSION.—Subsection (g) of such section is
16 amended by striking “December 31, 2020” and inserting
17 “December 31, 2022”.

18 **SEC. 1239. REPORT ON NORTH ATLANTIC TREATY ORGANI-**
19 **ZATION READINESS INITIATIVE.**

20 (a) REPORT.—Not later than October 1, 2020, the
21 Secretary of Defense shall submit to the congressional de-
22 fense committees a report on the North Atlantic Treaty
23 Organization (NATO) Readiness Initiative, which shall in-
24 clude assessments of the following:

1 (1) The number of units North Atlantic Treaty
2 Organization allies have pledged against the bench-
3 mark to provide an additional 30 air attack squad-
4 rons, 30 naval combat vessels, and 30 mechanized
5 battalions ready to fight in not more than 30 days.

6 (2) The procedure by which the North Atlantic
7 Treaty Organization certifies, reports, and ensures
8 that the Supreme Allied Commander Europe
9 (SACEUR) maintains a detailed understanding of
10 the readiness of the forces described in paragraph
11 (1).

12 (3) The North Atlantic Treaty Organization
13 plan to maintain the readiness of such forces in fu-
14 ture years.

15 (b) FORM.—The report required by subsection (a)
16 shall be submitted in unclassified form, but may include
17 a classified annex.

18 **SEC. 1240. REPORTS ON CONTRIBUTIONS TO THE NORTH**
19 **ATLANTIC TREATY ORGANIZATION.**

20 (a) IN GENERAL.—Beginning in 2020, and annually
21 thereafter through 2025, not later than 30 days after the
22 date on which the annual report of the Secretary General
23 of the North Atlantic Treaty Organization for the pre-
24 ceding calendar year is published, the Secretary of De-
25 fense, in consultation with the Commander of United

1 States European Command, shall submit to the appro-
2 priate committees of Congress a report that includes the
3 following:

4 (1) A link to an electronic version of such an-
5 nual report of the Secretary General of the North
6 Atlantic Treaty Organization.

7 (2) A summary of the key findings of such an-
8 nual report.

9 (3) A description of the significant financial
10 contributions by member countries of the North At-
11 lantic Treaty Organization that support the presence
12 or operations of the United States Armed Forces in
13 Europe.

14 (4) An assessment of the progress of each mem-
15 ber country of the North Atlantic Treaty Organiza-
16 tion toward meeting the North Atlantic Treaty Or-
17 ganization capability targets for such member coun-
18 try.

19 (5) An assessment of North Atlantic Treaty Or-
20 ganization capability and capacity shortfalls that
21 may be addressed through investment by North At-
22 lantic Treaty Organization member countries that
23 have not met the Defense Investment Pledge made
24 at the 2014 summit of the North Atlantic Treaty
25 Organization in Wales.

1 (6) A description of the contribution of each
2 member country of the North Atlantic Treaty Orga-
3 nization to the NATO Readiness Initiative.

4 (7) A description of—

5 (A) the personnel and financial contribu-
6 tions of each member country of the North At-
7 lantic Treaty Organization to military or sta-
8 bility operations in which the United States
9 Armed Forces are a participant; and

10 (B) any limitation placed by such member
11 country on the use of such contributions.

12 (8) An assessment of the compatibility and
13 alignment of United States and North Atlantic
14 Treaty Organization contingency plans, including
15 recommendations to reduce the risk of executing
16 such plans.

17 (9) An assessment of current North Atlantic
18 Treaty Organization initiatives, and any rec-
19 ommendations for future reforms or initiatives, to
20 accelerate the speed of decision and deployability of
21 North Atlantic Treaty Organization forces.

22 (b) FORM.—Each report under subsection (a) shall
23 be submitted in unclassified form, but may include a clas-
24 sified annex.

1 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
 2 FINED.—In this section, the term “appropriate commit-
 3 tees 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 **SEC. 1241. FUTURE YEARS PLANS FOR EUROPEAN DETER-**
 10 **RENCE INITIATIVE.**

11 (a) PLAN REQUIRED.—

12 (1) INITIAL PLAN.—

13 (A) IN GENERAL.—Not later than Decem-
 14 ber 31, 2019, the Secretary of Defense, in con-
 15 sultation with the Commander of the United
 16 States European Command, shall submit to the
 17 congressional defense committees a future years
 18 plan on activities and resources of the Euro-
 19 pean Deterrence Initiative (EDI) for fiscal year
 20 2020 and not fewer than the four succeeding
 21 fiscal years.

22 (B) MATTERS TO BE INCLUDED.—The
 23 plan required under subparagraph (A) shall in-
 24 clude the following:

1 (i) A description of the objectives of
2 the European Deterrence Initiative, includ-
3 ing a description of—

4 (I) the intended force structure
5 and posture of the assigned and allo-
6 cated forces within the area of respon-
7 sibility of the United States European
8 Command for the last fiscal year of
9 the plan; and

10 (II) the manner in which such
11 force structure and posture support
12 the implementation of the National
13 Defense Strategy.

14 (ii) An assessment of capabilities re-
15 quirements to achieve the objectives of the
16 European Deterrence Initiative.

17 (iii) An assessment of logistics re-
18 quirements, including personnel, equip-
19 ment, supplies, storage, and maintenance
20 needs, to achieve the objectives of the Eu-
21 ropean Deterrence Initiative.

22 (iv) An identification of required in-
23 frastructure and military construction in-
24 vestments to achieve the objectives of the
25 European Deterrence Initiative, including

1 potential infrastructure investments by
2 host nations.

3 (v) An assessment of security coopera-
4 tion investments required to achieve the
5 objectives of the European Deterrence Ini-
6 tiative.

7 (vi) A plan to fully resource United
8 States force posture and capabilities, in-
9 cluding—

10 (I) a detailed assessment of the
11 resources necessary to address the re-
12 quirements described in clauses (i)
13 through (v), including specific cost es-
14 timates for each project in the Euro-
15 pean Deterrence Initiative to support
16 increased presence, exercises and
17 training, enhanced prepositioning, im-
18 proved infrastructure, and building
19 partnership capacity; and

20 (II) a detailed timeline to achieve
21 the intended force structure and pos-
22 ture described in clause (i)(I).

23 (2) SUBSEQUENT PLAN.—

24 (A) IN GENERAL.—Not later than the date
25 on which the Secretary submits to Congress the

1 budget request for the Department of Defense
 2 for fiscal year 2021, the Secretary, in consulta-
 3 tion with the Commander of the United States
 4 European Command, shall submit to the con-
 5 gressional defense committees a future years
 6 plan on activities and resources of the Euro-
 7 pean Deterrence Initiative for fiscal year 2021
 8 and not fewer than the four succeeding fiscal
 9 years.

10 (B) MATTERS TO BE INCLUDED.—The
 11 plan required under subparagraph (A) shall in-
 12 clude—

13 (i) the matters described in subpara-
 14 graph (B) of paragraph (1); and

15 (ii) a detailed explanation of any sig-
 16 nificant modifications in requirements or
 17 resources, as compared to the plan sub-
 18 mitted under that paragraph.

19 (b) FORM.—The plans required under subsection (a)
 20 shall be submitted in unclassified form, but may include
 21 a classified annex.

22 **SEC. 1242. MODIFICATION OF REPORTING REQUIREMENTS**
 23 **RELATING TO THE OPEN SKIES TREATY.**

24 (a) PLAN FOR IMPLEMENTATION FLIGHTS.—Section
 25 1235(a) of the National Defense Authorization Act for

1 Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1660)

2 is amended—

3 (1) in paragraph (1)—

4 (A) by striking “the President” and insert-
5 ing “the Secretary of Defense”; and

6 (B) by striking “with respect to such fiscal
7 year” and inserting “with respect to the cal-
8 endar year in which the flight is to be con-
9 ducted”;

10 (2) in paragraph (2), by striking “during such
11 fiscal year” and inserting “during such calendar
12 year”; and

13 (3) in paragraph (3), by striking “with respect
14 to a fiscal year” and inserting “with respect to a cal-
15 endar year”.

16 (b) QUARTERLY REPORTS ON OBSERVATION
17 FLIGHTS BY THE RUSSIAN FEDERATION.—

18 (1) IN GENERAL.—Paragraph (1) of subsection
19 (c) of section 1236 of the National Defense Author-
20 ization Act for Fiscal Year 2017 (Public Law 114–
21 328; 130 Stat. 2491) is amended by striking “on a
22 quarterly basis” and inserting “on an annual basis”.

23 (2) CONFORMING AMENDMENT.—Such sub-
24 section is further amended, in the subsection head-

1 ing, by striking “QUARTERLY” and inserting “AN-
2 NUAL”.

3 **SEC. 1243. REPORT ON NUCLEAR WEAPONS OF THE RUS-**
4 **SIAN FEDERATION AND NUCLEAR MOD-**
5 **ERNIZATION OF THE PEOPLE’S REPUBLIC OF**
6 **CHINA.**

7 (a) IN GENERAL.—Not later than February 15,
8 2020, the Secretary of Defense, in coordination with the
9 Director of National Intelligence and the Secretary of
10 State, shall submit to the appropriate committees of Con-
11 gress a report that includes the following:

12 (1) An assessment of the deployed nuclear
13 weapons of the Russian Federation not covered by
14 the New START Treaty.

15 (2) An assessment of the nuclear weapons of
16 the Russian Federation in development that would
17 not be covered by the New START Treaty.

18 (3) An assessment of the strategic nuclear
19 weapons of the Russian Federation that are not de-
20 ployed.

21 (4) An assessment of the efforts of the People’s
22 Republic of China with respect to nuclear mod-
23 ernization.

24 (5) The implications of such assessments with
25 respect to the limitations on strategic weapons of the

1 United States and the Russian Federation under the
2 New START Treaty.

3 (b) FORM.—The report under subsection (a) shall be
4 submitted in unclassified form, but may include a classi-
5 fied annex.

6 (c) DEFINITIONS.—In this section:

7 (1) APPROPRIATE COMMITTEES OF CON-
8 GRESS.—The term “appropriate committees of Con-
9 gress” means—

10 (A) the Committee on Armed Services, the
11 Select Committee on Intelligence, and the Com-
12 mittee on Foreign Relations of the Senate; and

13 (B) the Committee on Armed Services, the
14 Permanent Select Committee on Intelligence,
15 and the Committee on Foreign Affairs of the
16 House of Representatives.

17 (2) NEW START TREATY.—The term “New
18 START Treaty” means the Treaty between the
19 United States of America and the Russian Federa-
20 tion on Measures for the Further Reduction and
21 Limitation of Strategic Offensive Arms, signed on
22 April 8, 2010, and entered into force on February
23 5, 2011.

1 **SEC. 1244. SENSE OF SENATE ON THE 70TH ANNIVERSARY**
2 **OF THE NORTH ATLANTIC TREATY ORGANI-**
3 **ZATION.**

4 Commemorating the 70th anniversary of the North
5 Atlantic Treaty Organization (NATO), the Senate—

6 (1) recognizes the North Atlantic Treaty Orga-
7 nization as the most successful military alliance in
8 history, founded on the principles of democracy, in-
9 dividual liberty, and the rule of law;

10 (2) commends the singular contributions of the
11 North Atlantic Treaty Organization to the security,
12 prosperity, and freedom of its members;

13 (3) upholds membership in the North Atlantic
14 Treaty Organization as a cornerstone of the security
15 and national defense of the United States;

16 (4) affirms the ironclad commitment of the
17 United States to uphold its obligations under the
18 North Atlantic Treaty, including under Article 5 of
19 such treaty;

20 (5) honors the contributions of North Atlantic
21 Treaty Organization allies to the security of the
22 United States, including the invocation of Article 5
23 of the North Atlantic Treaty after the September
24 11, 2001, terrorist attacks against the United
25 States;

1 (6) urges North Atlantic Treaty Organization
 2 allies to uphold their obligations under Article 3 of
 3 the North Atlantic Treaty to “maintain and develop
 4 their individual and collective capacity to resist
 5 armed attack” by honoring the Defense Investment
 6 Pledge made at the Wales Summit in 2014;

7 (7) notes the commitment of North Atlantic
 8 Treaty Organization allies to contribute to strength-
 9 ening their free institutions, bringing about a better
 10 understanding of the principles on which such insti-
 11 tutions are founded and promoting conditions of sta-
 12 bility and well-being; and

13 (8) welcomes efforts to reform and modernize
 14 the North Atlantic Treaty Organization to meet cur-
 15 rent and future threats, including though accelerated
 16 modernization, improved readiness, command struc-
 17 ture adaptation, and increased speed of alliance deci-
 18 sion-making.

19 **SEC. 1245. SENSE OF SENATE ON UNITED STATES FORCE**
 20 **POSTURE IN EUROPE AND THE REPUBLIC OF**
 21 **POLAND.**

22 It is the sense of the Senate that—

23 (1) the 2018 National Defense Strategy identi-
 24 fies long-term strategic competition with the Russian
 25 Federation as a principal priority for the Depart-

1 ment of Defense that requires increased and sus-
2 tained investment;

3 (2) despite significant progress through the Eu-
4 ropean Deterrence Initiative, the current force pos-
5 ture of the United States is not yet sufficient to sup-
6 port the National Defense Strategy;

7 (3) due to the geostrategic location and capa-
8 bilities of the armed forces of the Republic of Po-
9 land, the Republic of Poland is critical to deterring,
10 defending against, and defeating Russian aggression
11 against North Atlantic Treaty Organization allies in
12 Central and Eastern Europe; and

13 (4) the United States should increase the per-
14 sistent presence of United States forces in the Re-
15 public of Poland, including key combat enabler units
16 such as warfighting headquarters elements—

17 (A) to enhance deterrence against Russian
18 aggression; and

19 (B) to reduce the risk of executing Depart-
20 ment of Defense contingency plans.

21 **SEC. 1246. SENSE OF SENATE ON UNITED STATES PART-**
22 **NERSHIP WITH THE REPUBLIC OF GEORGIA.**

23 It is the sense of the Senate that the United States
24 should—

1 (1) promote the enduring strategic partnership
2 of the United States with the Republic of Georgia;

3 (2) support robust security sector assistance for
4 the Republic of Georgia, including defensive lethal
5 assistance—

6 (A) to strengthen the defense capabilities
7 and readiness of the Republic of Georgia;

8 (B) to improve interoperability with North
9 Atlantic Treaty Organization (NATO) forces;
10 and

11 (C) to bolster deterrence against aggres-
12 sion by the Russian Federation;

13 (3) enhance security in the Black Sea region by
14 increasing engagement and security cooperation with
15 Black Sea countries, including by increasing the fre-
16 quency, scale, and scope of North Atlantic Treaty
17 Organization and other multilateral exercises in the
18 Black Sea region with the participation of the Re-
19 public of Georgia and Ukraine; and

20 (4) affirm support for the North Atlantic Trea-
21 ty Organization open door policy, including the even-
22 tual membership of the Republic of Georgia in the
23 North Atlantic Treaty Organization.

1 **Subtitle E—Matters Relating to the**
2 **Indo-Pacific Region**

3 **SEC. 1251. LIMITATION ON USE OF FUNDS TO REDUCE THE**
4 **TOTAL NUMBER OF MEMBERS OF THE**
5 **ARMED FORCES IN THE TERRITORY OF THE**
6 **REPUBLIC OF KOREA.**

7 None of the funds authorized to be appropriated by
8 this Act may be used to reduce the total number of mem-
9 bers of the Armed Forces in the territory of the Republic
10 of Korea below 28,500 until 90 days after the date on
11 which the Secretary of Defense certifies to the congres-
12 sional defense committees the following:

13 (1) Such a reduction is in the national security
14 interest of the United States and will not signifi-
15 cantly undermine the security of United States allies
16 in the region.

17 (2) Such a reduction is commensurate with a
18 reduction in the threat posed to the security of the
19 United States and its allies in the region by the con-
20 ventional military forces of the Democratic People's
21 Republic of Korea.

22 (3) The Secretary has appropriately consulted
23 with allies of the United States, including the Re-
24 public of Korea and Japan, regarding such a reduc-
25 tion.

1 **SEC. 1252. EXPANSION OF INDO-PACIFIC MARITIME SECU-**
 2 **RITY INITIATIVE.**

3 Section 1263(b) of the National Defense Authoriza-
 4 tion Act for Fiscal Year 2016 (10 U.S.C. 333 note) is
 5 amended by adding at the end the following new para-
 6 graphs:

7 “(8) The Federated States of Micronesia.

8 “(9) The Kingdom of Tonga.

9 “(10) Papua New Guinea.

10 “(11) The Republic of Fiji.

11 “(12) The Republic of the Marshall Islands.

12 “(13) The Republic of Palau.

13 “(14) The Republic of Vanuatu.

14 “(15) The Solomon Islands.”.

15 **SEC. 1253. MODIFICATION OF ANNUAL REPORT ON MILI-**
 16 **TARY AND SECURITY DEVELOPMENTS IN-**
 17 **VOLVING THE PEOPLE’S REPUBLIC OF**
 18 **CHINA.**

19 Paragraph (26) of section 1202(b) of the National
 20 Defense Authorization Act for Fiscal Year 2000 (10
 21 U.S.C. 113 note) is amended to read as follows:

22 “(26) The relationship between Chinese over-
 23 seas investment, including the Belt and Road Initia-
 24 tive and the Digital Silk Road, and Chinese security
 25 and military strategy objectives, including—

1 “(A) an assessment of Chinese investments
2 or projects likely, or with significant potential,
3 to be converted into military assets of the Peo-
4 ple’s Republic of China;

5 “(B) an assessment of Chinese investments
6 or projects of greatest concern with respect to
7 United States national security interests;

8 “(C) a description of any Chinese invest-
9 ment or project linked to military cooperation
10 with the country in which the investment or
11 project is located, such as cooperation on sat-
12 ellite navigation or arms production; and

13 “(D) an assessment of any Chinese invest-
14 ment or project, and any associated agreement,
15 that—

16 “(i) presents significant financial risk
17 for the country in which the investment or
18 project is located; or

19 “(ii) may undermine the sovereignty
20 of such country.”.

21 **SEC. 1254. REPORT ON RESOURCING UNITED STATES DE-**
22 **FENSE REQUIREMENTS FOR THE INDO-PA-**
23 **CIFIC REGION.**

24 (a) REPORT REQUIRED.—

1 (1) IN GENERAL.—Not later than January 31,
2 2020, the Commander of United States Indo-Pacific
3 Command shall submit to the congressional defense
4 committees a report containing the independent as-
5 sessment of the Commander with respect to the ac-
6 tivities and resources required, for fiscal years 2022
7 through 2026, to achieve the following objectives:

8 (A) The implementation of the National
9 Defense Strategy with respect to the Indo-Pa-
10 cific region.

11 (B) The maintenance or restoration of the
12 comparative military advantage of the United
13 States with respect to the People’s Republic of
14 China.

15 (C) The reduction of the risk of executing
16 contingency plans of the Department of De-
17 fense.

18 (2) MATTERS TO BE INCLUDED.—The report
19 required under paragraph (1) shall include the fol-
20 lowing:

21 (A) A description of the intended force
22 structure and posture of assigned and allocated
23 forces within the area of responsibility of
24 United States Indo-Pacific Command for fiscal

1 year 2026 to achieve the objectives described in
2 paragraph (1).

3 (B) An assessment of capabilities require-
4 ments to achieve such objectives.

5 (C) An assessment of logistics require-
6 ments, including personnel, equipment, supplies,
7 storage, and maintenance needs to achieve such
8 objectives.

9 (D) An identification of required infra-
10 structure and military construction investments
11 to achieve such objectives.

12 (E) An assessment of security cooperation
13 activities or resources required to achieve such
14 objectives.

15 (F) A plan to fully resource United States
16 force posture and capabilities, including—

17 (i) a detailed assessment of the re-
18 sources necessary to address the elements
19 described in subparagraphs (A) through
20 (E), including specific cost estimates for
21 priority investments or projects—

22 (I) to increase joint force
23 lethality;

24 (II) to enhance force design and
25 posture;

1 (III) to support a robust exercise,
2 experimentation, and innovation pro-
3 gram; and

4 (IV) to strengthen cooperation
5 with allies and partners; and

6 (ii) a detailed timeline to achieve the
7 intended force structure and posture de-
8 scribed in subparagraph (A).

9 (3) FORM.—The report required under para-
10 graph (1) may be submitted in classified form, but
11 shall include an unclassified summary.

12 (4) AVAILABILITY.—On submittal of the report
13 to the congressional defense committees, the Com-
14 mander of United States Indo-Pacific Command
15 shall make the report available to the Secretary of
16 Defense, the Director of Cost Assessment and Pro-
17 gram Evaluation, the Chairman of the Joint Chiefs
18 of Staff, the Secretaries of the military departments,
19 and the chiefs of staff of each military service.

20 (b) BRIEFINGS REQUIRED.—

21 (1) INITIAL BRIEFING.—Not later than March
22 15, 2020, the Secretary of Defense, the Director of
23 Cost Assessment and Program Evaluation, and the
24 Chairman of the Joint Chiefs of Staff shall provide
25 to the congressional defense committees a joint

1 briefing, and documents as appropriate, with respect
2 to their assessments of the report submitted under
3 subsection (a), including their assessments of the
4 feasibility and advisability of the plan required by
5 paragraph (2)(F) of that subsection.

6 (2) SUBSEQUENT BRIEFING.—Not later than
7 March 31, 2020, the Secretary of the Air Force, the
8 Secretary of the Army, and the Secretary of the
9 Navy shall provide to the congressional defense com-
10 mittees a joint briefing, and documents as appro-
11 priate, with respect to their assessments of the re-
12 port submitted under subsection (a), including their
13 assessments of the feasibility and advisability of the
14 plan required by paragraph (2)(F) of that sub-
15 section.

16 **SEC. 1255. REPORT ON DISTRIBUTED LAY-DOWN OF UNITED**
17 **STATES FORCES IN THE INDO-PACIFIC RE-**
18 **GION.**

19 (a) REVIEW.—Acknowledging the pressing need to
20 reduce the presence of the United States Marine Corps
21 on Okinawa, Japan, and to accelerate adjustments to
22 United States force posture in the Indo-Pacific region, the
23 Secretary of Defense, in consultation with the Government
24 of Japan and other foreign governments as necessary,
25 shall conduct a review of the planned distribution of mem-

1 bers of the United States Armed Forces in Okinawa,
2 Guam, Hawaii, Australia, and elsewhere that is con-
3 templated in support of the joint statement of the United
4 States-Japan Security Consultative Committee issued
5 April 26, 2012, in the District of Columbia (April 27,
6 2012, in Tokyo, Japan) and revised on October 3, 2013,
7 in Tokyo, hereafter referred to as the “distributed lay-
8 down”.

9 (b) ELEMENTS.—The review required by subsection
10 (a) shall include an updated analysis of the distributed
11 lay-down, including—

12 (1) an assessment of the impact of the distrib-
13 uted lay-down on the ability of the Armed Forces to
14 respond to current and future contingencies in the
15 area of responsibility of United States Indo-Pacific
16 Command that reflects contingency plans of the De-
17 partment of the Defense;

18 (2) the projected total cost, including any past
19 or projected changes in cost;

20 (3) a description of the adequacy of current and
21 expected training resources at each location associ-
22 ated with the distributed lay-down, including the
23 ability to train against the full spectrum of threats
24 from near-peer or peer threats any projected limita-

1 tions due to political, environmental, or other lim-
2 iting factors;

3 (4) an assessment of political support for
4 United States force presence from host countries
5 and local communities and populations;

6 (5) an analysis of growth potential for increased
7 force size or training; and

8 (6) an updated and detailed description of any
9 military construction projects required to execute the
10 distributed lay-down.

11 (c) CERTIFICATION.—Not later than 15 days after
12 the completion of the review required by subsection (a),
13 the Secretary of Defense shall submit to the congressional
14 defense committees—

15 (1) a certification that the Department of De-
16 fense will continue implementation of the distributed
17 lay-down; or

18 (2) a notification that the Department of De-
19 fense intends to seek revisions to the distributed lay-
20 down in consultation with the Government of Japan.

21 (d) REPORT.—Not later than 120 days after the com-
22 pletion of the review required by subsection (a), the Sec-
23 retary of Defense shall provide the congressional defense
24 committees a report on the results of the review, includ-
25 ing—

1 (1) a detailed description of any recommenda-
2 tions for revisions to the distributed lay-down such
3 as alternative locations for basing in Alaska, Hawaii,
4 the continental United States, Japan, and Oceania;
5 and

6 (2) an assessment of the results of the review
7 and recommendations described in paragraph (1) by
8 the Chairman of the Joint Chiefs of Staff.

9 (e) COMPTROLLER GENERAL REPORT.—Not later
10 than 120 days after the submission of the report required
11 by subsection (d), the Comptroller General of the United
12 States shall submit to the congressional defense commit-
13 tees a report containing an analysis of the current status
14 of the distributed lay-down, the review described in sub-
15 section (a), and the report described in subsection (d).

16 **SEC. 1256. SENSE OF SENATE ON THE UNITED STATES-**
17 **JAPAN ALLIANCE AND DEFENSE COOPERA-**
18 **TION.**

19 It is the sense of the Senate that—

20 (1) the United States-Japan alliance remains
21 the cornerstone of peace and security for a free and
22 open Indo-Pacific region;

23 (2) although the United States Government
24 does not take a position on sovereignty of the
25 Senkaku Islands, the United States acknowledges

1 that the islands are under the administration of
2 Japan and opposes any unilateral actions that would
3 seek to undermine their administration by Japan;

4 (3) the unilateral actions of a third party will
5 not affect United States acknowledgment of the ad-
6 ministration of Japan over the Senkaku Islands, and
7 the United States remains committed under the
8 Treaty of Mutual Cooperation and Security with
9 Japan to respond to any armed attack in the terri-
10 tories under the administration of Japan;

11 (4) Japan continues to make contributions to
12 regional security and prosperity that make the
13 United States safer and more prosperous;

14 (5) the Government of Japan has played a crit-
15 ical leadership role in promoting a free and open
16 Indo-Pacific, which is a primary objective of United
17 States national security policy, including through its
18 efforts concerning trade, investment, energy, rule of
19 law, and good governance;

20 (6) the Government of Japan has been instru-
21 mental improving cooperation between the United
22 States, Japan, Australia, and India as well as im-
23 proving relations with countries in the Association of
24 Southeast Asian Nations;

1 (7) the Government of Japan has been a strong
2 supporter of United States efforts to achieve the
3 complete and verifiable denuclearization of North
4 Korea, and has played a leading role in enforcing
5 United Nations Security Council Resolution sanc-
6 tions against North Korea;

7 (8) the Government of Japan has taken signifi-
8 cant steps to enhance military capabilities for its
9 own defense while increasing its contributions to col-
10 lective security, including through passage of legisla-
11 tion concerning collective self-defense, the publica-
12 tion of the National Defense Program Guidelines
13 and the Mid-Term Defense Program, and record in-
14 vestments in advanced defense capabilities in the
15 maritime, air, space, and cyber domains;

16 (9) while it should continue to increase its de-
17 fense spending in order to make a greater contribu-
18 tion to allied defense capabilities, the Government of
19 Japan has made among the most significant “bur-
20 den sharing” contributions of any United States
21 ally, including through direct cost sharing, paying
22 for the realignment of United States forces currently
23 stationed in Okinawa, community support, and other
24 alliance-related expenditures;

(10) upcoming negotiations concerning a new Special Measures Agreement between the United States and Japan should be conducted in a spirit consistent with prior negotiations on the basis of common interest and mutual respect; and

(11) the United States and Japan should take actions to enhance United States-Japan defense cooperation, including through increased use of combined bases for allied operations, further integration of allied command structures, consideration of the establishment of a combined joint task force, enhanced combined contingency planning for both conventional conflict and so-called “gray zone” incidents, and opportunities for co-development of defense equipment and technology cooperation.

**SEC. 1257. SENSE OF SENATE ON ENHANCEMENT OF THE
UNITED STATES-TAIWAN DEFENSE RELATIONSHIP.**

It is the sense of the Senate that—

(1) the Taiwan Relations Act (22 U.S.C. 3301 et seq.) and the “Six Assurances” are both cornerstones of United States relations with Taiwan;

(2) the United States should strengthen defense and security cooperation with Taiwan to support the development of capable, ready, and modern defense

1 forces necessary for Taiwan to maintain a sufficient
2 self-defense capability;

3 (3) the United States should strongly support
4 the acquisition by Taiwan of defense articles and
5 services through foreign military sales, direct com-
6 mercial sales, and industrial cooperation, with an
7 emphasis on anti-ship, coastal defense, anti-armor,
8 air defense, undersea warfare, advanced command,
9 control, communications, computer, intelligence, sur-
10 veillance, and reconnaissance (C4ISR), and resilient
11 command and control capabilities that support the
12 asymmetric defense strategy of Taiwan;

13 (4) the President and Congress should deter-
14 mine the nature and quantity of such defense arti-
15 cles and services based solely upon their judgment of
16 the needs of Taiwan as required by the Taiwan Re-
17 lations Act;

18 (5) the United States should continue efforts to
19 improve the predictability of United States arms
20 sales to Taiwan by ensuring timely review of and re-
21 sponse to requests of Taiwan for defense articles
22 and services;

23 (6) the Secretary of Defense should promote
24 policies concerning exchanges that enhance the secu-
25 rity of Taiwan including—

1 (A) opportunities with Taiwan for practical
2 training and military exercises that—

3 (i) enable Taiwan to maintain a suffi-
4 cient self-defense capability, as described
5 in section 3(a) of the Taiwan Relations Act
6 (22 U.S.C. 3302(a)); and

7 (ii) emphasize capabilities consistent
8 with the asymmetric defense strategy of
9 Taiwan;

10 (B) exchanges between senior defense offi-
11 cials and general officers of the United States
12 and Taiwan, consistent with the Taiwan Travel
13 Act (Public Law 115–135), especially for the
14 purpose of enhancing cooperation on defense
15 planning and improving the interoperability of
16 United States and Taiwan forces; and

17 (C) opportunities for exchanges between
18 junior officers and senior enlisted personnel of
19 the United States and Taiwan;

20 (7) the United States and Taiwan should ex-
21 pand cooperation in humanitarian assistance and
22 disaster relief;

23 (8) the Secretary of Defense should consider
24 supporting the visit of a United States hospital ship
25 to Taiwan as part of the annual “Pacific Partner-

1 ship” mission, as well as the participation of Taiwan
2 medical vessels in appropriate exercises with the
3 United States, in order to improve disaster response
4 planning and preparedness; and

5 (9) the Secretary of Defense should continue
6 regular transits of United States Navy vessels
7 through the Taiwan Strait, commend the armed
8 forces of France for their April 6, 2019, legal transit
9 of the Taiwan Strait, and encourage allies and part-
10 ners to follow suit in conducting such transits, in
11 order to demonstrate the commitment of the United
12 States and its allies and partners to fly, sail, and op-
13 erate anywhere international law allows.

14 **SEC. 1258. SENSE OF SENATE ON UNITED STATES-INDIA DE-**
15 **FENSE RELATIONSHIP.**

16 It is the sense of the Senate that the United States
17 should strengthen and enhance its major defense partner-
18 ship with India and work toward the following mutual se-
19 curity objectives:

20 (1) Expanding engagement in multilateral
21 frameworks, including the quadrilateral dialogue
22 among the United States, India, Japan, and Aus-
23 tralia, to promote regional security and defend
24 shared values and common interests in the rules-
25 based order.

(2) Increasing the frequency and scope of exchanges between senior civilian officials and military officers of the United States and India to support the development and implementation of the major defense partnership.

(3) Exploring additional steps to implement the major defense partner designation to better facilitate interoperability, information sharing, and appropriate technology transfers.

(4) Pursuing strategic initiatives to help develop the defense capabilities of India.

(5) Conducting additional combined exercises with India in the Persian Gulf, Indian Ocean, and western Pacific regions.

(6) Furthering cooperative efforts to promote stability and security in Afghanistan.

**SEC. 1259. SENSE OF SENATE ON SECURITY COMMITMENTS
TO THE GOVERNMENTS OF JAPAN AND THE
REPUBLIC OF KOREA AND TRILATERAL CO-
OPERATION AMONG THE UNITED STATES,
JAPAN, AND THE REPUBLIC OF KOREA.**

It is the sense of the Senate that—

(1) the United States remains committed to its alliances with Japan and the Republic of Korea, which are—

1 (A) the cornerstones of peace and stability
2 in the Indo-Pacific region; and

3 (B) based on the shared values of democ-
4 racy, the rule of law, free and open markets,
5 and respect for human rights;

6 (2) cooperation among the United States,
7 Japan, and the Republic of Korea is essential for
8 confronting global challenges, including—

9 (A) preventing the proliferation of weapons
10 of mass destruction;

11 (B) combating piracy;

12 (C) assisting victims of conflict and dis-
13 aster worldwide;

14 (D) protecting maritime security; and

15 (E) ensuring freedom of navigation, com-
16 merce, and overflight in the Indo-Pacific region;

17 (3) the United States, Japan, and the Republic
18 of Korea share deep concern that the nuclear and
19 ballistic missile programs, the conventional military
20 capabilities, and the chemical and biological weapons
21 programs of the Democratic People's Republic of
22 Korea, together with the long history of aggression
23 and provocation by the Democratic People's Repub-
24 lic of Korea, pose grave threats to peace and sta-

1 bility on the Korean Peninsula and in the Indo-Pa-
2 cific region;

3 (4) the United States welcomes greater security
4 cooperation with and between Japan and the Repub-
5 lic of Korea to promote mutual interests and address
6 shared concerns, including—

7 (A) the bilateral military intelligence-shar-
8 ing pact between Japan and the Republic of
9 Korea, signed on November 23, 2016; and

10 (B) the trilateral intelligence sharing
11 agreement among the United States, Japan,
12 and the Republic of Korea, signed on December
13 29, 2015; and

14 (5) recognizing that the security of the United
15 States, Japan, and the Republic of Korea are inter-
16 twined because they face common threats, including
17 from the Democratic People’s Republic of Korea, the
18 United States welcomes and encourages deeper tri-
19 lateral defense coordination and cooperation, includ-
20 ing through expanded exercises, training, senior-level
21 exchanges, and information sharing.

1 **SEC. 1260. SENSE OF SENATE ON ENHANCED COOPERATION**
2 **WITH PACIFIC ISLAND COUNTRIES TO ESTAB-**
3 **LISH OPEN-SOURCE INTELLIGENCE FUSION**
4 **CENTERS IN THE INDO-PACIFIC REGION.**

5 It is the sense of the Senate that—

6 (1) the Pacific Island countries in the Indo-Pa-
7 cific region are critical partners of the United
8 States;

9 (2) the United States should take steps to en-
10 hance collaboration with Pacific Island countries;
11 and

12 (3) United States Indo-Pacific Command
13 should pursue the establishment of one or more
14 open-source intelligence fusion centers in the Indo-
15 Pacific region to enhance cooperation with Pacific
16 Island countries, which may include participation in
17 an existing fusion center of a partner or ally in lieu
18 of establishing an entirely new fusion center.

19 **SEC. 1261. SENSE OF SENATE ON ENHANCING DEFENSE**
20 **AND SECURITY COOPERATION WITH THE RE-**
21 **PUBLIC OF SINGAPORE.**

22 It is the sense of the Senate that—

23 (1) the United States and the Republic of
24 Singapore have built a strong, enduring, and for-
25 ward-looking strategic partnership based on long-
26 standing and mutually beneficial cooperation, includ-

1 ing through security, defense, economic, and people-
2 to-people ties;

3 (2) robust security cooperation between the
4 United States and the Republic of Singapore is cru-
5 cial to promoting peace and stability in the Indo-Pa-
6 cific region;

7 (3) the status of the Republic of Singapore as
8 a major security cooperation partner of the United
9 States, as recognized in the 2005 Strategic Frame-
10 work Agreement between the United States and the
11 Republic of Singapore for a Closer Partnership in
12 Defense and Security, plays an important role in the
13 global network of strategic partnerships, especially
14 in promoting maritime security and countering ter-
15 rorism;

16 (4) the United States highly values the Repub-
17 lic of Singapore's provision of access to its military
18 facilities, which supports the continued security
19 presence of the United States in Southeast Asia and
20 across the Indo-Pacific region;

21 (5) the United States should continue to wel-
22 come the presence of the Singapore Armed Forces in
23 the United States for exercises and training, and
24 should consider opportunities to expand such activi-

1 ties at additional locations in the United States, as
2 appropriate; and

3 (6) as the United States and the Republic of
4 Singapore negotiate the renewal of the 1990 Memo-
5 randum of Understanding Regarding the United
6 States Use of Facilities in Singapore, the United
7 States should—

8 (A) continue to enhance defense and secu-
9 rity cooperation with the Republic of Singapore
10 to promote peace and stability in the Indo-Pa-
11 cific region based on common interests and
12 shared values;

13 (B) reinforce the status of the Republic of
14 Singapore as a major security cooperation part-
15 ner of the United States;

16 (C) enhance defense cooperation in the
17 military, policy, strategic, and technological
18 spheres, especially concerning maritime security
19 and counterterrorism, counterpiracy, humani-
20 tarian assistance and disaster relief, cybersecu-
21 rity, and biosecurity; and

22 (D) explore additional steps to better fa-
23 cilitate military interoperability and information
24 sharing through appropriate technology trans-
25 fers.

Subtitle F—Reports

SEC. 1271. REPORT ON COST IMPOSITION STRATEGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing the cost imposition strategies of the Department of Defense with respect to the People’s Republic of China and the Russian Federation.

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

(1) A description of the manner in which the future-years defense program and current operational concepts of the Department are designed to impose costs on the People’s Republic of China and the Russian Federation, including—

(A) political, economic, monetary, human capital, and technology costs; and

(B) costs associated with military efficiency and effectiveness.

(2) A description of the policies and processes of the Department relating to the development and execution of cost imposition strategies.

(c) FORM.—The report under subsection (a) shall be submitted in classified form, and shall include an unclassified summary.

Subtitle G—Other Matters

SEC. 1281. NATO SPECIAL OPERATIONS HEADQUARTERS.

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

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

(2) by striking subsection (c); and

(3) by redesignating subsection (d) as subsection (c).

SEC. 1282. MODIFICATIONS OF AUTHORITIES RELATING TO ACQUISITION AND CROSS-SERVICING AGREEMENTS.

(a) REIMBURSEMENT FOR COST OF LOGISTIC SUPPORT, SUPPLIES, AND SERVICES.—Subsection (a) of section 2342 of title 10, United States Code, is amended—

(1) in paragraph (2), by striking “in return for” and all that follows through the period at the end and inserting the following: “in return for—

“(A) the reciprocal provisions of logistic support, supplies, and services by such govern-

1 ment or organization to elements of the armed
2 forces; or

3 “(B) cash reimbursement for the fully bur-
4 dened cost of the logistic support, supplies, and
5 services provided by the United States.”; and

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

8 “(3) A reciprocal transaction for logistic sup-
9 port, supplies, and services shall be reconciled not
10 later than one year after the date on which the
11 transaction occurs, at which time the Secretary of
12 Defense shall seek cash reimbursement for the fully
13 burdened cost of the logistic support, supplies, and
14 services provided by the United States that has not
15 been offset by the value of the logistic support, sup-
16 plies, and services provided by the recipient govern-
17 ment or organization.

18 “(4) An agreement entered into under this sec-
19 tion shall require any accrued credits or liabilities
20 resulting from an unequal exchange of logistic sup-
21 port, supplies, and services to be liquidated not less
22 frequently than once every five years.”.

23 (b) DESIGNATION AND NOTICE OF INTENT TO
24 ENTER INTO AGREEMENT WITH NON-NATO COUN-

1 TRY.—Subsection (b) of such section is amended to read
2 as follows:

3 “(b)(1) The Secretary of Defense may not designate
4 a country for an agreement under this section unless—

5 “(A) the Secretary, after consultation with the
6 Secretary of State, determines that the designation
7 of such country for such purpose is in the interest
8 of the national security of the United States; and

9 “(B) in the case of a country that is not a
10 member of the North Atlantic Treaty Organization,
11 the Secretary submits to the appropriate committees
12 of Congress notice of the intended designation not
13 less than 30 days before the date on which such
14 country is designated by the Secretary under sub-
15 section (a).

16 “(2) In the case of a country that is not a member
17 of the North Atlantic Treaty Organization, the Secretary
18 of Defense may not enter into an agreement under this
19 section unless the Secretary submits to the appropriate
20 committees of Congress a notice of intent to enter into
21 such an agreement not less than 30 days before the date
22 on which the Secretary enters into the agreement.”.

23 (c) OVERSIGHT AND MONITORING RESPONSIBIL-
24 ITIES.—Such section is further amended—

1 (1) by redesignating subsections (f) through (h)
2 as subsections (g) through (i), respectively; and

3 (2) by inserting after subsection (e) the fol-
4 lowing new subsection (f):

5 “(f)(1) The Under Secretary of Defense for Policy
6 shall have primary responsibility within the Office of the
7 Secretary of Defense for oversight of agreements entered
8 into and activities carried out under the authority of this
9 subchapter.

10 “(2) The Director of the Defense Security Coopera-
11 tion Agency shall have primary responsibility for—

12 “(A) monitoring the implementation of such
13 agreements; and

14 “(B) accounting for logistic support, supplies,
15 and services received or provided under such author-
16 ity.”.

17 (d) REGULATIONS.—Subsection (g) of such section,
18 as redesignated by subsection (c)(1), is amended to read
19 as follows:

20 “(g)(1) Not later than 90 days after the date of the
21 enactment of this Act, the Secretary of Defense shall pre-
22 scribe regulations to ensure that—

23 “(A) contracts entered into under this sub-
24 chapter are free from self-dealing, bribery, and con-
25 flict of interests;

1 “(B) adequate processes and controls are in
2 place to provide for the accurate accounting of logis-
3 tic support, supplies, and services received or pro-
4 vided under the authority of this subchapter; and

5 “(C) personnel responsible for accounting for
6 logistic support, supplies, and services received or
7 provided under such authority are fully trained and
8 aware of such responsibilities.

9 “(2)(A) Not later than 270 days after the
10 issuance of the regulations under paragraph (1), the
11 Comptroller General of the United States shall con-
12 duct a review of the implementation by the Secretary
13 of such regulations.

14 “(B) The review conducted under subparagraph
15 (A) shall—

16 “(i) assess the effectiveness of such regula-
17 tions and the implementation of such regula-
18 tions to ensure the effective management and
19 oversight of an agreement under subsection
20 (a)(1); and

21 “(ii) include any other matter the Comp-
22 troller General considers relevant.”.

23 (e) REPORTS.—Subsection (h) of such section, as re-
24 designated by subsection (c)(1), is amended—

1 (1) in paragraph (1), by inserting “in effect”
2 and inserting “that have entered into force or were
3 applied provisionally”;

4 (2) in paragraph (2)—

5 (A) by striking “date on which the Sec-
6 retary” and all that follows through the period
7 at the end and inserting “dates on which the
8 Secretary notified Congress—

9 “(A) pursuant to subsection (b)(1)(B) of
10 the designation of such country under sub-
11 section (a); and

12 “(B) pursuant to subsection (b)(2) of the
13 intent of the Secretary to enter into the agree-
14 ment.”;

15 (3) by amending paragraph (3) to read as fol-
16 lows:

17 “(3) With respect to each such agreement, the
18 dollar amounts of—

19 (A) each class or type of logistic support,
20 supplies, and services provided in the preceding
21 fiscal year; and

22 “(B) reciprocal provisions of logistic sup-
23 port, supplies, and services, or cash reimburse-
24 ments, received in such fiscal year.”;

1 (4) by amending paragraph (4) to read as fol-
2 lows:

3 “(4) With respect to each such agreement, the
4 dollar amounts of—

5 “(A) each class or type of logistic support,
6 supplies, and services received; and

7 “(B) reciprocal provisions of logistic sup-
8 port, supplies, and services, or cash reimburse-
9 ments provided.”;

10 (5) by striking paragraph (5); and

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

13 “(5) With respect to any transaction for logistic
14 support, supplies, and services that has not been rec-
15 onciled more than one year after the date on which
16 the transaction occurred, a description of the trans-
17 action that includes the following:

18 “(A) The date on which the transaction oc-
19 curred.

20 “(B) The country or organization to which
21 logistic support, supplies, and services were pro-
22 vided.

23 “(C) The value of the transaction.

24 “(6) An explanation of any waiver granted
25 under section 2347(c) during the preceding fiscal

1 year, including an identification of the relevant con-
 2 tingency operation or non-combat operation.”.

3 **SEC. 1283. MODIFICATION OF AUTHORITY FOR UNITED**
 4 **STATES-ISRAEL ANTI-TUNNEL COOPERATION**
 5 **ACTIVITIES.**

6 (a) IN GENERAL.—Subsection (a) of section 1279 of
 7 the National Defense Authorization Act for Fiscal Year
 8 2016 (22 U.S.C. 8606 note) is amended, in the first sen-
 9 tence, by striking “and to establish capabilities for coun-
 10 tering unmanned aerial systems”.

11 (b) EXCEPTION TO MATCHING CONTRIBUTION RE-
 12 QUIREMENT.—Subsection (b)(3) of such section is amend-
 13 ed—

14 (1) by striking “Support” and inserting the fol-
 15 lowing:

16 “(A) IN GENERAL.—Except as provided in
 17 subparagraph (B), support”; and

18 (2) by adding at the end the following:

19 “(B) EXCEPTION.—Subject to paragraph
 20 (4), the Secretary may use amounts available to
 21 the Secretary in excess of the amount contrib-
 22 uted by the Government of Israel to provide
 23 support under this subsection for costs associ-
 24 ated with any unique national requirement

1 identified by the United States with respect to
2 anti-tunnel capabilities.”.

3 **SEC. 1284. UNITED STATES-ISRAEL COOPERATION TO**
4 **COUNTER UNMANNED AERIAL SYSTEMS.**

5 (a) AUTHORITY TO ESTABLISH CAPABILITIES TO
6 COUNTER UNMANNED AERIAL SYSTEMS.—

7 (1) IN GENERAL.—The Secretary of Defense,
8 upon request of the Ministry of Defense of Israel
9 and in consultation with the Secretary of State and
10 the Director of National Intelligence, is authorized
11 to carry out research, development, test, and evalua-
12 tion, on a joint basis with Israel, to establish capa-
13 bilities for countering unmanned aerial systems that
14 threaten the United States or Israel. Any activities
15 carried out pursuant to such authority shall be con-
16 ducted in a manner that appropriately protects sen-
17 sitive technology and information and the national
18 security interests of the United States and Israel.

19 (2) REPORT.—The activities described in para-
20 graph (1) and subsection (b) may not be carried out
21 until after the Secretary of Defense submits to the
22 appropriate committees of Congress a report setting
23 forth the following:

24 (A) A memorandum of agreement between
25 the United States and Israel regarding sharing

1 of research and development costs for the capa-
2 bilities described in paragraph (1), and any
3 supporting documents.

4 (B) A certification that the memorandum
5 of agreement—

6 (i) requires sharing of costs of
7 projects, including in-kind support, be-
8 tween the United States and Israel;

9 (ii) establishes a framework to nego-
10 tiate the rights to any intellectual property
11 developed under the memorandum of
12 agreement; and

13 (iii) requires the United States Gov-
14 ernment to receive semiannual reports on
15 expenditure of funds, if any, by the Gov-
16 ernment of Israel, including a description
17 of what the funds have been used for,
18 when funds were expended, and an identi-
19 fication of entities that expended the
20 funds.

21 (b) SUPPORT IN CONNECTION WITH THE PRO-
22 GRAM.—

23 (1) IN GENERAL.—The Secretary of Defense is
24 authorized to provide maintenance and sustainment
25 support to Israel for the research, development, test,

1 and evaluation activities authorized in subsection
2 (a)(1). Such authority includes authority to install
3 equipment necessary to carry out such research, de-
4 velopment, test, and evaluation.

5 (2) REPORT.—Support may not be provided
6 under paragraph (1) until 15 days after the Sec-
7 retary submits to the appropriate committees of
8 Congress a report setting forth a detailed description
9 of the support to be provided.

10 (3) MATCHING CONTRIBUTION.—

11 (A) IN GENERAL.—Except as provided in
12 subparagraph (B), support may not be provided
13 under this subsection unless the Government of
14 Israel contributes an amount not less than the
15 amount of support to be so provided to the pro-
16 gram, project, or activity for which the support
17 is to be so provided in the calendar year in
18 which the support is provided.

19 (B) EXCEPTION.—Subject to paragraph
20 (4), the Secretary may use amounts available to
21 the Secretary in excess of the amount contrib-
22 uted by the Government of Israel to provide
23 support under this subsection for costs associ-
24 ated with any unique national requirement

1 identified by the United States with respect to
2 countering unmanned aerial systems.

3 (4) ANNUAL LIMITATION ON AMOUNT.—The
4 amount of support provided under this subsection in
5 any year may not exceed \$25,000,000.

6 (5) USE OF CERTAIN AMOUNTS FOR RDT&E AC-
7 TIVITIES IN THE UNITED STATES.—Of the amount
8 provided by the United States in support under
9 paragraph (1), not less than 50 percent of such
10 amount shall be used for research, development,
11 test, and evaluation activities in the United States in
12 connection with such support.

13 (c) LEAD AGENCY.—The Secretary of Defense shall
14 designate an appropriate research and development entity
15 of a military department as the lead agency of the Depart-
16 ment of Defense in carrying out this section.

17 (d) SEMIANNUAL REPORTS.—The Secretary of De-
18 fense shall submit to the appropriate committees of Con-
19 gress on a semiannual basis a report that contains a copy
20 of the most recent semiannual report provided by the Gov-
21 ernment of Israel to the Department of Defense pursuant
22 to subsection (a)(2)(B)(iii).

23 (e) APPROPRIATE COMMITTEES OF CONGRESS DE-
24 FINED.—In this section, the term “appropriate commit-
25 tees of Congress” means—

1 (1) the Committee on Armed Services, the
2 Committee on Foreign Relations, the Committee on
3 Homeland Security, the Committee on Appropria-
4 tions, and the Select Committee on Intelligence of
5 the Senate; and

6 (2) the Committee on Armed Services, the
7 Committee on Foreign Affairs, the Committee on
8 Homeland Security, the Committee on Appropria-
9 tions, and the Permanent Select Committee on Intel-
10 ligence of the House of Representatives.

11 (f) SUNSET.—The authority in this section to carry
12 out activities described in subsection (a), and to provide
13 support described in subsection (b), shall expire on De-
14 cember 31, 2024.

15 **SEC. 1285. MODIFICATION OF INITIATIVE TO SUPPORT PRO-**
16 **TECTION OF NATIONAL SECURITY ACADEMIC**
17 **RESEARCHERS FROM UNDUE INFLUENCE**
18 **AND OTHER SECURITY THREATS.**

19 Section 1286(c) of the John S. McCain National De-
20 fense Authorization Act for Fiscal Year 2019 (Public Law
21 115–232) is amended by adding at the end the following
22 new paragraph:

23 “(8) A list, developed in consultation with the
24 Bureau of Industry and Security of the Department
25 of Commerce, the Director of National Intelligence,

1 and United States academic institutions that con-
 2 duct significant Department of Defense research or
 3 engineering activities, of academic institutions of the
 4 People’s Republic of China and the Russian Federa-
 5 tion that—

6 “(A) are associated with a defense pro-
 7 gram of the People’s Republic of China or the
 8 Russian Federation, including any university
 9 heavily engaged in military research;

10 “(B) are known—

11 “(i) to recruit individuals for the pur-
 12 pose of advancing the talent and capabili-
 13 ties of such a defense program; or

14 “(ii) to provide misleading transcripts
 15 or otherwise attempt to conceal the connec-
 16 tions of an individual or institution to such
 17 a defense program; or

18 “(C) pose a serious risk of intangible
 19 transfers of defense or engineering technology
 20 and research.”.

21 **SEC. 1286. INDEPENDENT ASSESSMENT OF HUMAN RIGHTS**
 22 **SITUATION IN HONDURAS.**

23 (a) ASSESSMENT REQUIRED.—

24 (1) IN GENERAL.—Not later than 90 days after
 25 the date of the enactment of this Act, the Secretary

1 of Defense shall select and enter into an agreement
2 with an independent think tank or a federally fund-
3 ed research and development center to conduct an
4 analysis and assessment of the compliance of the
5 military and security forces of Honduras with inter-
6 national human rights laws and standards.

7 (2) MATTERS TO BE INCLUDED.—The assess-
8 ment under paragraph (1) shall include the fol-
9 lowing:

10 (A) A description of the military-to-mili-
11 tary activities between the United States and
12 Honduras, including the manner in which De-
13 partment of Defense engagement with the mili-
14 tary and security forces of Honduras supports
15 the National Defense Strategy.

16 (B) An analysis and assessment of the ac-
17 tivities of the military and security forces of
18 Honduras with respect to human rights activ-
19 ists.

20 (C) With respect to United States national
21 security interests, an analysis and assessment
22 of the challenges posed by corruption within the
23 military and security forces of Honduras.

24 (D) An analysis of—

1 (i) the security assistance provided to
2 Honduras by the Department of Defense
3 during the 7-year period preceding the
4 date of the enactment of this Act; and

5 (ii) the extent to which such assist-
6 ance has improved accountability, trans-
7 parency, and compliance to international
8 human rights laws and standards in the
9 security and military operations of the
10 Government of Honduras.

11 (E) Recommendations on the development
12 of future security assistance to Honduras that
13 prioritizes—

14 (i) compliance of the military and se-
15 curity forces of Honduras with human
16 rights laws and standards;

17 (ii) citizen security; and

18 (iii) the advancement of United States
19 national security interests with respect to
20 countering the proliferation of illegal nar-
21 cotics flows through Honduras.

22 (F) Any other matters the Secretary con-
23 sider necessary and relevant to United States
24 national security interests.

1 (b) REPORT.—Not later than 270 days after the date
 2 of the enactment of this Act, the entity selected under sub-
 3 section (a) shall submit to the appropriate committees of
 4 Congress a report on the results of the assessment con-
 5 ducted under that subsection.

6 (c) DEPARTMENT OF DEFENSE SUPPORT.—The Sec-
 7 retary shall provide the entity selected under subsection
 8 (a) with timely access to appropriate information, data,
 9 and analyses necessary to carry out the assessment in a
 10 thorough and independent manner.

11 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
 12 FINED.—In this section, the term “appropriate commit-
 13 tees of Congress” means—

14 (1) the Committee on Armed Services and the
 15 Committee on Foreign Relations of the Senate; and

16 (2) the Committee on Armed Services and the
 17 Committee on Foreign Affairs of the House of Rep-
 18 resentatives.

19 **SEC. 1287. UNITED STATES CENTRAL COMMAND POSTURE**
 20 **REVIEW.**

21 (a) COMPREHENSIVE REVIEW REQUIRED.—

22 (1) IN GENERAL.—To clarify the near-term pol-
 23 icy and strategy of the United States under the Na-
 24 tional Defense Strategy with respect to United
 25 States Central Command, the Secretary of Defense,

1 in consultation with the Secretary of State and the
2 Director of National Intelligence, as appropriate,
3 shall conduct a comprehensive review of United
4 States military force posture and capabilities in the
5 United States Central Command area of responsi-
6 bility during the posture review period.

7 (2) ELEMENTS.—The review conducted under
8 paragraph (1) shall include, for the posture review
9 period, the following elements:

10 (A) An assessment of the threats and chal-
11 lenges in the United States Central Command
12 area of responsibility, including threats and
13 challenges posed to United States interests by
14 near-peer competitors.

15 (B) An explanation of the policy and stra-
16 tegic frameworks for addressing the threats and
17 challenges identified under subparagraph (A).

18 (C) An identification of current and future
19 United States military force posture and capa-
20 bilities necessary to counter threats, deter con-
21 flict, and defend United States national security
22 interests in the United States Central Com-
23 mand area of responsibility.

24 (D) An assessment of the basing, coopera-
25 tive security locations, and other infrastructure

1 necessary to support steady state operations in
2 support of the theater campaign plan and po-
3 tential contingencies that may arise in or affect
4 the United States Central Command area of re-
5 sponsibility, including any potential efficiencies
6 and risk mitigation measures to be taken.

7 (E) A description of methods to mitigate
8 risk that may result from adjustments to
9 United States military force posture and capa-
10 bilities deployed in the United States Central
11 Command area of responsibility.

12 (F) An explanation of the manner in which
13 a modernized global operating model or dy-
14 namic force employment approach may yield ef-
15 ficiencies and increase strategic flexibility while
16 achieving United States military objectives in
17 the United States Central Command area of re-
18 sponsibility.

19 (G) An articulation of the United States
20 nonmilitary efforts and activities necessary to
21 enable the achievement of United States na-
22 tional security interests in the United States
23 Central Command area of responsibility.

24 (H) Any other matter the Secretary con-
25 siders relevant.

1 (b) REPORT.—

2 (1) IN GENERAL.—Not later than 270 days
3 after the date of the enactment of this Act, the Sec-
4 retary of Defense shall submit to the congressional
5 defense committees a report on the results of the re-
6 view conducted under subsection (a).

7 (2) FORM.—The report under paragraph (1)
8 shall be submitted in unclassified form, but may in-
9 clude a classified annex.

10 (c) POSTURE REVIEW PERIOD DEFINED.—In this
11 section, the term “posture review period” means the pe-
12 riod beginning on the date that is five years after the date
13 of the enactment of this Act and ending on the date that
14 is 15 years after such date of enactment.

15 **SEC. 1288. REPORTS ON EXPENSES INCURRED FOR IN-**
16 **FLIGHT REFUELING OF SAUDI COALITION**
17 **AIRCRAFT CONDUCTING MISSIONS RELATING**
18 **TO CIVIL WAR IN YEMEN.**

19 (a) REPORTS REQUIRED.—

20 (1) IN GENERAL.—Not later than 30 days after
21 the date of the enactment of this Act, and every 30
22 days thereafter, the Secretary of Defense shall sub-
23 mit a report to the appropriate committees of Con-
24 gress detailing the expenses incurred by the United
25 States in providing in-flight refueling services for

1 Saudi or Saudi-led coalition non-United States air-
2 craft conducting missions as part of the civil war in
3 Yemen during the period of March 1, 2015, through
4 November 11, 2018, and the extent to which such
5 expenses have been reimbursed by members of the
6 Saudi-led coalition.

7 (2) ELEMENTS.—Each report required under
8 paragraph (1) shall include the following:

9 (A) The total expenses incurred by the
10 United States in providing in-flight refueling
11 services, including fuel, flight hours, and other
12 applicable expenses, to Saudi or Saudi-led coali-
13 tion, non-United States aircraft conducting mis-
14 sions as part of the civil war in Yemen.

15 (B) The amount of the expenses described
16 in subparagraph (A) that has been reimbursed
17 by each member of the Saudi-led coalition.

18 (C) Any action taken by the United States
19 to recoup the remaining expenses described in
20 subparagraph (A), including any commitments
21 by members of the Saudi-led coalition to reim-
22 burse the United States for such expenses.

23 (3) SUNSET.—The reporting requirement under
24 paragraph (1) shall cease to be effective on the date
25 on which the Secretary certifies to the appropriate

1 committees of Congress that all expenses incurred by
2 the United States in providing in-flight refueling
3 services for Saudi or Saudi-led coalition non-United
4 States aircraft conducting missions as part of the
5 civil war in Yemen during the period of March 1,
6 2015, through November 11, 2018, have been reim-
7 bursed.

8 (b) APPROPRIATE COMMITTEES OF CONGRESS DE-
9 FINED.—In this section, the term “appropriate commit-
10 tees of Congress” means—

11 (1) the Committee on Armed Services of the
12 Senate;

13 (2) the Committee on Armed Services of the
14 House of Representatives;

15 (3) the Committee on Foreign Relations of the
16 Senate; and

17 (4) the Committee on Foreign Affairs of the
18 House of Representatives.

19 **SEC. 1289. SENSE OF SENATE ON SECURITY CONCERNS**
20 **WITH RESPECT TO LEASING ARRANGEMENTS**
21 **FOR THE PORT OF HAIFA IN ISRAEL.**

22 It is the sense of the Senate that the United States—

23 (1) has an interest in the future forward pres-
24 ence of United States naval vessels at the Port of
25 Haifa in Israel but has serious security concerns

1 with respect to the leasing arrangements of the Port
 2 of Haifa as of the date of the enactment of this Act;
 3 and

4 (2) should urge the Government of Israel to
 5 consider the security implications of foreign invest-
 6 ment in Israel.

7 **TITLE XIII—COOPERATIVE** 8 **THREAT REDUCTION**

9 **SEC. 1301. FUNDING ALLOCATIONS FOR DEPARTMENT OF** 10 **DEFENSE COOPERATIVE THREAT REDUC-** 11 **TION PROGRAM.**

12 (a) IN GENERAL.—Of the \$338,700,000 authorized
 13 to be appropriated to the Department of Defense for fiscal
 14 year 2020 in section 301 and made available by the fund-
 15 ing table in division D for the Department of Defense Co-
 16 operative Threat Reduction Program established under
 17 section 1321 of the Department of Defense Cooperative
 18 Threat Reduction Act (50 U.S.C. 3711), the following
 19 amounts may be obligated for the purposes specified:

20 (1) For strategic offensive arms elimination,
 21 \$492,000.

22 (2) For chemical weapons destruction,
 23 \$12,856,000.

24 (3) For global nuclear security, \$33,919,000.

1 (4) For biological threat reduction,
2 \$183,642,000.

3 (5) For proliferation prevention, \$79,869,000.

4 (6) For activities designated as Other Assess-
5 ments/Administrative Costs, \$27,922,000.

6 (b) AVAILABILITY OF FUNDS.—Funds appropriated
7 pursuant to the authorization of appropriations in section
8 301 and made available by the funding table in division
9 D for the Department of Defense Cooperative Threat Re-
10 duction Program shall be available for obligation for fiscal
11 years 2020, 2021, and 2022.

12 **TITLE XIV—OTHER**

13 **AUTHORIZATIONS**

14 **Subtitle A—Military Programs**

15 **SEC. 1401. WORKING CAPITAL FUNDS.**

16 Funds are hereby authorized to be appropriated for
17 fiscal year 2020 for the use of the Armed Forces and other
18 activities and agencies of the Department of Defense for
19 providing capital for working capital and revolving funds,
20 as specified in the funding table in section 4501.

21 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**

22 **TION, DEFENSE.**

23 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
24 are hereby authorized to be appropriated for the Depart-
25 ment of Defense for fiscal year 2020 for expenses, not oth-

1 erwise provided for, for Chemical Agents and Munitions
2 Destruction, Defense, as specified in the funding table in
3 section 4501.

4 (b) USE.—Amounts authorized to be appropriated
5 under subsection (a) are authorized for—

6 (1) the destruction of lethal chemical agents
7 and munitions in accordance with section 1412 of
8 the Department of Defense Authorization Act, 1986
9 (50 U.S.C. 1521); and

10 (2) the destruction of chemical warfare materiel
11 of the United States that is not covered by section
12 1412 of such Act.

13 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**
14 **TIVITIES, DEFENSE-WIDE.**

15 Funds are hereby authorized to be appropriated for
16 the Department of Defense for fiscal year 2020 for ex-
17 penses, not otherwise provided for, for Drug Interdiction
18 and Counter-Drug Activities, Defense-wide, as specified in
19 the funding table in section 4501.

20 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

21 Funds are hereby authorized to be appropriated for
22 the Department of Defense for fiscal year 2020 for ex-
23 penses, not otherwise provided for, for the Office of the
24 Inspector General of the Department of Defense, as speci-
25 fied in the funding table in section 4501.

1 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

2 Funds are hereby authorized to be appropriated for
 3 fiscal year 2020 for the Defense Health Program, as spec-
 4 ified in the funding table in section 4501, for use of the
 5 Armed Forces and other activities and agencies of the De-
 6 partment of Defense in providing for the health of eligible
 7 beneficiaries.

8 **Subtitle B—National Defense**
 9 **Stockpile**

10 **SEC. 1411. MODIFICATION OF PROHIBITION ON ACQUISITION OF SENSITIVE MATERIALS FROM NON-**
 11 **ALLIED FOREIGN NATIONS.**

13 (a) EXPANSION OF MATERIALS COVERED BY PROHI-
 14 BITION ON SALE FROM NATIONAL DEFENSE STOCK-
 15 PILE.—Subsection (a)(2) of section 2533c of title 10,
 16 United States Code, is amended, in the matter preceding
 17 subparagraph (A), by striking “covered material” and in-
 18 serting “material”.

19 (b) INCLUSION OF TANTALUM IN DEFINITION OF
 20 COVERED MATERIALS.—Subsection (d)(1) of such section
 21 is amended—

22 (1) in subparagraph (C), by striking “; and”
 23 and inserting a semicolon;

24 (2) in subparagraph (D), by striking the period
 25 and inserting “; and”; and

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

3 “(E) tantalum.”.

4 **Subtitle C—Armed Forces**
 5 **Retirement Home**

6 **SEC. 1421. AUTHORIZATION OF APPROPRIATIONS FOR**
 7 **ARMED FORCES RETIREMENT HOME.**

8 There is hereby authorized to be appropriated for fis-
 9 cal year 2020 from the Armed Forces Retirement Home
 10 Trust Fund the sum of \$64,300,000 for the operation of
 11 the Armed Forces Retirement Home.

12 **SEC. 1422. EXPANSION OF ELIGIBILITY FOR RESIDENCE AT**
 13 **THE ARMED FORCES RETIREMENT HOME.**

14 (a) EXPANSION OF ELIGIBILITY TO CERTAIN MEM-
 15 BERS WITH NON-REGULAR SERVICE.—Section 1512(a) of
 16 the Armed Forces Retirement Home Act of 1991 (24
 17 U.S.C. 412(a)) is amended—

18 (1) in the first sentence, by striking “active”;

19 (2) in paragraph (1), by striking “are 60 years
 20 of age or over and” and

21 (3) by adding the following new paragraph:

22 “(5) Persons who are eligible for retired pay
 23 under chapter 1223 of title 10, United States Code,
 24 and—

1 “(A) are eligible for care under section
2 1710 of title 38, United States Code;

3 “(B) are enrolled in coverage under chap-
4 ter 55 of title 10, United States Code; or

5 “(C) are enrolled in a qualified health plan
6 acceptable to the Chief Operating Officer.”.

7 (b) PARITY OF MONTHLY FEES.—Paragraph (2) of
8 section 1514(c) of the Armed Forces Retirement Home
9 Act of 1991 (24 U.S.C. 414(c)) is amended to read as
10 follows:

11 “(2)(A) The fee shall be fixed as a percentage of the
12 monthly income and monthly payments (including Federal
13 payments) received by a resident. The percentage shall be
14 the same for each facility of the Retirement Home. The
15 Secretary of Defense may make any adjustment in the
16 percentage that the Secretary determines appropriate.

17 “(B) The amount of the monthly income and monthly
18 payments calculated under subparagraph (A) for a resi-
19 dent accepted under section 1512(a)(5) may not be less
20 than the current monthly retirement pay for equivalent ac-
21 tive duty service as determined by the Chief Operating Of-
22 ficer, except as the Chief Operating Officer may otherwise
23 provide due to compelling personal circumstances of the
24 resident.”.

1 (c) PAY DEDUCTIONS.—Section 1007(i) of title 37,
2 United States Code, is amended—

3 (1) in paragraph (1)—

4 (A) by inserting “or compensation, as ap-
5 plicable,” after “pay”; and

6 (B) by striking “on active duty”;

7 (2) in paragraph (3), by striking “Board” and
8 inserting “Chief Operating Officer”; and

9 (3) by striking paragraph (4).

10 (d) ADMISSION FEES FOR RESIDENTS BASED ON
11 NON-REGULAR SERVICE.—Section 1514 of the Armed
12 Forces Retirement Home Act of 1991, as amended by sub-
13 section (b), is further amended—

14 (1) by redesignating subsections (b) and (c) as
15 subsections (c) and (d), respectively;

16 (2) by inserting after subsection (a) the fol-
17 lowing new subsection (b):

18 “(b) ADMISSION FEES FOR CERTAIN RESIDENTS.—
19 The Administrator of each facility of the Retirement
20 Home may also collect a fee upon admission from a resi-
21 dent accepted under section 412(a)(5) equal to the deduc-
22 tions then in effect under section 1007(i)(1) of title 37,
23 United States Code, for each year of non-regular service
24 of the resident before the date of the enactment of the

1 National Defense Authorization Act for Fiscal Year
2 2020.”; and

3 (3) in subsection (c), as redesignated by para-
4 graph (1), by striking “subsection (a)” and inserting
5 “subsections (a) and (b)”.

6 **Subtitle D—Other Matters**

7 **SEC. 1431. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**
8 **DEPARTMENT OF DEFENSE-DEPARTMENT OF**
9 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**
10 **ONSTRATION FUND FOR CAPTAIN JAMES A.**
11 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

12 (a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the
13 funds authorized to be appropriated by section 1405 and
14 available for the Defense Health Program for operation
15 and maintenance, \$127,000,000 may be transferred by the
16 Secretary of Defense to the Joint Department of Defense—
17 Department of Veterans Affairs Medical Facility Dem-
18 onstration Fund established by subsection (a)(1) of sec-
19 tion 1704 of the National Defense Authorization Act for
20 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).
21 For purposes of subsection (a)(2) of such section 1704,
22 any funds so transferred shall be treated as amounts au-
23 thorized and appropriated specifically for the purpose of
24 such a transfer.

1 (b) USE OF TRANSFERRED FUNDS.—For the pur-
 2 poses of subsection (b) of such section 1704, facility oper-
 3 ations for which funds transferred under subsection (a)
 4 may be used are operations of the Captain James A.
 5 Lovell Federal Health Care Center, consisting of the
 6 North Chicago Veterans Affairs Medical Center, the Navy
 7 Ambulatory Care Center, and supporting facilities des-
 8 ignated as a combined Federal medical facility under an
 9 operational agreement covered by section 706 of the Dun-
 10 can Hunter National Defense Authorization Act for Fiscal
 11 Year 2009 (Public Law 110–417; 122 Stat. 4500).

12 **TITLE XV—AUTHORIZATION OF**
 13 **ADDITIONAL APPROPRIA-**
 14 **TIONS FOR OVERSEAS CON-**
 15 **TINGENCY OPERATIONS**

16 **Subtitle A—Authorization of**
 17 **Additional Appropriations**

18 **SEC. 1501. PURPOSE.**

19 The purpose of this subtitle is to authorize appropria-
 20 tions for the Department of Defense for fiscal year 2020
 21 to provide additional funds for overseas contingency oper-
 22 ations being carried out by the Armed Forces.

23 **SEC. 1502. OVERSEAS CONTINGENCY OPERATIONS.**

24 Funds are hereby authorized to be appropriated for
 25 fiscal year 2020 for the Department of Defense for over-

1 seas contingency operations in such amounts as may be
2 designated as provided in section 251(b)(2)(A)(ii) of the
3 Balanced Budget and Emergency Deficit Control Act of
4 1985 (2 U.S.C. 901(b)(2)(A)(ii)).

5 **SEC. 1503. PROCUREMENT.**

6 Funds are hereby authorized to be appropriated for
7 fiscal year 2020 for procurement accounts for the Army,
8 the Navy and the Marine Corps, the Air Force, and De-
9 fense-wide activities, as specified in the funding table in
10 section 4102.

11 **SEC. 1504. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
12 **TION.**

13 Funds are hereby authorized to be appropriated for
14 fiscal year 2020 for the use of the Department of Defense
15 for research, development, test, and evaluation, as speci-
16 fied in the funding table in section 4202.

17 **SEC. 1505. OPERATION AND MAINTENANCE.**

18 Funds are hereby authorized to be appropriated for
19 fiscal year 2020 for the use of the Armed Forces and other
20 activities and agencies of the Department of Defense for
21 expenses, not otherwise provided for, for operation and
22 maintenance, as specified in the funding table in section
23 4302.

1 **SEC. 1506. MILITARY PERSONNEL.**

2 Funds are hereby authorized to be appropriated for
3 fiscal year 2020 for the use of the Armed Forces and other
4 activities and agencies of the Department of Defense for
5 expenses, not otherwise provided for, for military per-
6 sonnel, as specified in the funding table in section 4402.

7 **SEC. 1507. WORKING CAPITAL FUNDS.**

8 Funds are hereby authorized to be appropriated for
9 fiscal year 2020 for the use of the Armed Forces and other
10 activities and agencies of the Department of Defense for
11 providing capital for working capital and revolving funds,
12 as specified in the funding table in section 4502.

13 **SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG AC-**
14 **TIVITIES, DEFENSE-WIDE.**

15 Funds are hereby authorized to be appropriated for
16 the Department of Defense for fiscal year 2020 for ex-
17 penses, not otherwise provided for, for Drug Interdiction
18 and Counter-Drug Activities, Defense-wide, as specified in
19 the funding table in section 4502.

20 **SEC. 1509. DEFENSE INSPECTOR GENERAL.**

21 Funds are hereby authorized to be appropriated for
22 the Department of Defense for fiscal year 2020 for ex-
23 penses, not otherwise provided for, for the Office of the
24 Inspector General of the Department of Defense, as speci-
25 fied in the funding table in section 4502.

1 **SEC. 1510. DEFENSE HEALTH PROGRAM.**

2 Funds are hereby authorized to be appropriated for
3 the Department of Defense for fiscal year 2020 for ex-
4 penses, not otherwise provided for, for the Defense Health
5 Program, as specified in the funding table in section 4502.

6 **Subtitle B—Financial Matters**

7 **SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

8 The amounts authorized to be appropriated by this
9 title are in addition to amounts otherwise authorized to
10 be appropriated by this Act.

11 **SEC. 1522. SPECIAL TRANSFER AUTHORITY.**

12 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.—**

13 (1) **AUTHORITY.**—Upon determination by the
14 Secretary of Defense that such action is necessary in
15 the national interest, the Secretary may transfer
16 amounts of authorizations made available to the De-
17 partment of Defense in this title for fiscal year 2020
18 between any such authorizations for that fiscal year
19 (or any subdivisions thereof). Amounts of authoriza-
20 tions so transferred shall be merged with and be
21 available for the same purposes as the authorization
22 to which transferred.

23 (2) **LIMITATION.**—The total amount of author-
24 izations that the Secretary may transfer under the
25 authority of this subsection may not exceed
26 \$2,500,000,000.

1 (b) TERMS AND CONDITIONS.—Transfers under this
 2 section shall be subject to the same terms and conditions
 3 as transfers under section 1001.

4 (c) ADDITIONAL AUTHORITY.—The transfer author-
 5 ity provided by this section is in addition to the transfer
 6 authority provided under section 1001.

7 **TITLE XVI—STRATEGIC PRO-**
 8 **GRAMS, CYBER, AND INTEL-**
 9 **LIGENCE MATTERS**

10 **Subtitle A—Space Activities**

11 **PART I—UNITED STATES SPACE FORCE**

12 **SEC. 1601. ASSISTANT SECRETARY OF DEFENSE FOR SPACE**
 13 **POLICY.**

14 Section 138(b) of title 10, United States Code, is
 15 amended by adding at the end the following new para-
 16 graph:

17 “(5) One of the Assistant Secretaries is the Assistant
 18 Secretary of Defense for Space Policy. The principal duty
 19 of the Assistant Secretary shall be the overall supervision
 20 of policy of the Department of Defense for space
 21 warfighting.”.

1 **SEC. 1602. PRINCIPAL ASSISTANT TO THE SECRETARY OF**
2 **THE AIR FORCE FOR SPACE ACQUISITION**
3 **AND INTEGRATION.**

4 (a) REDESIGNATION OF PRINCIPAL ASSISTANT FOR
5 SPACE AS PRINCIPAL ASSISTANT FOR SPACE ACQUISITION AND INTEGRATION.—

7 (1) IN GENERAL.—The Principal Assistant to
8 the Secretary of the Air Force for Space is hereby
9 redesignated as the Principal Assistant to the Secretary of the Air Force for Space Acquisition and
10 Integration.
11

12 (2) REFERENCES.—Any reference to the Principal Assistant to the Secretary of the Air Force for
13 Space in any law, regulation, map, document,
14 record, or other paper of the United States shall be
15 deemed to be a reference to the Principal Assistant
16 to the Secretary of the Air Force for Space Acquisition and Integration.
17

18 (b) CODIFICATION OF POSITION AND RESPONSIBILITIES.—
19

20 (1) IN GENERAL.—Chapter 903 of title 10,
21 United States Code, is amended—
22

23 (A) by redesignating section 9018 as section 9018a; and
24

25 (B) by inserting after section 9017 the following new section 9018:
26

1 **“§ 9018. Principal Assistant to the Secretary of the**
2 **Air Force for Space Acquisition and Inte-**
3 **gration**

4 “(a)(1) There is within the Office of the Secretary
5 of the Air Force a Principal Assistant to the Secretary
6 of the Air Force for Space Acquisition and Integration,
7 who shall be appointed from civilian life by the President,
8 by and with the advice and consent of the Senate.

9 “(2) The individual serving as Principal Assistant
10 shall have the protocol equivalent in the Department of
11 Defense of an officer in the armed forces serving in a gen-
12 eral or admiral grade.

13 “(b) Subject to the authority, direction, and control
14 of the Secretary of the Air Force, the Principal Assistant
15 to the Secretary of the Air Force for Space Acquisition
16 and Integration shall do as follows:

17 “(1) Be responsible for all acquisition and inte-
18 gration of the Air Force for space systems and pro-
19 grams, including in support of the Commander of
20 the United States Space Force under section 9064
21 of this title.

22 “(2) Serve as the senior acquisition executive
23 under section 1704 of this title for the Air Force for
24 acquisition for space systems and programs, includ-
25 ing for all major defense acquisition programs under
26 chapter 144 of this title for space.

1 “(3) Oversee and direct each of the following:

2 “(A) The Space Rapid Capabilities Office
3 under section 2273a of this title.

4 “(B) The Space and Missile Systems Cen-
5 ter.

6 “(C) The Space Development Agency.

7 “(4) Oversee and direct acquisition projects for
8 all space systems and programs of the Air Force, in-
9 cluding projects for space systems and programs
10 transferred to the Principal Assistant pursuant to
11 section 1602(b)(4) of the National Defense Author-
12 ization Act for Fiscal Year 2020.

13 “(5) Act as the chair of the Space Force Acqui-
14 sition Council under section 1602(c) of the National
15 Defense Authorization Act for Fiscal Year 2020.

16 “(c) In addition to the responsibilities provided for
17 in subsection (b), the Principal Assistant shall have such
18 other responsibilities and perform such other duties as the
19 Secretary may prescribe.”.

20 (2) CLERICAL AMENDMENT.—The table of sec-
21 tions at the beginning of chapter 903 of such title
22 is amended by striking the item relating to section
23 9018 and inserting the following new items:

“9018. Principal Assistant to the Secretary of the Air Force for Space Acquisi-
tion and Integration.

“9018a. Administrative Assistant.”.

1 (3) EXECUTIVE SCHEDULE LEVEL V.—Section
2 5416 of title 10, United States Code, is amended by
3 adding at the end the following new item:

4 “Principal Assistant to the Secretary of the Air
5 Force for Space Acquisition and Integration.”.

6 (4) TRANSFER OF ACQUISITION PROJECTS FOR
7 SPACE SYSTEMS AND PROGRAMS.—The Secretary of
8 the Air Force shall transfer to the Principal Assist-
9 ant to the Secretary of the Air Force for Space Ac-
10 quisition and Integration under section 9018 of title
11 10, United States Code (as added by this sub-
12 section), responsibility for oversight, direction, and
13 integration of any acquisition projects for space sys-
14 tems and programs of the Air Force that are under
15 the oversight or direction of the Assistant Secretary
16 of the Air Force for Acquisition as of the date of the
17 enactment of this Act.

18 (c) SPACE FORCE ACQUISITION COUNCIL.—

19 (1) IN GENERAL.—There is in the Department
20 of the Air Force a council to be known as the
21 “Space Force Acquisition Council” (in this sub-
22 section referred to as the “Council”).

23 (2) MEMBERSHIP.—The members of the Coun-
24 cil are as follows:

25 (A) The Under Secretary of the Air Force.

1 (B) The Principal Assistant to the Sec-
2 retary of the Air Force for Space Acquisition
3 and Integration, who shall act as chair of the
4 Council.

5 (C) The Assistant Secretary of Defense for
6 Space Policy.

7 (D) The Director of the National Recon-
8 naissance Office.

9 (E) The Commander of the United States
10 Space Command.

11 (F) The Commander of the United States
12 Space Force.

13 (3) FUNCTIONS.—The Council shall oversee, di-
14 rect, and manage acquisition and integration of the
15 Air Force for space systems and programs in order
16 to ensure integration across the national security
17 space enterprise.

18 (4) MEETINGS.—The Council shall meet not
19 less frequently than monthly.

20 (5) REPORTS.—Not later than 30 days after
21 the end of each calendar year quarter through the
22 first calendar year quarter of 2025, the Council shall
23 submit to the congressional defense committees a re-
24 port on the activities of the Council during the cal-

1 endar year quarter preceding the calendar year
2 quarter in which such report is submitted.

3 (d) BRIEFINGS.—On or about March 31, 2020, and
4 during every calendar year quarter thereafter through
5 March 31, 2022, the Secretary of the Air Force shall pro-
6 vide to the congressional defense committees a briefing on
7 the current status of efforts to implement this section and
8 the amendments made by this section. Each briefing may
9 include such recommendations for legislative and adminis-
10 trative action as the Secretary considers appropriate to fa-
11 cilitate and enhance such efforts.

12 **SEC. 1603. MILITARY SPACE FORCES WITHIN THE AIR**
13 **FORCE.**

14 (a) IN GENERAL.—Section 9062(c) of title 10,
15 United States Code, is amended—

16 (1) by striking the first sentence and inserting
17 the following:

18 “(1) The Air Force includes the following:

19 “(A) Aviation forces both combat and service
20 not otherwise assigned.

21 “(B) Space forces.”; and

22 (2) by striking “It shall be organized” and in-
23 serting the following:

24 “(2) The Air Force shall be organized”.

25 (b) TERRITORIAL ORGANIZATIONS.—

1 (1) IN GENERAL.—Subsection (b) of section
2 9074 of title 10, United States Code, is amended by
3 inserting “, including space,” after “other places”.

4 (2) HEADING AMENDMENT.—The heading of
5 such section is amended to read as follows:

6 **“§ 9074. Commands: territorial and other organiza-**
7 **tion”.**

8 (3) TABLE OF SECTIONS AMENDMENT.—The
9 table of sections at the beginning of chapter 907 of
10 such title is amended by striking the item relating
11 to section 9074 and inserting the following new
12 item:

“9074. Commands: territorial and other organization.”.

13 **SEC. 1604. REDESIGNATION OF AIR FORCE SPACE COM-**
14 **MAND AS UNITED STATES SPACE FORCE.**

15 (a) REDESIGNATION.—The Air Force Space Com-
16 mand is hereby redesignated as the United States Space
17 Force (USSF).

18 (b) COMMANDER AND AUTHORITIES.—

19 (1) IN GENERAL.—Section 2279c of title 10,
20 United States Code, is—

21 (A) transferred to chapter 907 of such
22 title;

23 (B) inserted after section 9062; and

24 (C) as so transferred and inserted, amend-
25 ed to read as follows:

1 **“§ 9063. United States Space Force**

2 “(a) UNITED STATES SPACE FORCE.—There is in
3 the Air Force the United States Space Force.

4 “(b) COMMANDER.—(1) The head of the United
5 States Space Force shall be the Commander of the United
6 States Space Force, who shall be appointed in accordance
7 with section 601 of this title. The officer serving as Com-
8 mander, while so serving, has the grade of general or ad-
9 miral without vacating the permanent grade of the officer.

10 “(2) The Commander shall be appointed to serve a
11 term of four years.

12 “(c) TEMPORARY CONCURRENT SERVICE AS COM-
13 MANDER OF USSF AND COMMANDER OF UNITED STATES
14 SPACE COMMAND.—During the one-year period beginning
15 on the date of the enactment of the National Defense Au-
16 thorization Act for Fiscal Year 2020, the Secretary of De-
17 fense may authorize an officer serving as the Commander
18 of the United States Space Force to serve concurrently
19 as the Commander of the United States Space Command
20 under section 169 of this title, without further appoint-
21 ment as otherwise provided for in subsection (c) of such
22 section.

23 “(d) VICE COMMANDER.—The deputy head of the
24 United States Space Force shall be the Vice Commander
25 of the United States Space Force, who shall be appointed
26 in accordance with section 601 of this title. The officer

1 serving as Vice Commander, while so serving, has the
2 grade of general or admiral without vacating the perma-
3 nent grade of the officer.

4 “(e) DUTIES.—(1) Subject to the authority, direc-
5 tion, and control of the Secretary of the Air Force, the
6 Commander of the United States Space Force shall do the
7 following:

8 “(A) Exercise authority, direction, and control
9 of all space operations-peculiar administrative mat-
10 ters relating to the organization, training, and
11 equipping of the space forces of the Air Force.

12 “(B) Exercise the authorities and responsibil-
13 ities assigned to the Commander as Commander of
14 the Air Force Space Command before December 12,
15 2017.

16 “(C) Carry out such other duties as the Sec-
17 retary may specify.

18 “(2) In carrying out duties under paragraph (1), the
19 Commander of the United States Space Force shall report
20 as follows:

21 “(A) During the one-year period beginning on
22 the date of the enactment of the National Defense
23 Authorization Act for Fiscal Year 2020, to the Sec-
24 retary of the Air Force through the Chief of Staff
25 of the Air Force.

1 “(B) After the period described in subpara-
2 graph (A), directly to the Secretary of the Air Force.

3 “(3)(A) During the one-year period beginning on the
4 date of the enactment of the National Defense Authoriza-
5 tion Act of 2020, upon the request of the Chairman of
6 the Joint Chiefs of Staff, the Commander of the United
7 States Space Force may participate in any meeting of the
8 Joint Chiefs of Staff in consideration by the Joint Chiefs
9 of Staff of an issue in connection with a duty or responsi-
10 bility of the Commander.

11 “(B) Commencing as of the end of the period de-
12 scribed in subparagraph (A), the Commander of the
13 United States Space Force shall be a member of the Joint
14 Chiefs of Staff.

15 “(f) ELEMENTS.—(1) In addition to the elements of
16 the Air Force Space Command as of the date of the enact-
17 ment of the National Defense Authorization Act for Fiscal
18 Year 2020, the United States Space Force shall include
19 other military and civilian personnel of the Air Force (in-
20 cluding appropriate elements of the Air National Guard
21 and the Air Force Reserve), and other infrastructure, as-
22 sets, and resources of the Air Force, assigned to the Space
23 Force by the Secretary of the Air Force.

24 “(2) The Secretary shall provide for the Space Force
25 a cadre of military and civilian personnel within the Air

1 Force who shall assist the Space Force in establishing and
2 maintaining an ethos and culture for space warfighting.”.

3 (2) SERVICE OF INCUMBENT COMMANDER OF
4 AIR FORCE SPACE COMMAND AS COMMANDER OF
5 UNITED STATES SPACE FORCE.—The individual
6 serving as Commander of the Air Force Space Com-
7 mand as of the date of the enactment of this Act
8 may serve as the Commander of the United States
9 Space Force under subsection (b) of section 9063 of
10 title 10, United States Code (as added by paragraph
11 (1)), after that date without further appointment as
12 otherwise provided for by that subsection.

13 (3) SECRETARY OF DEFENSE REPORT ON CON-
14 CURRENCY OF COMMAND.—

15 (A) IN GENERAL.—Not later than one year
16 after the date of the enactment of this Act, the
17 Secretary of Defense shall submit to the con-
18 gressional defense committees a report setting
19 forth an assessment of the advisability of per-
20 mitting the Commander of the United States
21 Space Force to serve concurrently as Com-
22 mander of the United States Space Command
23 as authorized by subsection (c) of section 9063
24 of title 10, United States Code (as so added).

1 (B) COMPTROLLER GENERAL BRIEFING.—

2 Not later than 30 days after the submittal of
3 the report required by subparagraph (A), the
4 Comptroller General of the United States shall
5 provide the congressional defense committees a
6 briefing on the assessment of the Comptroller
7 General of the matters contained in the report.

8 (4) SECRETARY OF THE AIR FORCE BRIEFINGS
9 ON USSF.—On or about March 31, 2020, and during
10 every calendar year quarter thereafter through
11 March 31, 2022, the Secretary of the Air Force
12 shall provide the congressional defense committees a
13 briefing on the following:

14 (A) The current status of the missions and
15 manpower of the United States Space Force
16 under section 9063 of title 10, United States
17 Code (as so added), including the current status
18 of the assumption by the United States Space
19 Force of the elements to constitute the United
20 States Space Force, including the elements of
21 the Air Force Space Command and the ele-
22 ments assigned pursuant to subsection (f)(1) of
23 such section.

24 (B) The current status of activities of the
25 cadre of personnel required by subsection (f)(2)

1 of such section 9063 (as so added), including
2 an assessment of the progress of the cadre in
3 establishing and maintaining the ethos and cul-
4 ture described in that subsection.

5 (5) NO AUTHORIZATION OF ADDITIONAL MILI-
6 TARY BILLETS OR CIVILIAN PERSONNEL.—The Sec-
7 retary of the Air Force shall carry out this sub-
8 section and the amendments made by this subsection
9 within military and civilian personnel of the Air
10 Force otherwise authorized by this Act. Nothing in
11 this subsection or the amendments made by this
12 subsection shall be construed to authorize additional
13 military billets or the employment of additional civil-
14 ian personnel for the purposes of, or in connection
15 with, the establishment of the United States Space
16 Force.

17 (c) CONFORMING AMENDMENT TO US SPACE COM-
18 MAND COMMANDER AUTHORITY.—Section 169(c) of title
19 10, United States Code, is amended by striking paragraph
20 (2) and inserting the following new paragraph (2):

21 “(2) If authorized by the Secretary of Defense pursu-
22 ant to section 9063(c) of this title, the officer serving as
23 Commander of the United States Space Force also serves
24 concurrently as Commander of the United States Space
25 Command, but only during the one-year period beginning

1 on the date of the enactment of the National Defense Au-
2 thorization Act for Fiscal Year 2020.”.

3 (d) JOINT CHIEFS OF STAFF MATTERS.—Effective
4 on the date that is one year after the date of the enact-
5 ment of this Act, section 151(a) of title 10, United States
6 Code, is amended by adding at the end the following new
7 paragraph:

8 “(8) The Commander of the United States
9 Space Force.”.

10 (e) CLERICAL AMENDMENTS.—

11 (1) CHAPTER 135.—The table of sections at the
12 beginning of chapter 135 of title 10, United States
13 Code, is amended by striking the item relating to
14 section 2279c.

15 (2) CHAPTER 907.—The table of sections at the
16 beginning of chapter 907 of such title is amended by
17 inserting after the item relating to section 9062 the
18 following new item:

“9063. United States Space Force.”.

19 (f) REFERENCES.—Any reference to the Air Force
20 Space Command in any law, regulation, map, document,
21 record, or other paper of the United States shall be
22 deemed to be a reference to the United States Space
23 Force.

1 **SEC. 1605. ASSIGNMENT OF PERSONNEL TO THE NATIONAL**
2 **RECONNAISSANCE OFFICE FOR MISSION**
3 **NEEDS.**

4 (a) USSF AS PRIMARY SOURCE OF PERSONNEL.—
5 Effective as of the date of the enactment of this Act, mili-
6 tary and civilian personnel of the United States Space
7 Force under section 9063 of title 10, United States Code
8 (as added by section 1604(b) of this Act), shall be the
9 primary source of military and civilian personnel of the
10 Department of the Air Force who may be assigned to the
11 National Reconnaissance Office.

12 (b) ASSIGNMENT BY COMMANDER, USSF.—Subject
13 to the authority, direction, and control of the Secretary
14 of the Air Force, the Commander of the United States
15 Space Force shall be responsible for the assignment of
16 military and civilian personnel of the United States Space
17 Force to the National Reconnaissance Office.

18 **SEC. 1606. REPORT ON ESTABLISHMENT OF POSITION OF**
19 **UNDER SECRETARY OF THE AIR FORCE FOR**
20 **SPACE.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of the enactment of this Act, the Secretary of the
23 Air Force shall submit to the congressional defense com-
24 mittees a report on the advisability of establishing within
25 the Department of the Air Force a position of Under Sec-
26 retary of the Air Force for Space with the responsibility

1 of providing civilian oversight to the United States Space
2 Force (as provided for by section 1604 of this Act).

3 (b) CONSIDERATIONS.—In preparing the report re-
4 quired by subsection (a), the Secretary shall take into con-
5 sideration the tasks and operations of the staff of the Air
6 Force in support of the space warfighting mission of the
7 Air Force and such other matters as the Secretary con-
8 siders appropriate.

9 **SEC. 1607. REPORT ON ENHANCED INTEGRATION OF CAPA-**
10 **BILITIES OF THE NATIONAL SECURITY AGEN-**
11 **CY, THE NATIONAL GEOSPATIAL-INTEL-**
12 **LIGENCE AGENCY, AND THE UNITED STATES**
13 **SPACE COMMAND FOR JOINT OPERATIONS.**

14 Not later than 180 days after the date of the enact-
15 ment of this Act, the Secretary of Defense shall, in coordi-
16 nation with the Director of National Intelligence, submit
17 to the congressional defense committees a report setting
18 forth the results of a review, conducted for purposes of
19 the report, on processes designed to achieve more effective
20 integration of capabilities among the National Security
21 Agency, the National Geospatial-Intelligence Agency, and
22 the United States Space Command for joint operations in
23 a manner that does not result in the impairment of the
24 authorities or responsibilities of the Director.

1 **SEC. 1608. LIMITATION ON AVAILABILITY OF FUNDS.**

2 None of the amounts authorized to be appropriated
3 for fiscal year 2020 by this Act and available for the Air
4 Force for programs, projects, or activities for space, in-
5 cluding acquisition programs, projects, or activities, may
6 be obligated or expended until the date on which the Sec-
7 retary of the Air Force completes briefings of the congres-
8 sional defense committees on the plans of the Air Force
9 to implement this part and the amendments made by this
10 part, including the following:

11 (1) The establishment of the office of the Prin-
12 cipal Assistant to the Secretary of the Air Force for
13 Space Acquisition and Integration under section
14 9018 of title 10, United States Code (as added by
15 section 1602 of this Act).

16 (2) The establishment of the United States
17 Space Force required by section 9063 of title 10,
18 United States Code (as added by section 1604 of
19 this Act).

20 **PART II—OTHER SPACE MATTERS**

21 **SEC. 1611. REPEAL OF REQUIREMENT TO ESTABLISH**
22 **SPACE COMMAND AS A SUBORDINATE UNI-**
23 **FIED COMMAND OF THE UNITED STATES**
24 **STRATEGIC COMMAND.**

25 (a) IN GENERAL.—Section 169 of title 10, United
26 States Code, is repealed.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—
2 The table of sections for chapter 6 of title 10, United
3 States Code, is amended by striking the item relating to
4 section 169.

5 **SEC. 1612. PROGRAM TO ENHANCE AND IMPROVE LAUNCH**
6 **SUPPORT AND INFRASTRUCTURE.**

7 (a) IN GENERAL.—In support of the policy described
8 in section 2273(a) of title 10, United States Code, the Sec-
9 retary of Defense may carry out a program to enhance
10 infrastructure and improve support activities for the proc-
11 essing and launch of Department of Defense small-class
12 and medium-class payloads.

13 (b) PROGRAM.—The program under subsection (a)
14 shall include improvements to operations at launch ranges
15 and Federal Aviation Administration-licensed spaceports
16 that are consistent with, and necessary to permit, the use
17 of such launch ranges and spaceports by the Department.

18 (c) CONSULTATION.—In carrying out the program
19 under subsection (a), the Secretary may consult with cur-
20 rent and anticipated users of launch ranges and Federal
21 Aviation Administration-licensed spaceports, including the
22 Space Rapid Capabilities Office.

23 (d) COOPERATION.—In carrying out the program
24 under subsection (a), the Secretary may enter into a con-

1 tract or agreement under section 2276 of title 10, United
2 States Code.

3 (e) REPORT.—Not later than 270 days after the date
4 of the enactment of this Act, the Secretary shall submit
5 to the congressional defense committees a report describ-
6 ing a plan for the program under subsection (a).

7 **SEC. 1613. MODIFICATION OF ENHANCEMENT OF POSI-**
8 **TIONING, NAVIGATION, AND TIMING CAPAC-**
9 **ITY.**

10 (a) CAPABILITY FOR TRUSTED SIGNALS.—

11 (1) SUBSECTION HEADING.—Subsection (a) of
12 section 1609 of the John S. McCain National De-
13 fense Authorization Act for Fiscal Year 2019 (Pub-
14 lic Law 115–232) is amended, in the subsection
15 heading, by striking “TRUSTED SIGNALS” and in-
16 serting “ALTERNATIVE GLOBAL NAVIGATION SAT-
17 ELLITE SYSTEM SIGNALS”.

18 (2) REQUIREMENT.—Paragraph (1) of such
19 subsection is amended to read as follows:

20 “(1) REQUIREMENT.—The Secretary of the Air
21 Force shall ensure that military Global Positioning
22 System (GPS) user equipment terminals have the
23 capability, as appropriate to user needs and con-
24 straints, to incorporate signals from the Galileo sat-
25 ellites of the European Union and the QZSS sat-

1 ellites of Japan, beginning with the implementation
2 of open-system architecture solutions, such as the
3 Resilient-Embedded GPS/Inertial Navigation System
4 (R-EGI), to accompany other alternative and com-
5plementary navigation sources for robust positioning,
6 navigation, and timing.”.

7 (3) WAIVER.—Paragraph (2) of such subsection
8 is amended—

9 (A) in subparagraph (A), by striking
10 “could not integrate such capability beginning
11 with increment 2 of the acquisition of such ter-
12minals” and inserting “should not integrate
13 such capability into the Resilient-Embedded
14 GPS/Inertial Navigation System architecture”;
15 and

16 (B) in subparagraph (B), by inserting
17 “that considers the addition of multi-Global
18 Navigation Satellite System (GNSS) signals to
19 provide substantive military utility” after “such
20 terminals”.

21 (b) CAPABILITY FOR OTHER SIGNALS.—Subsection
22 (b) of such section is amended, in the matter preceding
23 paragraph (1)—

1 (1) by inserting “other allied and” before “non-
2 allied positioning, navigation, and timing signals”;
3 and

4 (2) by striking “increment 2 of the acquisition
5 of such terminals” and inserting “the Resilient-Em-
6 bedded GPS/Inertial Navigation System architec-
7 ture”.

8 **SEC. 1614. MODIFICATION OF TERM OF COMMANDER OF**
9 **AIR FORCE SPACE COMMAND.**

10 Section 2279c(a)(2) of title 10, United States Code,
11 is amended, in the first sentence, by striking “six years”
12 and inserting “four years”.

13 **SEC. 1615. ANNUAL REPORT ON SPACE COMMAND AND**
14 **CONTROL PROGRAM.**

15 (a) IN GENERAL.—For each of fiscal years 2021
16 through 2025, concurrent with the submittal to Congress
17 of the budget of the Department of Defense with the budg-
18 et of the President for the subsequent fiscal year under
19 section 1105(a) of title 31, United States Code, the Sec-
20 retary of the Air Force shall submit to the Under Sec-
21 retary of Defense for Acquisition and Sustainment, the
22 congressional defense committees, and the Comptroller
23 General of the United States, an annual report on the
24 Space Command and Control program.

1 (b) MATTERS TO BE INCLUDED.—Each report re-
2 quired by subsection (a) shall include the following:

3 (1) A description of any modification to the
4 metrics established by the Secretary in the acquisi-
5 tion strategy for the program.

6 (2) The short-term objectives for the subse-
7 quent fiscal year.

8 (3) For the preceding fiscal year, a description
9 of—

10 (A) the ongoing, achieved, and deferred ob-
11 jectives;

12 (B) the challenges encountered and the les-
13 sons learned;

14 (C) the modifications made or planned so
15 as to incorporate such lessons learned into sub-
16 sequent efforts to address challenges; and

17 (D) the cost, schedule, and performance ef-
18 fects of such modifications.

19 (c) REVIEW OF REPORTS AND BRIEFING BY COMP-
20 TROLLER GENERAL.—With respect to each report sub-
21 mitted under this section, the Comptroller General shall
22 review and provide to the congressional defense commit-
23 tees a briefing on a date mutually agreed on by the Comp-
24 troller General and the congressional defense committees.

1 **SEC. 1616. REQUIREMENTS FOR PHASE 2 OF ACQUISITION**
2 **STRATEGY FOR NATIONAL SECURITY SPACE**
3 **LAUNCH PROGRAM.**

4 In carrying out phase 2 of the acquisition strategy
5 for the national security space launch program, the Sec-
6 retary of the Air Force—

7 (1) may not—

8 (A) modify the acquisition schedule or mis-
9 sion performance requirements; or

10 (B) award missions to more than two
11 launch service providers; and

12 (2) shall ensure that launch services are pro-
13 cured only from launch service providers that use
14 launch vehicles meeting each Government require-
15 ment with respect to required payloads to reference
16 orbits.

17 **Subtitle B—Defense Intelligence**
18 **and Intelligence-related Activities**

19 **SEC. 1621. REDESIGNATION OF UNDER SECRETARY OF DE-**
20 **FENSE FOR INTELLIGENCE AS UNDER SEC-**
21 **RETARY OF DEFENSE FOR INTELLIGENCE**
22 **AND SECURITY.**

23 (a) REDESIGNATION OF UNDER SECRETARY.—

24 (1) IN GENERAL.—The Under Secretary of De-
25 fense for Intelligence is hereby redesignated as the

1 Under Secretary of Defense for Intelligence and Se-
2 curity.

3 (2) SERVICE OF INCUMBENT IN POSITION.—
4 The individual serving as Under Secretary of De-
5 fense for Intelligence as of the date of the enactment
6 of this Act may serve as Under Secretary of Defense
7 for Intelligence and Security commencing as of that
8 date without further appointment under section 137
9 of title 10, United States Code (as amended by sub-
10 section (c)(1)(A)(ii)).

11 (3) REFERENCE.—Any reference in any law,
12 regulation, map, document, paper, or other record of
13 the United States to the Under Secretary of Defense
14 for Intelligence shall be deemed to be a reference to
15 the Under Secretary of Defense for Intelligence and
16 Security.

17 (b) REDESIGNATION OF RELATED DEPUTY UNDER
18 SECRETARY.—

19 (1) IN GENERAL.—The Deputy Under Sec-
20 retary of Defense for Intelligence is hereby redesign-
21 ated as the Deputy Under Secretary of Defense for
22 Intelligence and Security.

23 (2) SERVICE OF INCUMBENT IN POSITION.—
24 The individual serving as Deputy Under Secretary of
25 Defense for Intelligence as of the date of the enact-

ment of this Act may serve as Deputy Under Secretary of Defense for Intelligence and Security commencing as of that date without further appointment under section 137a of title 10, United States Code (as amended by subsection (c)(1)(B)).

(3) REFERENCE.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the Deputy Under Secretary of Defense for Intelligence shall be deemed to be a reference to the Deputy Under Secretary of Defense for Intelligence and Security.

(c) CONFORMING AMENDMENTS.—

(1) TITLE 10.—Title 10, United States Code, is amended as follows:

(A) In each provision as follows, by striking “Under Secretary of Defense for Intelligence” and inserting “Under Secretary of Defense for Intelligence and Security”:

(i) Section 131(b)(3)(F).

(ii) Section 137, each place it appears.

(iii) Section 139a(d)(6).

(iv) Section 139b(c)(2)(E).

(v) Section 181(d)(1)(B).

(vi) Section 393(b)(2)(C).

1 (vii) Section 426, each place it ap-
 2 pears.

3 (viii) Section 430(a).

4 (B) In section 137a(c)(6), by striking
 5 “Deputy Under Secretary of Defense for Intel-
 6 ligence” and inserting “Deputy Under Sec-
 7 retary of Defense for Intelligence and Secu-
 8 rity”.

9 (C) The heading of section 137 is amended
 10 to read as follows:

11 **“§ 137. Under Secretary of Defense for Intelligence**
 12 **and Security”.**

13 (D) The table of sections at the beginning
 14 of chapter 4 is amended by striking the item re-
 15 lating to section 137 and inserting the following
 16 new item:

“137. Under Secretary of Defense for Intelligence and Security.”.

17 (2) TITLE 5.—Title 5, United States Code, is
 18 amended as follows:

19 (A) In section 5314, by striking “Under
 20 Secretary of Defense for Intelligence” and in-
 21 serting “Under Secretary of Defense for Intel-
 22 ligence and Security”.

23 (B) In section 5315, by striking “Deputy
 24 Under Secretary of Defense for Intelligence”

1 and inserting “Deputy Under Secretary of De-
2 fense for Intelligence and Security”.

3 **SEC. 1622. REPEAL OF CERTAIN REQUIREMENTS RELATING**
4 **TO INTEGRATION OF DEPARTMENT OF DE-**
5 **FENSE INTELLIGENCE, SURVEILLANCE, AND**
6 **RECONNAISSANCE CAPABILITIES.**

7 (a) REPEAL.—Section 426 of title 10, United States
8 Code, is hereby repealed.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 at the beginning of chapter 21 of such title is amended
11 by striking the item relating to section 426.

12 **SEC. 1623. IMPROVING THE ONBOARDING METHODOLOGY**
13 **FOR CERTAIN INTELLIGENCE PERSONNEL.**

14 (a) IN GENERAL.—The Secretary of Defense and the
15 Director of National Intelligence shall, consistent with De-
16 partment of Defense Instruction 1400.25, as in effect on
17 the day before the date of the enactment of this Act—

18 (1) not later than 180 days after the date of
19 the enactment of this Act, submit to the appropriate
20 committees of Congress a report that outlines a
21 common methodology for measuring onboarding in
22 covered elements of the intelligence community, in-
23 cluding human resources and security processes;

24 (2) not later than one year after the date of the
25 enactment of this Act, issue metrics for assessing

1 key phases in the onboarding described in paragraph
2 (1) for which results will be reported by the date
3 that is 90 days after the date of such issuance;

4 (3) not later than 180 days after the date of
5 the enactment of this Act, submit to the appropriate
6 committees of Congress a report on collaboration
7 among covered elements of the intelligence commu-
8 nity on their onboarding processes;

9 (4) not later than 180 days after the date of
10 the enactment of this Act, submit to the appropriate
11 committees of Congress a report on employment of
12 automated mechanisms in covered elements of the
13 intelligence community, including for tracking per-
14 sonnel as they pass through each phase of the
15 onboarding process; and

16 (5) not later than December 31, 2020, dis-
17 tribute surveys to human resources offices and appli-
18 cants about their experiences with the onboarding
19 process in covered elements of the intelligence com-
20 munity.

21 (b) DEFINITIONS.—In this section:

22 (1) The term “appropriate committees of Con-
23 gress” means—

1 (A) the Select Committee on Intelligence
2 and the Committee on Armed Services of the
3 Senate; and

4 (B) the Permanent Select Committee on
5 Intelligence and the Committee on Armed Serv-
6 ices of the House of Representatives.

7 (2) The term “covered elements of the intel-
8 ligence community” means the elements of the intel-
9 ligence community that are within the following:

10 (A) The Department of Energy.

11 (B) The Department of Homeland Secu-
12 rity.

13 (C) The Department of Justice.

14 (D) The Department of State.

15 (E) The Department of the Treasury.

16 **SEC. 1624. DEFENSE COUNTERINTELLIGENCE AND SECU-**
17 **RITY AGENCY ACTIVITIES ON FACILITATING**
18 **ACCESS TO LOCAL CRIMINAL RECORDS HIS-**
19 **TORICAL DATA.**

20 (a) **ACTIVITY AUTHORIZED.**—The Director of the
21 Defense Counterintelligence and Security Agency may
22 carry out a set of activities relating to facilitating access
23 by the Agency to local criminal records historical data.

1 (b) ACTIVITIES CHARACTERIZED.—The activities
 2 carried out under subsection (a) shall include only the fol-
 3 lowing:

4 (1) Training and education.

5 (2) Outreach to State, local, and tribal authori-
 6 ties.

7 (3) Direct assistance.

8 (c) REPORTS.—

9 (1) INITIAL REPORT.—Not later than 90 days
 10 after the date of the enactment of this Act, the Di-
 11 rector shall submit to the congressional defense com-
 12 mittees a report that details a concept of operation
 13 for the set of activities authorized by subsection (a).

14 (2) ANNUAL REPORTS.—Not later than one
 15 year after the date on which the Director submits a
 16 report pursuant to paragraph (1) and not less fre-
 17 quently than once each year thereafter, the Director
 18 shall submit to the congressional defense committees
 19 a detailed report on the activities carried out by the
 20 Director under this section.

21 **Subtitle C—Cyberspace-related** 22 **Matters**

23 **SEC. 1631. REORIENTATION OF BIG DATA PLATFORM PRO-** 24 **GRAM.**

25 (a) REORIENTATION OF PROGRAM.—

1 (1) IN GENERAL.—Not later than January 1,
2 2021, the Secretary of Defense shall—

3 (A) reorient the Big Data Platform pro-
4 gram as specified in this section; and

5 (B) align the reorientation effort under an
6 existing line of effort of the Cyber Strategy of
7 the Department of Defense.

8 (2) OVERSIGHT OF IMPLEMENTATION.—The
9 Secretary shall act through the Principal Cyber Ad-
10 visor and the supporting Cross Functional Team in
11 the oversight of the implementation of paragraph
12 (1).

13 (b) COMMON BASELINE AND SECURITY CLASSIFICA-
14 TION SCHEME.—

15 (1) IN GENERAL.—Not later than January 1,
16 2021, the Secretary shall establish a common base-
17 line and security classification scheme for the collec-
18 tion, storage, processing, querying, analysis, and ac-
19 cessibility of a common and comprehensive set of
20 metadata from sensors, applications, appliances,
21 products, and systems deployed across the Depart-
22 ment of Defense Information Network (DODIN) to
23 enable the discovery, tracking, and remediation of
24 cybersecurity threats.

1 (2) REQUIREMENTS.—In carrying out para-
2 graph (1), the Secretary shall—

3 (A) take such actions as the Secretary con-
4 siders necessary to standardize deployed infra-
5 structure, including the Department of De-
6 fense's perimeter capabilities at the Internet
7 Access Points and the Joint Regional Security
8 Stacks, and the routing of data laterally and
9 vertically from Department of Defense Informa-
10 tion Network segments and tiers, to enable
11 standard and comprehensive metadata collec-
12 tion;

13 (B) take such actions as the Secretary con-
14 siders necessary to standardize deployed cyber-
15 security applications, products, and sensors and
16 the routing of data laterally and vertically from
17 Department of Defense Information Network
18 segments and tiers, to enable standard and
19 comprehensive metadata collection;

20 (C) develop an enterprise-wide architecture
21 and strategy for—

22 (i) where to place sensors or extract
23 data from network information technology,
24 operational technology, and cybersecurity

1 appliances, applications, products, and sys-
2 tems for cybersecurity purposes;

3 (ii) which metadata data records
4 should be universally sent to Big Data
5 Platform instances and which metadata
6 data records, if any, should be locally re-
7 tained; and

8 (iii) expeditiously and efficiently
9 transmitting metadata records to the Big
10 Data Platform instances, including the ac-
11 quisition and installation of further data
12 bandwidth;

13 (D) determine the appropriate number, or-
14 ganization, and functions of separate Big Data
15 Platform instances, and whether the Big Data
16 Platform instances that are currently managed
17 by Department of Defense components, includ-
18 ing the military services, should instead be
19 jointly and regionally organized;

20 (E) determine the appropriate roles of the
21 Defense Information Systems Agency's Acrop-
22 olis and United States Cyber Command's Scarif
23 Big Data Platforms as enterprise-wide real-time
24 cybersecurity situational awareness capabilities,

1 as complements or replacements for component-
2 level Big Data Platform instances;

3 (F) ensure that all Big Data Platform in-
4 stances are engineered and approved to enable
5 standard access and query capabilities by the
6 Unified Platform, the network defense service
7 providers, and the Cyber Mission Forces, with
8 centrally managed authentication and author-
9 ization services;

10 (G) prohibit barriers to information shar-
11 ing, distributed query, data analysis, and col-
12 laboration across Big Data Platform instances,
13 such as incompatible interfaces, interconnection
14 service agreements, and the imposition of ac-
15 creditation boundaries;

16 (H) transition all Big Data Platform in-
17 stances to a cloud computing environment in
18 alignment with the cloud strategy of the Chief
19 Information Officer of the Department of De-
20 fense;

21 (I) consider whether packet capture data-
22 bases should continue to be maintained sepa-
23 rately from the Big Data Platform instances,
24 managed at the secret level of classification,
25 and treated as malware-infected when the pack-

1 et data are copies of packets extant in the De-
2 partment of Defense Information Network;

3 (J) in the case that the Secretary decides
4 to sustain the status quo on packet capture
5 databases, ensure that analysts operating on or
6 from the Unified Platform, the Big Data Plat-
7 form instances, the network defense services
8 providers, and the Cyber Mission Force units
9 can directly access packets and query the data-
10 base; and

11 (K) consider whether the Joint Artificial
12 Intelligence Center's cybersecurity artificial in-
13 telligence national mission initiative should in-
14 clude an application for the metadata residing
15 in the Big Data Platform instances.

16 (c) LIMIT ON DATA AND DATA INDEXING SCHEMA.—
17 The Secretary shall ensure that the Unified Platform pro-
18 gram utilizes the data and the data indexing schema that
19 is native to the Big Data Platform rather than creating
20 a duplicate index or data tagger.

21 (d) ANALYTICS AND APPLICATION SOURCING AND
22 COLLABORATION.—The Secretary shall ensure that the
23 Services and office of the Big Data Platform program—

24 (1) seek advanced analytics and applications
25 from Government and commercial sources that can

1 be executed on the deployed Big Data Platform ar-
2 chitecture; and

3 (2) collaborate with vendors offering commer-
4 cial analytics and applications, including support to
5 refactoring commercial capabilities to the Govern-
6 ment platform where industry can still own the intel-
7 lectual property embedded in the analytics and ap-
8 plications.

9 (e) BRIEFING REQUIRED.—Not later than 180 days
10 after the date of the enactment of this Act and not less
11 frequently than once every 180 days thereafter until the
12 activities required by subsection (a)(1) are completed, the
13 Secretary shall provide the congressional defense commit-
14 tees a briefing on the activities of the Secretary in carrying
15 out subsection (b).

16 **SEC. 1632. ZERO-BASED REVIEW OF DEPARTMENT OF DE-**
17 **FENSE CYBER AND INFORMATION TECH-**
18 **NOLOGY PERSONNEL.**

19 (a) REVIEW REQUIRED.—Not later than January 1,
20 2021, each head of a covered department, component, or
21 agency shall—

22 (1) complete a zero-based review of the cyber
23 and information technology personnel of the head's
24 covered department, component, or agency; and

1 (2) provide the Principal Cyber Advisor, the
2 Chief Information Officer of the Department of De-
3 fense, and the Under Secretary of Defense for Per-
4 sonnel and Readiness the findings of the head with
5 respect to the head's covered department, compo-
6 nent, or agency.

7 (b) COVERED DEPARTMENTS, COMPONENTS, AND
8 AGENCIES.—For purposes of this section, a covered de-
9 partment, component, or agency is—

10 (1) an independent Department of Defense
11 component or agency;

12 (2) the Office of the Secretary of Defense;

13 (3) a component of the Joint Staff;

14 (4) a military department or an armed force; or

15 (5) a reserve component of the Armed Forces.

16 (c) SCOPE OF REVIEW.—As part of a review con-
17 ducted pursuant to subsection (a)(1), the head of a cov-
18 ered department, component, or agency shall, with respect
19 to the covered department, component, or agency of the
20 head—

21 (1) assess military, civilian, and contractor posi-
22 tions and personnel performing cyber and informa-
23 tion technology missions;

24 (2) determine the roles and functions assigned
25 by reviewing existing position descriptions and con-

1 ducting interviews to quantify the current workload
2 performed by military, civilian, and contractor work-
3 force;

4 (3) compare the Department's manning with
5 the manning of comparable industry organizations;

6 (4) include evaluation of the utility of cyber-
7 and information technology-focused missions, posi-
8 tions, and personnel within such components—

9 (A) to assess the effectiveness and effi-
10 ciency of current activities;

11 (B) to assess the necessity of increasing,
12 reducing, or eliminating resources; and

13 (C) to guide prioritization of investment
14 and funding;

15 (5) develop recommendations and objectives for
16 organizational, manning, and equipping change, tak-
17 ing into account anticipated developments in infor-
18 mation technologies, workload projections, automa-
19 tion and process enhancements, and Department re-
20 quirements;

21 (6) develop a gap analysis, contrasting the cur-
22 rent organization and the objectives developed pur-
23 suant to paragraph (5); and

1 (7) develop roadmaps of prioritized activities
2 and a timeline for implementing the activities to
3 close the gaps identified pursuant to paragraph (6).

4 (d) ELEMENTS.—In carrying out a review pursuant
5 to subsection (a)(1), the head of a covered department,
6 component, or agency shall consider the following:

7 (1) Whether position descriptions and coding
8 designators for given cybersecurity and information
9 technology roles are accurate indicators of the work
10 being performed.

11 (2) Whether the function of any cybersecurity
12 or information technology position or personnel can
13 be replaced by acquisition of cybersecurity or infor-
14 mation technology products or automation.

15 (3) Whether a given component or subcompo-
16 nent is over- or under-resourced in terms of per-
17 sonnel, using industry standards as a benchmark
18 where applicable.

19 (4) Whether cybersecurity service provider posi-
20 tions and personnel fit coherently into the enter-
21 prise-wide cybersecurity architecture and with the
22 Department's cyber protection teams.

23 (5) Whether the function of any cybersecurity
24 or information technology position or personnel
25 could be conducted more efficiently or effectively by

1 enterprise-level cyber or information technology per-
2 sonnel.

3 (e) FURNISHING DATA AND ANALYSIS.—

4 (1) DATA AND ANALYSIS.—In carrying out sub-
5 section (a)(2), each head of a covered department,
6 component, or agency, shall furnish to the Principal
7 Cyber Advisor, the Chief Information Officer, and
8 the Under Secretary a description of the analysis
9 that led to the findings submitted under such sub-
10 section and the data used in such analysis.

11 (2) CERTIFICATION.—The Principal Cyber Ad-
12 visor, the Chief Information Officer, and the Under
13 Secretary of Defense shall jointly review each sub-
14 mittal under subsection (a)(2) and certify whether
15 the findings and analysis are in compliance with the
16 requirements of this section.

17 (f) RECOMMENDATIONS.—After receiving findings
18 submitted by a head of a covered department, component,
19 or agency pursuant to paragraph (2) of subsection (a)
20 with respect to a review conducted by the head pursuant
21 to paragraph (1) of such subsection, the Principal Cyber
22 Advisor, the Chief Information Officer, and the Under
23 Secretary shall jointly provide to such head such rec-
24 ommendations as the Principal Cyber Advisor, the Chief
25 Information Officer, and the Under Secretary may have

1 for changes in manning or acquisition that proceed from
2 such review.

3 (g) IMPLEMENTATION.—The Principal Cyber Advi-
4 sor, the Chief Information Officer, and the Under Sec-
5 retary shall jointly oversee and assist in the implementa-
6 tion of the roadmaps developed pursuant to subsection
7 (c)(7) and the recommendations developed pursuant to
8 subsection (f).

9 (h) IN-PROGRESS REVIEWS.—Not later than six
10 months after the date of the enactment of this Act and
11 not less frequently than once every six months thereafter
12 until the Principal Cyber Advisor, the Chief Information
13 Officer, and the Under Secretary give the briefing re-
14 quired by subsection (i), the Principal Cyber Advisor, the
15 Chief Information Officer, and the Under Secretary shall
16 jointly—

17 (1) conduct in-progress reviews of the status of
18 the reviews required by subsection (a)(1); and

19 (2) provide the congressional defense commit-
20 tees with a briefing on such in-progress reviews.

21 (i) FINAL BRIEFING.—After all of the reviews have
22 been completed under paragraph (1) of subsection (a),
23 after receiving all of the findings pursuant to paragraph
24 (2) of such subsection, and not later than June 1, 2021,
25 the Principal Cyber Advisor, the Chief Information Offi-

cer, and the Under Secretary shall jointly provide to the congressional defense committees a briefing on the findings of the Principal Cyber Advisor, the Chief Information Officer, and the Under Secretary with respect to such reviews, including such recommendations as the Principal Cyber Advisor, the Chief Information Officer, and the Under Secretary may have for changes to the budget of the Department as a result of such reviews.

(j) **DEFINITION OF ZERO-BASED REVIEW.**—In this section, the term “zero-based review” means a review in which assessment is conducted with each item, position, or person costed anew, rather than in relation to its size or status in any previous budget.

SEC. 1633. STUDY ON IMPROVING CYBER CAREER PATHS IN THE NAVY.

(a) **STUDY REQUIRED.**—Not later than October 1, 2020, the Secretary of the Navy and the Chief of Naval Operations shall jointly—

(1) complete a study on methods to improve military and civilian cyber career paths within the Navy; and

(2) submit to the congressional defense committees a report on the findings of the Secretary and Chief with respect to the study completed pursuant

1 to paragraph (1) and submit such report with all of
2 the data used in such study.

3 (b) ELEMENTS.—The report submitted pursuant to
4 subsection (a)(2) shall include the following:

5 (1) A plan for implementing career paths for ci-
6 vilian and military personnel tailored to develop ex-
7 pertise in cyber skill sets, including skills sets appro-
8 priate for offensive and defensive military cyber op-
9 erations.

10 (2) Suggested changes to the processes that
11 govern the identification of talent and career pro-
12 gression of the civilian and military workforce.

13 (3) A methodology for a cyber workforce assign-
14 ment policy that deliberately builds depth and
15 breadth of knowledge regarding the conduct of cyber
16 operations throughout an entire career.

17 (4) Possible enhancements to identifying, re-
18 cruiting, training, and retaining the cyber workforce,
19 both civilian and military, especially for Interactive
20 On-Net operators and tool developers.

21 (5) Recommendations for legislative and admin-
22 istrative actions to address the findings and rec-
23 ommendations of the Secretary and the Chief with
24 respect to the study completed pursuant to sub-
25 section (a)(1).

1 (c) CONSULTATION.—In conducting the study re-
2 quired by subsection (a)(1), the Secretary and the Chief
3 shall consult with the following:

4 (1) The Principal Cyber Advisor of the Depart-
5 ment of Defense.

6 (2) The Secretary of the Air Force.

7 (3) The Air Force Chief of Staff.

8 (4) The Secretary of the Army.

9 (5) The Army Chief of Staff.

10 (6) The Commandant of the Marine Corps.

11 (7) The Under Secretary of Defense for Per-
12 sonnel and Readiness.

13 (8) The Chief Information Officer of the De-
14 partment of Defense.

15 (9) The Commander of the United States Cyber
16 Command.

17 **SEC. 1634. FRAMEWORK TO ENHANCE CYBERSECURITY OF**
18 **THE UNITED STATES DEFENSE INDUSTRIAL**
19 **BASE.**

20 (a) FRAMEWORK REQUIRED.—Not later than Feb-
21 ruary 1, 2020, the Secretary of Defense shall develop a
22 consistent, comprehensive framework to enhance cyberse-
23 curity for the United States defense industrial base.

24 (b) ELEMENTS.—The framework developed pursuant
25 to subsection (a) shall include the following:

1 (1) Identification of unified cybersecurity stand-
2 ards, regulations, metrics, ratings, third-party cer-
3 tifications, or requirements to be imposed on the de-
4 fense industrial base for the purpose of assessing the
5 cybersecurity of individual contractors.

6 (2) The roles and responsibilities of various ac-
7 tivities within the Department of Defense, across the
8 entire acquisition process, beginning with market re-
9 search, including responsibility determination, solici-
10 tation, and award, and continuing with contractor
11 management and oversight on matters relating to
12 cybersecurity.

13 (3) The responsibilities of the prime contrac-
14 tors, and all subcontractors in the supply chain, for
15 implementing the required cybersecurity standards,
16 regulations, metrics, ratings, third-party certifi-
17 cations, and requirements identified under para-
18 graph (1).

19 (4) A plan to provide implementation guidance,
20 education, manuals, and, as necessary, direct tech-
21 nical support or assistance to such contractors on
22 matters relating to cybersecurity.

23 (5) Methods and programs for defining and
24 managing controlled unclassified information, and

1 for limiting the presence of unnecessary sensitive in-
2 formation on contractor networks.

3 (6) Quantitative metrics for assessing the effec-
4 tiveness of the overall framework over time, with re-
5 spect to the exfiltration of controlled unclassified in-
6 formation from the defense industrial base.

7 (c) MATTERS FOR CONSIDERATION.—In developing
8 the framework required by subsection (a), the Secretary
9 shall consider the following:

10 (1) Designating an official to be responsible for
11 the cybersecurity of the defense industrial base.

12 (2) Evaluating methods, standards, metrics,
13 and third-party certifications for assessing the cyber-
14 security of individual contractors.

15 (3) Ensuring a consistent approach across the
16 Department to matters relating to the cybersecurity
17 of the defense industrial base.

18 (4) Tailoring cybersecurity requirements for
19 small- and medium-sized contractors based on a
20 risk-based approach.

21 (5) Ensuring the Department's traceability and
22 visibility of cybersecurity compliance of suppliers to
23 all levels of the supply chain.

24 (6) Evaluating incentives and penalties for cy-
25 bersecurity performance of suppliers.

1 (7) Integrating cybersecurity and traditional
2 counterintelligence measures, requirements, and pro-
3 grams.

4 (8) Establishing a secure software development
5 environment (DevSecOps) in a cloud environment in-
6 side the perimeter of the Department for contractors
7 to do their development work.

8 (9) Establishing a secure cloud environment
9 where contractors could access the data of the De-
10 partment needed for their contract work.

11 (10) Establishing a Cybersecurity Maturity
12 Model Certification for defense industrial base com-
13 panies, scoring companies on a rating scale, and re-
14 quiring certain ratings for contract awards.

15 (11) Providing additional assistance to small
16 companies in the form of training, mentoring, ap-
17 proved security product lists, and approved lists of
18 security-as-a-service providers.

19 (12) Technological means, operational concepts,
20 reference architectures, offensive counterintelligence
21 operation concepts, and plans for operationalization
22 to complicate adversary espionage, including
23 honeypotting and data obfuscation.

24 (13) Implementing enhanced security vulner-
25 ability assessments for contractors working on crit-

1 ical acquisition programs, technologies, manufac-
2 turing capabilities, and research areas.

3 (14) Identifying ways to better leverage tech-
4 nology and employ machine learning or artificial in-
5 telligence capabilities, such as Internet Protocol
6 monitoring and data integrity capabilities to be ap-
7 plied to contractor information systems that host,
8 receive, or transmit controlled unclassified informa-
9 tion.

10 (15) Developing tools to easily segregate pro-
11 gram data to only allow subcontractors access to
12 their specific information.

13 (16) Appropriate communications of threat as-
14 sessments of the defense industrial base to the ac-
15 quisition workforce at all classification levels.

16 (17) Appropriate communications with industry
17 on the impact of cybersecurity considerations in con-
18 tracting and procurement decisions.

19 (d) CONSULTATION.—In developing the framework
20 required by subsection (a), the Secretary shall consult with
21 the following:

22 (1) Industry groups representing the defense in-
23 dustrial base.

24 (2) Contractors in the defense industrial base.

1 (3) The Director of the National Institute of
2 Standards and Technology.

3 (4) The Secretary of Energy and the Nuclear
4 Regulatory Commission.

5 (5) The Director of National Intelligence.

6 (e) BRIEFING.—

7 (1) IN GENERAL.—Not later than March 11,
8 2020, the Secretary of Defense shall provide the
9 congressional defense committees with a briefing on
10 the framework developed pursuant to subsection (a).

11 (2) CONTENTS.—The briefing required by para-
12 graph (1) shall include the following:

13 (A) An overview of the framework devel-
14 oped in subsection (a).

15 (B) Identification of such pilot programs
16 as the Secretary considers may be required to
17 improve the cybersecurity of the defense indus-
18 trial base.

19 (C) Implementation timelines and identi-
20 fication of costs.

21 (D) Such recommendations as the Sec-
22 retary may have for legislative action to im-
23 prove the cybersecurity of the defense industrial
24 base.

25 (f) QUARTERLY BRIEFINGS.—

1 (1) IN GENERAL.—Not less frequently than
2 once each quarter until February 1, 2022, the Sec-
3 retary of Defense shall brief the congressional de-
4 fense committees on the status of development and
5 implementation of the framework required by sub-
6 section (a).

7 (2) COORDINATION WITH OTHER BRIEFINGS.—
8 Each briefing under paragraph (1) shall be con-
9 ducted in conjunction with a quarterly briefing
10 under section 484(a) of title 10, United States Code.

11 (3) ELEMENTS.—Each briefing under para-
12 graph (1) shall include the following:

13 (A) The current status of the development
14 and implementation of the framework required
15 by subsection (a).

16 (B) A description of the efforts undertaken
17 by the Secretary to evaluate the matters for
18 consideration set forth in subsection (c).

19 (C) The current status of any pilot pro-
20 grams the Secretary is carrying out to develop
21 the framework.

1 **SEC. 1635. ROLE OF CHIEF INFORMATION OFFICER IN IM-**
2 **PROVING ENTERPRISE-WIDE CYBERSECU-**
3 **RITY.**

4 (a) IN GENERAL.—In carrying out the responsibil-
5 ities established in section 142 of title 10, United States
6 Code, the Chief Information Officer of the Department of
7 Defense shall, to the maximum extent practicable, ensure
8 that the cybersecurity programs and capabilities of the
9 Department—

10 (1) fit into an enterprise-wide cybersecurity ar-
11 chitecture;

12 (2) are maximally interoperable with each
13 other, including those deployed by the components of
14 the Department;

15 (3) enhance enterprise-level visibility and re-
16 sponsiveness to threats; and

17 (4) are developed, procured, instituted, and
18 managed in a cost-efficient manner, exploiting
19 economies of scale and enterprise-wide services and
20 discouraging unnecessary customization and piece-
21 meal acquisition.

22 (b) REQUIREMENTS.—In carrying out subsection (a),
23 the Chief Information Officer shall—

24 (1) manage and modernize the cybersecurity ar-
25 chitecture of the Department, including—

1 (A) ensuring the cybersecurity architecture
2 of the Department maximizes cybersecurity ca-
3 pability, network, and endpoint activity data-
4 sharing across Department components;

5 (B) ensuring the cybersecurity architecture
6 of the Department supports improved automa-
7 ticity of cybersecurity detection and response;
8 and

9 (C) modernizing and configuring the De-
10 partment's standardized deployed perimeter,
11 network-level, and endpoint capabilities to im-
12 prove interoperability, meet pressing capability
13 needs, and negate common adversary tactics,
14 techniques, and procedures;

15 (2) establish mechanisms to enable and man-
16 date, as necessary, cybersecurity capability, and net-
17 work and endpoint activity data-sharing across De-
18 partment components;

19 (3) make mission data, through data tagging,
20 automatic transmission, and other means, accessible
21 and discoverable by Department components other
22 than owners of those mission data;

23 (4) incorporate emerging cybersecurity tech-
24 nologies from the Defense Advanced Research
25 Projects Agency, the Strategic Capabilities Office,

1 the Defense Innovation Unit, the laboratories of the
2 military departments, and the commercial sector into
3 the cybersecurity architecture of the Department;
4 and

5 (5) ensure that the Department possesses the
6 necessary computing infrastructure, through tech-
7 nology refresh, installation or acquisition of band-
8 width, and the use of cloud computing power, to
9 host and enable necessary cybersecurity capabilities.

10 **SEC. 1636. QUARTERLY ASSESSMENTS OF THE READINESS**
11 **OF CYBER FORCES.**

12 (a) IN GENERAL.—Section 484(b) of title 10, United
13 States Code, is amended—

14 (1) by redesignating paragraph (4) as para-
15 graph (5); and

16 (2) by inserting after paragraph (3) the fol-
17 lowing new paragraph (4):

18 “(4) An assessment of the readiness of the
19 Cyber Mission Forces that—

20 “(A) addresses all of the abilities of the
21 Department to conduct cyberspace operations
22 based on capability and capacity of personnel,
23 equipment, training, and equipment condition—

24 “(i) using both quantitative and quali-
25 tative metrics; and

1 “(ii) in a way that is common to all
2 military departments; and

3 “(B) is consistent with readiness reporting
4 pursuant to section 482 of this title.”.

5 (b) METRICS.—

6 (1) ESTABLISHMENT REQUIRED.—The Sec-
7 retary of Defense shall establish metrics for the as-
8 sessment of the readiness of the Cyber Mission
9 Forces of the Department of Defense.

10 (2) BRIEFING REQUIRED.—Not later than 90
11 days after the date of the enactment of this Act, the
12 Secretary will provide a briefing to the congressional
13 defense committees on the metrics established pursu-
14 ant to paragraph (1).

15 (c) MODIFICATION OF READINESS REPORTING SYS-
16 TEM.—Not later than 180 days after the date of the enact-
17 ment of this Act, the Secretary shall take such actions
18 as the Secretary considers appropriate to ensure that the
19 comprehensive readiness reporting system established pur-
20 suant to section 117(a) of title 10, United States Code,
21 covers matters relating to the readiness of the Cyber Mis-
22 sion Forces—

23 (1) using the metrics established pursuant to
24 subsection (b)(1); and

1 (2) in a manner that is consistent with sections
2 117 and 482 of such title.

3 (d) **FIRST QUARTERLY BRIEFING ASSESSING CYBER**
4 **READINESS.**—The amendments made by subsection (a)
5 shall take effect on the date that is 180 days after the
6 date of the enactment of this Act.

7 **SEC. 1637. CONTROL AND ANALYSIS OF DEPARTMENT OF**
8 **DEFENSE DATA STOLEN THROUGH CYBER-**
9 **SPACE.**

10 (a) **REQUIREMENTS.**—When the Secretary of De-
11 fense determines that significant Department of Defense
12 information may have been stolen through cyberspace and
13 evidence of theft of the data in question—

14 (1) is in the possession of a component of the
15 Department, the Secretary shall—

16 (A) either transfer or replicate and trans-
17 fer such Department data in a prompt and se-
18 cure manner to a secure repository with access
19 by Department personnel appropriately limited
20 on a need-to-know basis;

21 (B) ensure the Department applies such
22 automated analytic tools and capabilities to the
23 repository of potentially compromised data as
24 are necessary to rapidly understand the scope
25 and effect of the potential compromise;

1 (C) for high priority Department systems,
2 develop analytic products that characterize the
3 scope of data compromised;

4 (D) ensure that all mission-affected enti-
5 ties in the Department are made aware of the
6 theft or possible theft and, as damage assess-
7 ment and mitigation proceeds, are kept ap-
8 prised of the extent of the data stolen; and

9 (E) ensure that the Department counter-
10 intelligence organizations are—

11 (i) fully integrated with any damage
12 assessment team assigned to the breach;

13 (ii) fully informed of the data that
14 have or potentially have been stolen and
15 the effect of such theft; and

16 (iii) provided resources and tasked, in
17 conjunction with subject matter experts
18 and responsible authorities, to immediately
19 develop and execute countermeasures in re-
20 sponse to a breach involving espionage and
21 data theft; or

22 (2) is in the possession of or under controls or
23 restrictions imposed by the Federal Bureau of Inves-
24 tigation, or a national counterintelligence or intel-
25 ligence organization, the Secretary shall determine,

1 jointly with the Director of the Federal Bureau of
2 Investigation or the Director of National Intel-
3 ligence, as appropriate, the most expeditious process,
4 means, and conditions for carrying out the activities
5 otherwise required by paragraph (1).

6 (b) RECOMMENDATIONS.—Not later than 90 days
7 after the date of the enactment of this Act, the Secretary
8 shall submit to the congressional defense committees such
9 recommendations as the Secretary may have for legislative
10 or administrative action to address such barriers as may
11 be inhibiting the implementation of this section.

12 **SEC. 1638. ACCREDITATION STANDARDS AND PROCESSES**
13 **FOR CYBERSECURITY AND INFORMATION**
14 **TECHNOLOGY PRODUCTS AND SERVICES.**

15 (a) ASSESSMENT.—The Chief Information Officer of
16 the Department of Defense shall conduct an enterprise as-
17 sessment of accreditation of standards and processes for
18 cybersecurity and information technology products and
19 services.

20 (b) REPORT.—

21 (1) IN GENERAL.—Not later than April 1,
22 2020, the Chief Information Officer shall submit to
23 the congressional defense committees a report on the
24 assessment conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) The findings of the Chief Information Officer with respect to the assessment conducted under subsection (a).

(B) A description of the modifications proposed or enacted to accreditation standards and processes arising out of the assessment.

(C) A description of how the Department will increasingly automate accreditation processes, pursue agile development, incorporate machine learning, and foster reciprocity across authorizing officials.

**SEC. 1639. EXTENSION OF AUTHORITIES FOR CYBERSPACE
SOLARIUM COMMISSION.**

Section 1652(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) in paragraph (1), by striking “September 1, 2019” and inserting “February 1, 2020”; and

(2) in paragraph (2), by striking “and intelligence committees” and inserting “committees, the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of

1 the Senate, and the Committee on Homeland Secu-
2 rity of the House of Representatives”.

3 **SEC. 1640. MODIFICATION OF ELEMENTS OF ASSESSMENT**
4 **REQUIRED FOR TERMINATION OF DUAL-HAT**
5 **ARRANGEMENT FOR COMMANDER OF THE**
6 **UNITED STATES CYBER COMMAND.**

7 Section 1642(b)(2)(C) of the National Defense Au-
8 thorization Act for Fiscal Year 2017 (130 Stat. 2601;
9 Public Law 114–328) is amended—

10 (1) in clause (ii), by inserting “and national in-
11 telligence operations” after “operations”;

12 (2) by amending clause (iii) to read as follows:

13 “(iii) The tools, weapons, and accesses
14 used in and available for military cyber op-
15 erations are sufficient for achieving re-
16 quired effects and United States Cyber
17 Command is capable of acquiring or devel-
18 oping these tools, weapons, and accesses.”;
19 and

20 (3) by amending clause (vi) to read as follows:

21 “(vi) The cyber mission force has
22 achieved full operational capability and has
23 demonstrated the capacity to execute the
24 cyber missions of the Department, includ-
25 ing—

1 “(I) execution of national-level
 2 missions through cyberspace, includ-
 3 ing deterrence and disruption of ad-
 4 versary cyber activity;

5 “(II) defense of the Department
 6 of Defense Information Network; and

7 “(III) support for other combat-
 8 ant commands, including targeting of
 9 adversary military assets.”.

10 **SEC. 1641. USE OF NATIONAL SECURITY AGENCY CYBERSE-**
 11 **CURITY EXPERTISE TO SUPPORT ACQUISI-**
 12 **TION OF COMMERCIAL CYBERSECURITY**
 13 **PRODUCTS.**

14 (a) **ADVISORY MISSION.**—The National Security
 15 Agency shall, as a mission in its role in securing the infor-
 16 mation systems of the Department of Defense, advise and
 17 assist the Department of Defense in its acquisition and
 18 adaptation of cybersecurity products and services from in-
 19 dustry, especially the commercial cybersecurity sector.

20 (b) **PROGRAM TO IMPROVE ACQUISITION OF CYBER-**
 21 **SECURITY PRODUCTS AND SERVICES.**—

22 (1) **ESTABLISHMENT.**—Consistent with para-
 23 graph (1), the Director of the National Security
 24 Agency shall establish a permanent program con-
 25 sisting of market research, testing, and expertise

1 transmission, or augments to existing programs, to
2 improve the acquisition by the Department of cyber-
3 security products and services.

4 (2) REQUIREMENTS.—Under the program es-
5 tablished pursuant to paragraph (1), the Director
6 shall, independently and at the request of compo-
7 nents of the Department—

8 (A) test and evaluate commercially-avail-
9 able cybersecurity products and services
10 using—

11 (i) generally known cyber operations
12 techniques; and

13 (ii) tools and cyber operations tech-
14 niques and advanced tools and techniques
15 available to the National Security Agency;

16 (B) develop and establish standard proce-
17 dures, techniques, and threat-informed metrics
18 to perform the testing and evaluation required
19 by subparagraph (A); and

20 (C) advise the Secretary of Defense on the
21 merits and disadvantages of evaluated cyberse-
22 curity products, including with respect to—

23 (i) any synergies between products;

24 (ii) value;

- 1 (iii) matters relating to operation and
2 maintenance; and
3 (iv) matters relating to customization
4 requirements.

5 (3) LIMITATIONS.—The program established
6 under paragraph (1) shall not—

- 7 (A) be used to accredit cybersecurity prod-
8 ucts and services for use by the Department;
9 (B) create approved products lists; or
10 (C) be used for acquisition contracts for
11 the procurement and fielding of cybersecurity
12 products on behalf of the Department.

13 **SEC. 1642. STUDY ON FUTURE CYBER WARFIGHTING CAPA-**
14 **BILITIES OF DEPARTMENT OF DEFENSE.**

15 (a) STUDY REQUIRED.—Not later than 30 days after
16 the date of the enactment of this Act, the Secretary of
17 Defense shall direct the Defense Science Board to carry
18 out a study on the future cyber warfighting capabilities
19 of the Department of Defense.

20 (b) PARTICIPATION.—Participants in the study shall
21 include the following:

- 22 (1) Such members of the Board, including
23 members of the Task Force on Cyber Deterrence of
24 the Board, as the Chairman of the Board considers
25 appropriate for the study.

1 (2) Such additional temporary members or con-
2 tracted support as the Secretary—

3 (A) selects from those recommended by the
4 Chairman for purposes of the study; and

5 (B) considers to have significant technical,
6 policy, or military expertise.

7 (c) ELEMENTS.—The study conducted pursuant to
8 subsection (a) shall include the following:

9 (1) A technical evaluation of the Joint Cyber
10 Warfighting Architecture of the Department, espe-
11 cially the Unified Platform, Joint Cyber Command
12 and Control, and Persistent Cyber Training Envi-
13 ronment, including with respect to the following:

14 (A) The suitability of the requirements
15 and, as relevant, the delivered capability of such
16 architecture to modern cyber warfighting.

17 (B) Such requirements or capabilities as
18 may be absent or underemphasized in such ar-
19 chitecture.

20 (C) The speed of development and acquisi-
21 tion as compared to mission need.

22 (D) Identification of potential duplication
23 of efforts among the programs and concepts
24 evaluated.

1 (E) The coherence of such architecture
2 with the National Mission Teams and Combat
3 Mission Teams of the Cyber Mission Force, as
4 constituted and organized on the day before the
5 date of the enactment of this Act.

6 (F) The coherence of such architecture
7 with the Cyber Protection Teams of the Cyber
8 Mission Force and the cybersecurity service
9 providers of the Department, as constituted and
10 organized on the day before the date of the en-
11 actment of this Act.

12 (G) The coherence of such architecture
13 with the concepts of persistent engagement and
14 defending forward as incorporated in the 2018
15 Department of Defense Cyber Strategy, includ-
16 ing with respect to operational concepts such as
17 consistent spy-on-spy deterrence, securing ad-
18 versary operating pictures, and preemptively
19 feeding indicators and warning to defensive op-
20 erators.

21 (2) A technical evaluation of the tool develop-
22 ment and acquisition programs of the Department,
23 including with respect to the following:

24 (A) The suitability of planned tool suite
25 and cyber armory constructs of the United

1 States Cyber Command to modern cyber
2 warfighting.

3 (B) The speed of development and acquisi-
4 tion as compared to mission need.

5 (C) The resourcing and effectiveness of the
6 internal tool development of the United States
7 Cyber Command as compared to the tool devel-
8 opment of the National Security Agency.

9 (D) The resourcing and effectiveness of the
10 internal tool development of the United States
11 Cyber Command as compared to its acquisition.

12 (E) The coherence of such programs with
13 the concepts of persistent engagement and de-
14 fending forward as incorporated in the 2018
15 Department of Defense Cyber Strategy, includ-
16 ing with respect to operational concepts such as
17 consistent spy-on-spy deterrence, securing ad-
18 versary operating pictures, and preemptively
19 feeding indicators and warning to defensive op-
20 erators.

21 (3) An evaluation of the operational planning
22 and targeting of the United States Cyber Command,
23 including support for regional combatant commands,
24 and suitability for modern cyber warfighting.

1 (4) Development of such recommendations as
2 the Board may have for legislative or administrative
3 action relating to the future cyber warfighting capa-
4 bilities of the Department.

5 (d) ACCESS TO INFORMATION.—The Secretary shall
6 provide the Board with timely access to appropriate infor-
7 mation, data, resources, and analysis so that the Board
8 may conduct a thorough and independent analysis as re-
9 quired under this section.

10 (e) REPORT.—

11 (1) TRANSMITTAL TO SECRETARY.—Not later
12 than November 1, 2021, the Board shall transmit to
13 the Secretary a final report on the study conducted
14 pursuant to subsection (a).

15 (2) TRANSMITTAL TO CONGRESS.—Not later
16 than 30 days after the date on which the Secretary
17 receives the final report under paragraph (1), the
18 Secretary shall submit to the congressional defense
19 committees such report and such comments as the
20 Secretary considers appropriate.

1 **SEC. 1643. AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CYBER OPERATIONS-PECULIAR CAPABILITY DEVELOPMENT PROJECTS.**

5 (a) IN GENERAL.—Subchapter I of chapter 134 of
6 title 10, United States Code, is amended by inserting after
7 section 2243 the following new section:

8 **“§ 2243a. Authority to use operation and maintenance
9 funds for cyber operations-peculiar capability development projects**

11 “(a) IN GENERAL.—Subject to subsection (c), the
12 covered officials may each use amounts authorized to be
13 appropriated or otherwise made available for the Depart-
14 ment of Defense for operation and maintenance, to carry
15 out cyber operations-peculiar capability development
16 projects.

17 “(b) COVERED OFFICIALS.—For purposes of this sec-
18 tion, the covered officials are as follows:

19 “(1) The Secretary of the Army.

20 “(2) The Secretary of the Navy.

21 “(3) The Secretary of the Air Force.

22 “(4) The Commandant of the Marine Corps.

23 “(c) LIMITATION.—In a fiscal year, the aggregate
24 amount that may be used by a single covered official under
25 subsection (a) may not exceed \$3,000,000.

1 “(d) RELATIONSHIP TO OTHER LAWS.—The author-
 2 ity in subsection (a) may be used without regard to any
 3 provision of law establishing a limit on the unit cost of
 4 an investment item that may be purchased with funds
 5 made available for operation and maintenance.”.

6 (b) TABLE OF SECTIONS AMENDMENT.—The table of
 7 sections at the beginning of such subchapter is amended
 8 by inserting after the item relating to section 2243 the
 9 following new item:

“2243a. Authority to use operation and maintenance funds for cyber operations-
 peculiar capability development projects.”.

10 (c) REPORTS.—

11 (1) IN GENERAL.—In each of fiscal years 2021,
 12 2022, and 2023, the Secretary of Defense shall sub-
 13 mit to the congressional defense committees a report
 14 on the use of the authority provided under section
 15 2243a(a) of title 10, United States Code, as added
 16 by subsection (a), during the previous fiscal year.

17 (2) TIMING.—Each report submitted pursuant
 18 to paragraph (1) shall be submitted concurrently
 19 with the annual budget request of the President sub-
 20 mitted pursuant to section 1105 of title 31, United
 21 States Code.

1 **SEC. 1644. EXPANSION OF AUTHORITY FOR ACCESS AND IN-**
2 **FORMATION RELATING TO CYBERATTACKS**
3 **ON DEPARTMENT OF DEFENSE OPERATION-**
4 **ALLY CRITICAL CONTRACTORS.**

5 Section 391(c) of title 10, United States Code, is
6 amended—

7 (1) in paragraph (3)—

8 (A) by amending subparagraph (A) to read
9 as follows:

10 “(A) include mechanisms for Department
11 personnel—

12 “(i) if requested by an operationally
13 critical contractor, to assist the contractor
14 in detecting and mitigating penetrations;
15 or

16 “(ii) at the request of the Depart-
17 ment, to obtain access to equipment or in-
18 formation of an operationally critical con-
19 tractor necessary to conduct a forensic
20 analysis, in addition to any analysis con-
21 ducted by the contractor; and”; and

22 (B) in subparagraph (B)—

23 (i) by striking “to determine whether
24 information” and inserting the following:
25 “to determine whether—

26 “(i) information”;

1 (ii) in clause (i), as so designated—

2 (I) by inserting “or compromised
3 on” after “exfiltrated from”; and

4 (II) by striking the period at the
5 end and inserting “or compromised;
6 or”; and

7 (iii) by adding at the end the fol-
8 lowing new clause:

9 “(ii) the ability of the contractor to
10 provide operationally critical support has
11 been affected and, if so, how and to what
12 extent it has been affected.”;

13 (2) in paragraph (4), by inserting “, so as to
14 minimize delays in or any curtailing of the Depart-
15 ment’s cyber response and defensive actions” after
16 “specific person”; and

17 (3) in paragraph (5)(C), by inserting “ or coun-
18 terintelligence activities” after “investigations”.

19 **SEC. 1645. BRIEFING ON MEMORANDUM OF UNDER-**
20 **STANDING RELATING TO JOINT OPER-**
21 **ATIONAL PLANNING AND CONTROL OF**
22 **CYBER ATTACKS OF NATIONAL SCALE.**

23 (a) BRIEFING REQUIRED.—Not later than March 1,
24 2020, the Secretary of Defense shall provide the appro-
25 priate committees of Congress a briefing on the Joint De-

1 partment of Defense and Department of Homeland Secu-
2 rity Memorandum of Understanding signed by the Sec-
3 retary of Defense on October 6, 2018.

4 (b) ELEMENTS.—The briefing required by subsection
5 (a) shall include the following:

6 (1) The number of planners assigned by the
7 Department of Defense to line of effort three and
8 line of effort four and the areas of expertise of those
9 planners.

10 (2) Whether the planners described in para-
11 graph (1) are physically co-located with their coun-
12 terparts in the Department of Homeland Security
13 and are assigned full-time or part-time to line of ef-
14 fort three and line of effort four.

15 (3) Whether the planners described in para-
16 graph (1) are developing operational plans and play-
17 books that will be implemented in response to actual
18 cyber attacks of national scale or whether the plan-
19 ning activities are limited to planning and exercise
20 scenarios.

21 (4) Whether the official in charge of the plan-
22 ners assigned to line of effort three and line of effort
23 four has or will have operational control of a Federal
24 response to a cyber attack of national scale.

1 (5) Whether the National Cyber Strategy, pub-
2 lished in September 2018, provides for a standing
3 joint multi-agency organization and staff to plan and
4 direct operational responses to cyber attacks of na-
5 tional scale.

6 (6) The charter and implementation plan of the
7 Joint Department of Defense and Department of
8 Homeland Security Cyber Protection and Defense
9 Steering Group required by the memorandum of un-
10 derstanding described in subsection (a).

11 (c) DEFINITION OF APPROPRIATE COMMITTEES OF
12 CONGRESS.—In this section, the term “appropriate com-
13 mittees of Congress” means—

14 (1) the congressional defense committees;

15 (2) the Committee on Homeland Security and
16 Governmental Affairs of the Senate; and

17 (3) the Committee on Homeland Security of the
18 House of Representatives.

1 **SEC. 1646. STUDY TO DETERMINE THE OPTIMAL STRATEGY**
2 **FOR STRUCTURING AND MANNING ELE-**
3 **MENTS OF THE JOINT FORCE HEAD-**
4 **QUARTERS-CYBER ORGANIZATIONS, JOINT**
5 **MISSION OPERATIONS CENTERS, AND CYBER**
6 **OPERATIONS-INTEGRATED PLANNING ELE-**
7 **MENTS.**

8 (a) STUDY.—

9 (1) IN GENERAL.—The Principal Cyber Advisor
10 of the Department of Defense shall conduct a study
11 to determine the optimal strategy for structuring
12 and manning elements of the following:

13 (A) Joint Force Headquarters–Cyber orga-
14 nizations.

15 (B) Joint Mission Operations Centers.

16 (C) Cyber Operations–Integrated Planning
17 Elements.

18 (2) ELEMENTS.—The study conducted under
19 subsection (a) shall include assessment of the fol-
20 lowing:

21 (A) Operational effects on the military
22 services if the entities listed in subparagraphs
23 (A) through (C) of paragraph (1) are restruc-
24 tured from organizations that are service com-
25 ponent organizations to joint organizations.

(B) Organizational effects on the military services if the billets associated with the entities listed in subparagraphs (A) through (C) of paragraph (1) are transferred to United States Cyber Command and designated as joint billets for joint qualification purposes.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Principal Cyber Advisor shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall contain the following:

(A) The findings of the Principal Cyber Advisor with respect to the study conducted under subsection (a).

(B) Details of the operational and organizational effects assessed under subsection (a)(2).

(C) A plan to carry out the transfer described in subsection (a)(2)(B) and the associated costs.

1 (D) Such other matters as the Principal
2 Cyber Advisor considers appropriate.

3 **SEC. 1647. CYBER GOVERNANCE STRUCTURES AND PRIN-**
4 **CIPAL CYBER ADVISORS ON MILITARY CYBER**
5 **FORCE MATTERS.**

6 (a) DESIGNATION.—

7 (1) IN GENERAL.—Not later than one year
8 after the date of the enactment of this Act, each
9 Secretary of a military department shall designate a
10 Principal Cyber Advisor to act as the principal advi-
11 sor to the Secretary of the military department on
12 the cyber forces, cyber programs, and cybersecurity
13 matters of the military department, including mat-
14 ters relating to weapons systems, enabling infra-
15 structure, and the defense industrial base.

16 (2) NATURE OF POSITION.—Each Principal
17 Cyber Advisor position under paragraph (1) shall be
18 a senior civilian leadership position.

19 (b) RESPONSIBILITIES PRINCIPAL CYBER ADVI-
20 SORS.—Each Principal Cyber Advisor of a military depart-
21 ment shall be responsible for advising the Secretary of the
22 military department and coordinating and overseeing the
23 implementation of policy, strategies, sustainment, and
24 plans on the following:

1 (1) The resourcing and training of the military
2 cyber forces of the military department and ensuring
3 that such resourcing and training meets the needs of
4 United States Cyber Command.

5 (2) Acquisition of offensive and defensive cyber
6 capabilities for the military cyber forces of the mili-
7 tary department.

8 (3) Cybersecurity management and operations
9 of the military department.

10 (4) Acquisition of cybersecurity tools and capa-
11 bilities for the cybersecurity service providers of the
12 military department.

13 (5) Improving and enforcing a culture of cyber-
14 security warfighting and responsibility throughout
15 the military department.

16 (c) ADMINISTRATIVE MATTERS.—

17 (1) DESIGNATION OF INDIVIDUALS.—In desig-
18 nating a Principal Cyber Adviser under subsection
19 (a), the Secretary of a military department may des-
20 ignate an individual in an existing position in the
21 military department.

22 (2) COORDINATION.—The Principal Cyber Ad-
23 visor of a military department shall work in close co-
24 ordination with the Principal Cyber Advisor of the
25 Department of Defense, the Chief Information Offi-

1 cer of the Department, relevant military service chief
2 information officers, and other relevant military
3 service officers to ensure service compliance with the
4 Department of Defense Cyber Strategy.

5 (d) RESPONSIBILITY TO THE SENIOR ACQUISITION
6 EXECUTIVES.—In addition to the responsibilities set forth
7 in subsection (b), the Principal Cyber Advisor of a military
8 department shall be responsible for advising the senior ac-
9 quisition executive of the military department and, as de-
10 termined by the Secretary of the military department, for
11 advising and coordinating and overseeing the implementa-
12 tion of policy, strategies, sustainment, and plans for—

- 13 (1) cybersecurity of the industrial base; and
14 (2) cybersecurity of Department of Defense in-
15 formation systems and information technology serv-
16 ices, including how cybersecurity threat information
17 is incorporated and the development of cyber prac-
18 tices, cyber testing, and mitigation of cybersecurity
19 risks.

20 (e) REVIEW OF CURRENT RESPONSIBILITIES.—

- 21 (1) IN GENERAL.—Not later than January 1,
22 2021, each Secretary of a military department shall
23 review the military department’s current governance
24 model for cybersecurity with respect to current au-
25 thorities and responsibilities.

1 (2) ELEMENTS.—Each review under paragraph

2 (1) shall include the following:

3 (A) An assessment of whether additional
4 changes beyond the designation of a Principal
5 Cyber Advisor pursuant to subsection (a) are
6 required.

7 (B) Consideration of whether the current
8 governance structure and assignment of au-
9 thorities—

10 (i) enable effective top-down govern-
11 ance;

12 (ii) enable effective Chief Information
13 Officer and Chief Information Security Of-
14 ficer action;

15 (iii) are adequately consolidated so
16 that the authority and responsibility for
17 cybersecurity risk management is clear and
18 at an appropriate level of seniority;

19 (iv) provides authority to a single in-
20 dividual to certify compliance of Depart-
21 ment information systems and information
22 technology services with all current cyber-
23 security standards; and

24 (v) support efficient coordination
25 across the military departments and serv-

1 ices, the Office of the Secretary of De-
2 fense, the Defense Information Systems
3 Agency, and United States Cyber Com-
4 mand.

5 (f) BRIEFING.—Not later than February 1, 2021,
6 each Secretary of a military department shall brief the
7 congressional defense committees on the findings of the
8 Secretary with respect to the review conducted by the Sec-
9 retary under subsection (e).

10 **SEC. 1648. DESIGNATION OF TEST NETWORKS FOR TESTING**
11 **AND ACCREDITATION OF CYBERSECURITY**
12 **PRODUCTS AND SERVICES.**

13 (a) DESIGNATION.—Not later than April 1, 2020, the
14 Secretary of Defense shall designate, for use by the De-
15 fense Information Systems Agency and such other compo-
16 nents of the Department of Defense as the Secretary con-
17 siders appropriate, three test networks for the testing and
18 accreditation of cybersecurity products and services.

19 (b) REQUIREMENTS.—The networks designated
20 under subsection (a) shall—

21 (1) be of sufficient scale to realistically test cy-
22 bersecurity products and services;

23 (2) feature substantially different architectures
24 and configurations;

25 (3) be live, operational networks; and

1 (4) feature cybersecurity processes, tools, and
2 technologies that are appropriate for test purposes
3 and representative of the processes, tools, and tech-
4 nologies that are widely used throughout the Depart-
5 ment.

6 **SEC. 1649. CONSORTIA OF UNIVERSITIES TO ADVISE SEC-**
7 **RETARY OF DEFENSE ON CYBERSECURITY**
8 **MATTERS.**

9 (a) ESTABLISHMENT.—The Secretary of Defense
10 shall establish one or more consortia to advise and assist
11 the Secretary on matters relating to cybersecurity.

12 (b) MEMBERSHIP.—The consortium or consortia es-
13 tablished under subsection (a) shall consist of universities
14 that have been designated as centers of academic excel-
15 lence by the Director of the National Security Agency or
16 the Secretary of Homeland Security.

17 (c) ORGANIZATION.—

18 (1) DESIGNATION OF ADMINISTRATIVE CHAIR
19 AND TERMS.—For each consortium established
20 under subsection (a), the Secretary, based on rec-
21 ommendations from the members of the consortium,
22 shall designate one member of the consortium to
23 function as an administrative chair of the consor-
24 tium for a term with a specific duration specified by
25 the Secretary.

1 (2) SUBSEQUENT TERMS.—No member of a
2 consortium designated under paragraph (1) may
3 serve as the administrative chair of that consortium
4 for two consecutive terms.

5 (3) DUTIES OF ADMINISTRATIVE CHAIR.—Each
6 administrative chair designated under paragraph (1)
7 for a consortium shall—

8 (A) act as the leader of the consortium for
9 the term specified by the Secretary under para-
10 graph (1);

11 (B) be the liaison between the consortium
12 and the Secretary;

13 (C) distribute requests from the Secretary
14 for advice and assistance to appropriate mem-
15 bers of the consortium and coordinate responses
16 back to the Secretary; and

17 (D) act as a clearinghouse for Department
18 of Defense requests relating to advice and as-
19 sistance on matters relating to cybersecurity
20 and to provide feedback to the Secretary from
21 members of the consortium.

22 (d) FUNCTIONS.—The functions of a consortium es-
23 tablished under subsection (a) are as follows:

1 (1) To provide to the Secretary access to the
2 expertise of the members of the consortium on mat-
3 ters relating to cybersecurity.

4 (2) To align the efforts of such members in
5 support of the Department.

6 (3) To act as a facilitator in responding to De-
7 partment requests relating to advice and assistance
8 on matters relating to cybersecurity and to provide
9 feedback to the Secretary from members of the con-
10 sortium.

11 (e) PROCEDURES.—The Secretary shall establish pro-
12 cedures for organizations within the Department to access
13 the work product produced by and the research, capabili-
14 ties, and expertise of a consortium established under sub-
15 section (a) and the universities that constitute the consor-
16 tium.

17 **Subtitle D—Nuclear Forces**

18 **SEC. 1661. MODIFICATION OF AUTHORITIES RELATING TO** 19 **NUCLEAR COMMAND, CONTROL, AND COM-** 20 **MUNICATIONS SYSTEM.**

21 (a) DUTIES AND POWERS OF UNDER SECRETARY OF
22 DEFENSE FOR ACQUISITION AND SUSTAINMENT.—Sec-
23 tion 133b(b) of title 10, United States Code, is amended—

1 (1) by redesignating paragraphs (4), (5), (6),
2 and (7) as paragraphs (5), (6), (7), and (8), respec-
3 tively;

4 (2) by inserting after paragraph (3) the fol-
5 lowing new paragraph (4):

6 “(4) establishing policies for, and providing
7 oversight, guidance, and coordination with respect
8 to, the nuclear command, control, and communica-
9 tions system;” and

10 (3) in paragraph (6), as redesignated by para-
11 graph (1), by inserting after “overseeing the mod-
12 ernization of nuclear forces” the following: “, includ-
13 ing the nuclear command, control, and communica-
14 tions system,”.

15 (b) DUTIES AND RESPONSIBILITIES OF CHIEF IN-
16 FORMATION OFFICER.—Section 142(b)(1) of such title is
17 amended—

18 (1) by striking subparagraph (G); and

19 (2) by redesignating subparagraphs (H) and (I)
20 as subparagraphs (G) and (H), respectively.

1 **SEC. 1662. EXPANSION OF OFFICIALS REQUIRED TO CON-**
 2 **DUCT BIENNIAL ASSESSMENTS OF DELIVERY**
 3 **PLATFORMS FOR NUCLEAR WEAPONS AND**
 4 **NUCLEAR COMMAND AND CONTROL SYSTEM.**

5 Section 492(d) of title 10, United States Code, is
 6 amended—

7 (1) in paragraph (2), by striking “; and” and
 8 inserting a semicolon;

9 (2) in paragraph (3), by striking the period at
 10 the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(4) the Commander of the United States Air
 13 Forces in Europe.”.

14 **SEC. 1663. CONFORMING AMENDMENT TO COUNCIL ON**
 15 **OVERSIGHT OF THE NATIONAL LEADERSHIP**
 16 **COMMAND, CONTROL, AND COMMUNICA-**
 17 **TIONS SYSTEM.**

18 Section 171a of title 10, United States Code, is
 19 amended by striking “, Technology, and Logistics” each
 20 place it appears and inserting “and Sustainment”.

21 **SEC. 1664. PROHIBITION ON REDUCTION OF THE INTER-**
 22 **CONTINENTAL BALLISTIC MISSILES OF THE**
 23 **UNITED STATES.**

24 (a) PROHIBITION.—Except as provided by subsection
 25 (b), none of the funds authorized to be appropriated by
 26 this Act or otherwise made available for fiscal year 2020

1 for the Department of Defense shall be obligated or ex-
2 pended for—

3 (1) reducing, or preparing to reduce, the re-
4 sponsiveness or alert level of the intercontinental
5 ballistic missiles of the United States; or

6 (2) reducing, or preparing to reduce, the quan-
7 tity of deployed intercontinental ballistic missiles of
8 the United States to a number less than 400.

9 (b) EXCEPTION.—The prohibition in subsection (a)
10 shall not apply to any of the following activities:

11 (1) The maintenance or sustainment of inter-
12 continental ballistic missiles.

13 (2) Ensuring the safety, security, or reliability
14 of intercontinental ballistic missiles.

15 **SEC. 1665. BRIEFING ON LONG-RANGE STANDOFF WEAPON**
16 **AND SEA-LAUNCHED CRUISE MISSILE.**

17 Not later than 90 days after the date of the enact-
18 ment of this Act, the Under Secretary of Defense for Ac-
19 quisition and Sustainment, in consultation with the Ad-
20 ministrator for Nuclear Security, shall provide to the Com-
21 mittees on Armed Services of the Senate and the House
22 of Representatives a briefing on opportunities—

23 (1) to increase commonality between the long-
24 range standoff weapon and the sea-launched cruise
25 missile; and

1 (2) to leverage, in the development of the sea-
2 launched cruise missile, technologies developed, or
3 under development as of the date of the briefing, as
4 part of the long-range standoff weapon program.

5 **SEC. 1666. SENSE OF THE SENATE ON INDUSTRIAL BASE**
6 **FOR GROUND-BASED STRATEGIC DETERRENT**
7 **PROGRAM.**

8 It is the sense of the Senate that—

9 (1) ensuring the viability of an industrial base
10 of at least two domestic producers of large solid
11 rocket motors for the ground-based strategic deter-
12 rent program is an important national security in-
13 terest; and

14 (2) in continuing to carry out that program, the
15 Secretary of Defense should—

16 (A) strive to maintain competition and
17 proper vendor capabilities in order to maintain
18 the best value for the Government;

19 (B) consider the long-term health and via-
20 bility of the industrial base when structuring
21 and awarding major procurement or develop-
22 ment contracts; and

23 (C) when appropriate, structure programs
24 to provide stability to the industrial base by

1 maintaining continued production for an ex-
2 tended period.

3 **SEC. 1667. SENSE OF THE SENATE ON NUCLEAR DETER-**
4 **RENCE COMMITMENTS OF THE UNITED**
5 **STATES.**

6 It is the sense of the Senate that—

7 (1) credible extended deterrence commitments
8 make key contributions to the security of the United
9 States, international stability, and the nonprolifera-
10 tion objectives of the United States;

11 (2) the nuclear forces of the United States, as
12 well as the independent nuclear forces of other mem-
13 bers of the North Atlantic Treaty Organization (in
14 this section referred to as “NATO”), continue to
15 play a critical role in national security strategy of
16 the United States and the security of the NATO al-
17 liance;

18 (3) the forward-deployment of dual-capable air-
19 craft operated by the United States, and the partici-
20 pation of certain NATO members in the nuclear de-
21 terrence mission, are vitally important to the deter-
22 rence and defense posture of NATO;

23 (4) such aircraft provide a credible and flexible
24 nuclear capability that plays a fundamental role in
25 regional deterrence and effectively assuring allies

1 and partners of the commitment of the United
 2 States to their security; and

3 (5) nuclear-certified F-35A aircraft provide the
 4 most advanced nuclear fighter capability in the cur-
 5 rent and future anti-access area denial environ-
 6 ments.

7 **Subtitle E—Missile Defense** 8 **Programs**

9 **SEC. 1671. IRON DOME SHORT-RANGE ROCKET DEFENSE** 10 **SYSTEM AND ISRAELI COOPERATIVE MISSILE** 11 **DEFENSE PROGRAM CO-DEVELOPMENT AND** 12 **CO-PRODUCTION.**

13 (a) IRON DOME SHORT-RANGE ROCKET DEFENSE
 14 SYSTEM.—

15 (1) AVAILABILITY OF FUNDS.—Of the funds
 16 authorized to be appropriated by this Act or other-
 17 wise made available for fiscal year 2020 for procure-
 18 ment, Defense-wide, and available for the Missile
 19 Defense Agency, not more than \$95,000,000 may be
 20 provided to the Government of Israel to procure
 21 components for the Iron Dome short-range rocket
 22 defense system through co-production of such com-
 23 ponents in the United States by industry of the
 24 United States.

25 (2) CONDITIONS.—

1 (A) AGREEMENT.—Funds described in
2 paragraph (1) for the Iron Dome short-range
3 rocket defense program shall be available sub-
4 ject to the terms and conditions in the Agree-
5 ment Between the Department of Defense of
6 the United States of America and the Ministry
7 of Defense of the State of Israel Concerning
8 Iron Dome Defense System Procurement,
9 signed on March 5, 2014, as amended to in-
10 clude co-production for Tamir interceptors.

11 (B) CERTIFICATION.—Not later than 30
12 days prior to the initial obligation of funds de-
13 scribed in paragraph (1), the Director of the
14 Missile Defense Agency and the Under Sec-
15 retary of Defense for Acquisition and
16 Sustainment shall jointly submit to the appro-
17 priate congressional committees—

18 (i) a certification that the amended bi-
19 lateral international agreement specified in
20 subparagraph (A) is being implemented as
21 provided in such agreement; and

22 (ii) an assessment detailing any risks
23 relating to the implementation of such
24 agreement.

1 (b) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-
2 GRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUC-
3 TION.—

4 (1) IN GENERAL.—Subject to paragraph (3), of
5 the funds authorized to be appropriated for fiscal
6 year 2020 for procurement, Defense-wide, and avail-
7 able for the Missile Defense Agency not more than
8 \$50,000,000 may be provided to the Government of
9 Israel to procure the David's Sling Weapon System,
10 including for co-production of parts and components
11 in the United States by United States industry.

12 (2) AGREEMENT.—(A) Provision of funds speci-
13 fied in paragraph (1) shall be subject to the terms
14 and conditions in the bilateral co-production agree-
15 ment, including—

16 (i) a one-for-one cash match is made by
17 Israel or in another matching amount that oth-
18 erwise meets best efforts (as mutually agreed to
19 by the United States and Israel); and

20 (ii) co-production of parts, components,
21 and all-up rounds (if appropriate) in the United
22 States by United States industry for the Da-
23 vid's Sling Weapon System is not less than 50
24 percent.

1 (3) CERTIFICATION AND ASSESSMENT.—The
2 Under Secretary of Defense for Acquisition and
3 Sustainment shall submit to the appropriate con-
4 gressional committees—

5 (A) a certification that the Government of
6 Israel has demonstrated the successful comple-
7 tion of the knowledge points, technical mile-
8 stones, and production readiness reviews re-
9 quired by the research, development, and tech-
10 nology agreement and the bilateral co-produce-
11 tion agreement for the David’s Sling Weapon
12 System; and

13 (B) an assessment detailing any risks re-
14 lating to the implementation of such agreement.

15 (c) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-
16 GRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM
17 Co-PRODUCTION.—

18 (1) IN GENERAL.—Subject to paragraph (2), of
19 the funds authorized to be appropriated for fiscal
20 year 2020 for procurement, Defense-wide, and avail-
21 able for the Missile Defense Agency not more than
22 \$55,000,000 may be provided to the Government of
23 Israel for the Arrow 3 Upper Tier Interceptor Pro-
24 gram, including for co-production of parts and com-

1 ponents in the United States by United States in-
2 dustry.

3 (2) CERTIFICATION.—The Under Secretary of
4 Defense for Acquisition and Sustainment shall sub-
5 mit to the appropriate congressional committees a
6 certification that—

7 (A) the Government of Israel has dem-
8 onstrated the successful completion of the
9 knowledge points, technical milestones, and pro-
10 duction readiness reviews required by the re-
11 search, development, and technology agreement
12 for the Arrow 3 Upper Tier Interceptor Pro-
13 gram;

14 (B) funds specified in paragraph (1) will
15 be provided on the basis of a one-for-one cash
16 match made by Israel or in another matching
17 amount that otherwise meets best efforts (as
18 mutually agreed to by the United States and
19 Israel);

20 (C) the United States has entered into a
21 bilateral international agreement with Israel
22 that establishes, with respect to the use of such
23 funds—

24 (i) in accordance with subparagraph
25 (D), the terms of co-production of parts

1 and components on the basis of the great-
2 est practicable co-production of parts, com-
3 ponents, and all-up rounds (if appropriate)
4 by United States industry and minimizes
5 nonrecurring engineering and facilitization
6 expenses to the costs needed for co-produc-
7 tion;

8 (ii) complete transparency on the re-
9 quirement of Israel for the number of
10 interceptors and batteries that will be pro-
11 cured, including with respect to the pro-
12 curement plans, acquisition strategy, and
13 funding profiles of Israel;

14 (iii) technical milestones for co-pro-
15 duction of parts and components and pro-
16 curement;

17 (iv) a joint affordability working
18 group to consider cost reduction initiatives;
19 and

20 (v) joint approval processes for third-
21 party sales; and

22 (D) the level of co-production described in
23 subparagraph (C)(i) for the Arrow 3 Upper
24 Tier Interceptor Program is not less than 50
25 percent.

1 (d) NUMBER.—In carrying out paragraph (2) of sub-
2 section (b) and paragraph (2) of subsection (c), the Under
3 Secretary may submit—

4 (1) one certification covering both the David’s
5 Sling Weapon System and the Arrow 3 Upper Tier
6 Interceptor Program; or

7 (2) separate certifications for each respective
8 system.

9 (e) TIMING.—The Under Secretary shall submit to
10 the congressional defense committees the certification and
11 assessment under subsection (b)(3) and the certification
12 under subsection (c)(2) by not later than 30 days before
13 the funds specified in paragraph (1) of subsections (b) and
14 (c) for the respective system covered by the certification
15 are provided to the Government of Israel.

16 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
17 FINED.—In this section, the term “appropriate congres-
18 sional committees” means the following:

19 (1) The congressional defense committees.

20 (2) The Committee on Foreign Relations of the
21 Senate and the Committee on Foreign Affairs of the
22 House of Representatives.

1 **SEC. 1672. EXPANSION OF NATIONAL MISSILE DEFENSE**

2 **POLICY AND PROGRAM REDESIGNATION.**

3 (a) SENSE OF THE SENATE.—It is the Sense of the
4 Senate that—

5 (1) the United States must continue to pursue
6 a comprehensive missile defense strategy that will
7 deliver integrated and effective capabilities to
8 counter ballistic, cruise, and hypersonic missile
9 threats;

10 (2) adversaries are quickly expanding the capa-
11 bilities of their existing missile systems, adding new
12 and unprecedented types of missile capabilities to
13 their arsenals, and further integrating offensive mis-
14 siles into their coercive threats, military exercises,
15 and war planning;

16 (3) both Russia and China are rapidly enhanc-
17 ing their existing offensive missile systems and de-
18 veloping advanced sea-, ground-, and air-launched
19 cruise missiles as well as hypersonic capabilities;

20 (4) due to the proliferation of offensive ballistic
21 and cruise missiles and the emergence of game-
22 changing hypersonic weapons technologies, all of
23 which threaten regional balances, our allies and
24 partners, United States deployed armed forces, and
25 the United States homeland, missile defenses become

1 an even more critical element of United States strat-
2 egy; and

3 (5) the United States must outpace adversary
4 offensive missile capabilities.

5 (b) EXPANSION OF POLICY.—Section 1681(a) of the
6 National Defense Authorization Act for Fiscal Year 2017
7 (Public Law 114–328; 10 U.S.C. 2431 note) is amended
8 by striking “ballistic missile threat” and inserting “bal-
9 listic, cruise, and hypersonic missile threats”.

10 (c) REDESIGNATION REQUIREMENT.—Not later than
11 the date on which the President submits to Congress pur-
12 suant to section 1105 of title 31, United States Code, the
13 annual budget request of the President for fiscal year
14 2021, the Secretary of Defense shall, as the Secretary con-
15 siderers appropriate, redesignate all strategies, policies, pro-
16 grams, and systems under the jurisdiction of the Secretary
17 to reflect that missile defense programs of the United
18 States defend against ballistic, cruise, and hypersonic mis-
19 siles in all phases of flight.

20 **SEC. 1673. ACCELERATION OF THE DEPLOYMENT OF PER-**
21 **SISTENT SPACE-BASED SENSOR ARCHITEC-**
22 **TURE.**

23 (a) SENSE OF THE SENATE.—It is the Sense of the
24 Senate that—

1 (1) Congress has expressed support for a space-
2 based missile defense sensor program, in the two
3 most recent enacted National Defense Authorization
4 Acts;

5 (2) the Secretary of Defense should rapidly de-
6 velop and deploy a persistent, space-based sensor ar-
7 chitecture to ensure missile defenses of the United
8 States are more effective against ballistic missile
9 threats and more responsive to emergent threats
10 from hypersonic and cruise missiles;

11 (3) the responsibility for developing and deploy-
12 ing a hypersonic and ballistic tracking space sensor
13 should remain within the Director of the Missile De-
14 fense Agency; and

15 (4) the Director of the Missile Defense Agency
16 should deploy a hypersonic and ballistic tracking
17 space sensor constellation as soon as technically fea-
18 sible.

19 (b) ASSIGNMENT OF PRIMARY RESPONSIBILITY FOR
20 DEVELOPMENT AND DEPLOYMENT OF HYPERSONIC AND
21 BALLISTIC TRACKING SPACE SENSOR.—Not later than 30
22 days after the date of the enactment of this Act, the Sec-
23 retary shall—

24 (1) assign the Director of the Missile Defense
25 Agency with the principal responsibility for the de-

1 velopment and deployment of a hypersonic and bal-
 2 listic tracking space sensor; and

3 (2) submit to the congressional defense commit-
 4 tees certification of such assignment.

5 (c) CERTIFICATION REGARDING FUNDING OF
 6 HYPERSONIC AND BALLISTIC TRACKING SPACE SENSOR
 7 PROGRAM.—At the same time that the President submits
 8 to Congress pursuant to section 1105 of title 31, United
 9 States Code, the annual budget request of the President
 10 for fiscal year 2021, the Under Secretary of Defense
 11 Comptroller and the Director for Cost Assessment and
 12 Program Evaluation shall jointly certify to the congres-
 13 sional defense committees whether the hypersonic and bal-
 14 listic tracking space sensor program is sufficiently funded
 15 in the future-years defense program for the Missile De-
 16 fense Agency.

17 (d) DEPLOYMENT DEADLINE.—Section 1683(a) of
 18 the National Defense Authorization Act for Fiscal Year
 19 2018 (Public Law 115–91; 10 U.S.C. 2431 note) is
 20 amended—

21 (1) by striking “(A) IN GENERAL.—” and in-
 22 serting the following:

23 “(a) DEVELOPMENT, TESTING, AND DEPLOY-
 24 MENT.—

25 “(1) DEVELOPMENT.—”; and

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

3 “(2) TESTING AND DEPLOYMENT.—The Direc-
4 tor shall begin on-orbit testing of a hypersonic and
5 ballistic tracking space sensor no later than Decem-
6 ber 31, 2021, with full operational deployment as
7 soon as technically feasible thereafter.

8 “(3) WAIVER.—The Secretary of Defense may
9 waive the deadline for testing specified in paragraph
10 (2) if the Secretary submits to the congressional de-
11 fense committees a report containing—

12 “(A) the explanation why the Secretary
13 cannot meet such deadline;

14 “(B) the technical risks and estimated cost
15 of accelerating the program to attempt to meet
16 such deadline;

17 “(C) an assessment of threat systems that
18 could not be detected or tracked persistently
19 due to waiving such deadline; and

20 “(D) a plan, including a timeline, for be-
21 ginning the required testing.”.

22 (e) REPORT ON PROGRESS.—

23 (1) IN GENERAL.—Not later than 90 days after
24 the date of the enactment of this Act, the Secretary
25 of Defense shall submit to the congressional defense

1 committees a report on the progress of all efforts
2 being made by the Missile Defense Agency, the De-
3 fense Advanced Research Projects Agency, the Air
4 Force, and the Space Development Agency relating
5 to space-based sensing and tracking capabilities for
6 missile defense and how each of such organizations
7 will work together to avoid duplication of efforts.

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

11 **SEC. 1674. NONSTANDARD ACQUISITION PROCESSES OF**
12 **MISSILE DEFENSE AGENCY.**

13 (a) SENSE OF THE SENATE.—It is the sense of the
14 Senate that—

15 (1) the Department of Defense needs to provide
16 capabilities at the speed of relevance that are more
17 lethal, and to ensure acquisition processes fulfill the
18 needs of members of the Armed Forces now and in
19 the future;

20 (2) significant defense acquisition reforms en-
21 acted over the past three National Defense Author-
22 ization Acts have improved access to nontraditional
23 and commercial innovation and to expanded flexible
24 acquisition authorities in the development of alter-

1 native acquisition pathways to acquire critical na-
2 tional security capabilities;

3 (3) the Department appropriately recently rec-
4 ognized the Missile Defense Agency for its acquisi-
5 tion success by presenting it with the 2018 David
6 Packard Excellence in Acquisition Award for the de-
7 velopment of the Space-Based Kill Assessment
8 (SKA) program and the Missile Defense Agency
9 should be commended for its numerous and rapid
10 acquisition successes;

11 (4) the recently completed Missile Defense Re-
12 view explicitly highlights, in stark terms, the threat
13 posed to the United States by ballistic and
14 hypersonic missile threats; and

15 (5) the Missile Defense Agency should maintain
16 its nonstandard acquisition authorities in order to
17 continue to rapidly design, test, and deliver critically
18 needed defensive capabilities to the warfighter.

19 (b) CHANGES TO NONSTANDARD ACQUISITION PROC-
20 ESSES AND RESPONSIBILITIES.—

21 (1) LIMITATION.—None of the funds authorized
22 to be appropriated by this Act may be obligated or
23 expended to change the nonstandard acquisition
24 processes and responsibilities described in paragraph
25 (2) until the Secretary—

1 (A) has consulted with the Under Sec-
2 retary of Defense for Research and Engineer-
3 ing, the Under Secretary of Defense for Policy,
4 the secretaries of the military departments, the
5 Chairman of the Joint Chiefs of Staff, the
6 Commander of United States Strategic Com-
7 mand (USSTRATCOM), the Commander of
8 United States Northern Command
9 (USNORTHCOM), and the Director of the
10 Missile Defense Agency;

11 (B) certifies to the congressional defense
12 committees that the Secretary has coordinated
13 the changes with and received the views of the
14 individuals referred to in subparagraph (A);

15 (C) submits to the congressional defense
16 committees a report describing the changes, the
17 rationale for the changes, and the views of the
18 individuals referred to in subparagraph (A)
19 with respect to such changes; and

20 (D) a period of 270 days has elapsed since
21 submittal of the report under subparagraph
22 (C).

23 (2) NONSTANDARD ACQUISITION PROCESSES
24 AND RESPONSIBILITIES DESCRIBED.—The non-
25 standard acquisition processes and responsibilities

1 described in this paragraph are such processes and
2 responsibilities described in—

3 (A) the memorandum of the Secretary of
4 Defense titled “Missile Defense Program Direc-
5 tion” signed on January 2, 2002; and

6 (B) Department of Defense Directive
7 5134.09, as in effect on the date of the enact-
8 ment of this Act.

9 **SEC. 1675. PLAN FOR THE REDESIGNED KILL VEHICLE.**

10 (a) REPORT REQUIRED.—The Director of the Missile
11 Defense Agency shall submit to the congressional defense
12 committees a report on the delay in the Redesigned Kill
13 Vehicle Program.

14 (b) ELEMENTS.—The report required by subsection
15 (a) shall include the following:

16 (1) A description of the reason for the delay.

17 (2) An overview of the revised program sched-
18 ule including a revised test plan and revised acquisi-
19 tion strategy.

20 (3) A detailed description of any recommenda-
21 tions that could be utilized to accelerate the sched-
22 uled fielding including modifications to the acquisi-
23 tion strategy or the procurement and assembly of
24 long-lead materials unaffected by the reason for the
25 delay.

1 (4) A timeline associated with such rec-
2 ommendations.

3 (5) Additional funding required to carry out
4 such recommendations.

5 (6) An assessment of risk associated with such
6 recommendations.

7 (7) A description of any recommendations that
8 were submitted to the Director by contractors that
9 the Director considers reasonable but were not
10 adopted.

11 (8) An explanation as to why the recommenda-
12 tions described in paragraph (7) were not adopted.

13 (c) FORM OF REPORT.—The report required under
14 subsection (a) shall be submitted in unclassified form, but
15 may contain a classified annex.

16 **SEC. 1676. REPORT ON IMPROVING GROUND-BASED MID-**
17 **COURSE DEFENSE ELEMENT OF BALLISTIC**
18 **MISSILE DEFENSE SYSTEM.**

19 (a) REPORT REQUIRED.—Not later than 90 days
20 after the date of the enactment of this Act, the Director
21 of the Missile Defense Agency shall submit to the congres-
22 sional defense committees a report on—

23 (1) options to increase the capability, capacity,
24 and reliability of the ground-based midcourse de-

1 fense element of the United States ballistic missile
2 defense system; and

3 (2) the infrastructure requirements for increas-
4 ing the number of ground-based interceptors as part
5 of such element.

6 (b) CONTENTS.—The report required by subsection
7 (a) shall include the following:

8 (1) An assessment of the requirements of the
9 ground-based midcourse defense element of the
10 United States ballistic missile defense system to
11 meet threats outlined in the 2018 National Defense
12 Strategy and the 2019 Missile Defense Review.

13 (2) An assessment of the feasibility of fielding
14 up to 104 ground-based interceptors as part of such
15 element, including a description of the additional in-
16 frastructure and components needed to further out-
17 fit missile fields at Fort Greely, Alaska.

18 (3) A cost estimate of such infrastructure and
19 components.

20 (4) An estimated schedule for completing such
21 construction as may be required for such infrastruc-
22 ture and components.

23 (5) An identification of any environmental as-
24 sessments or impact studies that would need to be

1 conducted to expand missile fields at Fort Greely be-
2 yond current capacity.

3 (6) A determination of the appropriate fleet mix
4 of ground-based interceptor kill vehicles and boosters
5 to maximize overall system effectiveness and in-
6 crease its capacity and capability, including the costs
7 and benefits of continued inclusion of capability en-
8 hancement II block 1 interceptors after the fielding
9 of the redesigned kill vehicle.

10 (7) The modernization requirements for the
11 ground-based midcourse system, including all com-
12 mand and control, ground systems, sensors and sen-
13 sor interfaces, boosters and kill vehicles, and inte-
14 gration of known future systems and components.

15 (8) A discussion of the obsolescence of such sys-
16 tems and components.

17 (9) The industrial base requirements relating to
18 the ground-based midcourse system, as determined
19 by the Director of the Missile Defense Agency.

20 (10) Such other matters as the Director con-
21 siders appropriate.

22 (c) FORM.—The report submitted under subsection
23 (a) shall be submitted in unclassified form, but may in-
24 clude a classified annex.

1 **SEC. 1677. SENSE OF THE SENATE ON RECENT MISSILE DE-**
2 **FENSE AGENCY TESTS.**

3 It is the Sense of the Senate that the Office of the
4 Under Secretary of Defense for Research and Engineer-
5 ing, the Missile Defense Agency, the Office of the Director
6 for Operational Test and Evaluation, the operational test
7 agencies, the military departments, and warfighters
8 should—

9 (1) be strongly commended for a highly success-
10 ful 2018 flight test campaign, which consisted of 13
11 total flight test events including—

12 (A) FTX–35, which successfully proved
13 interoperability between Terminal High Altitude
14 Area Defense (THAAD) and the Phased Array
15 Tracking Radar to Intercept on Target (PA-
16 TRIOT) to detect and track a simulated en-
17 gagement with a short-range ballistic missile;

18 (B) Pacific Dragon 2018, which success-
19 fully demonstrated joint ballistic missile defense
20 interoperability with Japan and Korea to en-
21 gage a short-range ballistic missile with a
22 Standard Missile 3 (SM–3) Block IB by a Jap-
23 anese ship and an Aegis Ashore site;

24 (C) JFTM–5, which successfully dem-
25 onstrated the intercept of an short-range bal-

1 listic missile with a Standard Missile 3 Block
 2 IB threat upgrade from a Japanese ship;

3 (D) FTM-45, which successfully dem-
 4 onstrated the intercept of a medium-range bal-
 5 listic missile with a Standard Missile 3 Block
 6 IIA from a United States ship; and

7 (E) FTI-03, which as a part of the oper-
 8 ational test of the European Phased Adaptive
 9 Approach (EPAA) Phase 3 architecture, suc-
 10 cessfully demonstrated the intercept of an inter-
 11 mediate-range ballistic missile using the Aegis
 12 Weapon System's Engage-on-Remote capability;
 13 and

14 (2) be especially recognized for the success of
 15 FTG-11, the first salvo test of the United States of
 16 the Ground-based Midcourse Defense system, during
 17 which two ground-based interceptors were launched
 18 nearly simultaneously from the same location and
 19 successfully intercepted the kill vehicle of a threat-
 20 representative intercontinental ballistic missile tar-
 21 get, and then the next most lethal object.

22 **SEC. 1678. SENSE OF THE SENATE ON MISSILE DEFENSE**
 23 **TECHNOLOGY DEVELOPMENT PRIORITIES.**

24 It is the sense of the Senate that—

1 (1) the 2019 Missile Defense Review articulates
2 a comprehensive approach to preventing and defeat-
3 ing the rapidly expanding offensive missile threat
4 through a combination of deterrence, active and pas-
5 sive missile defense, and attack operations;

6 (2) to counter the expanding offense missile ca-
7 pabilities of potential adversaries and hedge against
8 unanticipated missile threats, the Secretary of De-
9 fense should aggressively pursue new missile defense
10 capabilities and examine concepts and technologies
11 for advanced missile defense systems;

12 (3) the Secretary should fully implement the
13 2019 Missile Defense Review’s focus on increasing
14 investments in and deploying new technologies and
15 concepts; and

16 (4) the Secretary should work to ensure that all
17 missile defense systems are more survivable, includ-
18 ing through—

19 (A) more distributed air and missile de-
20 fense operations; and

21 (B) improved camouflage, concealment,
22 and deception, including emission control.

1 **SEC. 1679. PUBLICATION OF ENVIRONMENTAL IMPACT**
 2 **STATEMENT PREPARED FOR CERTAIN PO-**
 3 **TENTIAL FUTURE MISSILE DEFENSE SITES.**

4 The Secretary of Defense shall make available to the
 5 public the environmental impact statement prepared pur-
 6 suant to section 227(b) of the National Defense Author-
 7 ization Act for Fiscal Year 2013 (126 Stat. 1679; Public
 8 Law 112–239).

9 **Subtitle F—Other Matters**

10 **SEC. 1681. MATTERS RELATING TO MILITARY OPERATIONS**
 11 **IN THE INFORMATION ENVIRONMENT.**

12 (a) AFFIRMING THE AUTHORITY OF THE SECRETARY
 13 OF DEFENSE TO CONDUCT MILITARY OPERATIONS IN
 14 THE INFORMATION ENVIRONMENT.—

15 (1) IN GENERAL.—Chapter 19 of title 10,
 16 United States Code, is amended by adding at the
 17 end the following new section:

18 **“§ 397. Military operations in the information envi-**
 19 **ronment**

20 **“(a) AFFIRMATION OF AUTHORITY.—(1) Congress**
 21 **affirms that the Secretary of Defense is authorized to con-**
 22 **duct military operations, including clandestine operations,**
 23 **in the information environment to defend the United**
 24 **States, allies of the United States, and interests of the**
 25 **United States, including in response to malicious influence**

1 activities carried out against the United States or a
2 United States person by a foreign power.

3 “(2) The military operations referred to in paragraph
4 (1), when appropriately authorized include the conduct of
5 military operations short of hostilities and in areas outside
6 of areas of active hostilities for the purpose of preparation
7 of the environment, influence, force protection, and deter-
8 rence of hostilities.

9 “(b) TREATMENT OF CLANDESTINE MILITARY OPER-
10 ATIONS IN THE INFORMATION ENVIRONMENT AS TRADI-
11 TIONAL MILITARY ACTIVITIES.—A clandestine military
12 operation in the information environment shall be consid-
13 ered a traditional military activity for the purposes of sec-
14 tion 503(e)(2) of the National Security Act of 1947 (50
15 U.S.C. 3093(e)(2)).

16 “(c) QUARTERLY INFORMATION OPERATIONS BRIEF-
17 INGS.—(1) Not less frequently than once each quarter, the
18 Secretary of Defense shall provide the congressional de-
19 fense committees a briefing on significant military oper-
20 ations, including all clandestine operations in the informa-
21 tion environment, carried out by the Department of De-
22 fense during the immediately preceding quarter.

23 “(2) Each briefing under subsection (1) shall include,
24 with respect to the military operations in the information
25 environment described in such paragraph, the following:

1 “(A) An update, disaggregated by geographic
2 and functional command, that describes the oper-
3 ations carried out by the commands.

4 “(B) An overview of authorities and legal issues
5 applicable to the operations, including any relevant
6 legal limitations.

7 “(C) An outline of any interagency activities
8 and initiatives relating to the operations.

9 “(D) Such other matters as the Secretary con-
10 siders appropriate.

11 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion shall be construed to limit, expand, or otherwise alter
13 the authority of the Secretary to conduct military oper-
14 ations, including clandestine operations, in the informa-
15 tion environment, to authorize specific military operations,
16 or to limit, expand, or otherwise alter or otherwise affect
17 the War Powers Resolution (50 U.S.C. 1541 et seq.) or
18 an authorization for use of military force that was in effect
19 on the day before the date of the enactment of this Act.

20 “(e) DEFINITIONS.—In this section:

21 “(1) The terms ‘foreign person’ and ‘United
22 States person’ have the meanings given such terms
23 in section 101 of the Foreign Intelligence Surveil-
24 lance Act of 1978 (50 U.S.C. 1801).

1 “(2) The term ‘hostilities’ has the same mean-
2 ing as such term is used in the War Powers Resolu-
3 tion (50 U.S.C. 1541 et seq.).

4 “(3) The term ‘clandestine military operation in
5 the information environment’ means an operation or
6 activity, or associated preparatory actions, author-
7 ized by the President or the Secretary of Defense,
8 that—

9 “(A) is marked by, held in, or conducted
10 with secrecy, where the intent is that the oper-
11 ation or activity will not be apparent or ac-
12 knowledge publicly; and

13 “(B) is to be carried out—

14 “(i) as part of a military operation
15 plan approved by the President or the Sec-
16 retary of Defense;

17 “(ii) to deter, safeguard, or defend
18 against attacks or malicious influence ac-
19 tivities against the United States, allies of
20 the United States, and interests of the
21 United States; or

22 “(iii) in support of hostilities or mili-
23 tary operations involving the United States
24 armed forces; or

1 “(iv) in support of military operations
 2 short of hostilities and in areas where hos-
 3 tilities are not occurring for the purpose of
 4 preparation of the environment, influence,
 5 force protection, and deterrence.”.

6 (2) CLERICAL AMENDMENTS.—

7 (A) CHAPTER 19.—

8 (i) CHAPTER HEADING.—The heading
 9 of chapter 19 of such title is amended to
 10 read as follows:

11 **“CHAPTER 19—CYBER AND INFORMATION**
 12 **OPERATIONS MATTERS”.**

13 (ii) TABLE OF SECTIONS.—The table
 14 of sections at the beginning of chapter 19
 15 of such title is amended by inserting at the
 16 end the following new item:

“397. Military operations in the information environment.”.

17 (B) TABLE OF CHAPTERS.—The table of
 18 chapters for part I of subtitle A of such title is
 19 amended by striking the item relating to chap-
 20 ter 19 and inserting the following new item:

“19. Cyber and Information Operations Matters 391”.

21 (b) PRINCIPAL INFORMATION OPERATIONS ADVI-
 22 SOR.—

23 (1) DESIGNATION.—The Secretary of Defense
 24 shall designate, from among officials appointed to a

1 position in the Department of Defense by and with
2 the advice and consent of the Senate, a Principal In-
3 formation Operations Advisor to act as the principal
4 advisor to the Secretary on all aspects of informa-
5 tion operations conducted by the Department.

6 (2) RESPONSIBILITIES.—The Principal Infor-
7 mation Operations Advisor shall have the following
8 responsibilities:

9 (A) Oversight of policy, strategy, planning,
10 resource management, operational consider-
11 ations, personnel, and technology development
12 across all the elements of information oper-
13 ations of the Department.

14 (B) Overall integration and supervision of
15 the deterrence of, conduct of, and defense
16 against information operations.

17 (C) Promulgation of policies to ensure ade-
18 quate coordination and deconfliction with the
19 Department of State, the intelligence commu-
20 nity (as defined in section 3 of the National Se-
21 curity Act of 1947 (50 U.S.C. 3003)), and
22 other relevant agencies and departments of the
23 Federal Government.

24 (D) Coordination with the head of the
25 Global Engagement Center to support the pur-

pose of the Center (as set forth by section 1287(a)(2) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 22 U.S.C. 2656 note)) and liaison with the Center and other relevant Federal Government entities to support such purpose.

(E) Establishing and supervising a rigorous risk management process to mitigate the risk of potential exposure of United States Persons to information intended exclusively for foreign audiences.

(F) Development of guidance for, and promotion of, the capability of the Department to liaison with the private sector and academia on matters relating to the influence activities of malign actors.

(G) Such other matters relating to information operations as the Secretary shall specify for purposes of this subsection.

(c) CROSS-FUNCTIONAL TEAM.—

(1) ESTABLISHMENT.—The Principal Information Operations Advisor shall integrate the expertise in all elements of information operations and perspectives of appropriate organizations within the Office of the Secretary of Defense, Joint Staff, military

1 departments, Defense Agencies, and combatant com-
2 mands by establishing and maintaining a full-time
3 cross-functional team composed of subject-matter ex-
4 perts selected from those organizations.

5 (2) SELECTION AND ORGANIZATION.—The
6 cross-functional team established under paragraph
7 (1) shall be selected, organized, and managed in a
8 manner consistent with section 911 of the National
9 Defense Authorization Act for Fiscal Year 2017
10 (Public Law 114–328; 10 U.S.C. 111 note).

11 (d) DESIGNATION OF COORDINATING AUTHORITY.—

12 (1) DESIGNATION.—The Secretary of Defense
13 shall designate United States Special Operations
14 Command as the coordinating authority for informa-
15 tion operations of the Department.

16 (2) RESPONSIBILITIES.—The combatant com-
17 mand designated under paragraph (1) shall be re-
18 sponsible for the following:

19 (A) Synchronizing the Department’s infor-
20 mation operations plans and operations across
21 combatant commands.

22 (B) Acting as the joint proponent for in-
23 formation operations capabilities.

24 (e) STRATEGY AND POSTURE REVIEW.—

1 (1) STRATEGY AND POSTURE REVIEW RE-
2 REQUIRED.—The Secretary of Defense, acting through
3 the Principal Information Operations Advisor and
4 the cross-functional team established under sub-
5 section (c)(1), shall—

6 (A) develop or update, as appropriate, a
7 strategy for operations in the information envi-
8 ronment; and

9 (B) conduct an information operations pos-
10 ture review, including an analysis of capability
11 gaps that inhibit the Department’s ability to
12 successfully execute the strategy developed or
13 updated pursuant to subparagraph (A).

14 (2) ELEMENTS.—At a minimum, the strategy
15 developed or updated pursuant to paragraph (1)(A)
16 shall include the following:

17 (A) The establishment of lines of effort,
18 objectives, and tasks that are necessary to im-
19 plement the strategy and eliminate the gaps
20 identified under paragraph (1)(B).

21 (B) Designation of offices of primary re-
22 sponsibility for implementing and achieving the
23 tasks as set forth in the strategy.

1 **SEC. 1682. EXTENSION OF AUTHORIZATION FOR PROTEC-**
2 **TION OF CERTAIN FACILITIES AND ASSETS**
3 **FROM UNMANNED AIRCRAFT.**

4 Section 130i(i) of title 10, United States Code, is
5 amended by striking “2020” both places it appears and
6 inserting “2024”.

7 **SEC. 1683. HARD AND DEEPLY BURIED TARGETS.**

8 (a) REPORT REQUIRED.—

9 (1) IN GENERAL.—Not later than December 1,
10 2019, the Chairman of the Joint Chiefs of Staff
11 shall, in consultation with the Commander of the
12 United States Strategic Command, submit to the
13 congressional defense committees a classified report
14 on hard and deeply buried targets.

15 (2) ELEMENTS.—The report required by para-
16 graph (1) shall include the following:

17 (A) An estimate of the total number of
18 high-value hard and deeply buried targets asso-
19 ciated with United States military operations
20 plans.

21 (B) A description of the contents, func-
22 tions, and hardening characteristics of the tar-
23 gets described in subparagraph (A), as well as
24 their level of protection by anti-access and area
25 denial capabilities.

1 (C) An assessment of the current ability of
 2 the United States to hold such targets at risk
 3 using existing conventional and nuclear capa-
 4 bilities.

5 (D) An assessment of the potential ability
 6 of the United States to hold such targets at
 7 risk using projected conventional and nuclear
 8 capabilities as of 2030.

9 (b) PLAN.—Not later than February 15, 2020, the
 10 Secretary of Defense shall develop a plan to ensure that
 11 the United States possesses by 2025 the capabilities to
 12 pose a credible deterrent threat against targets described
 13 in the report required by subsection (a).

14 (c) CERTIFICATION.—Not later than March 1, 2020,
 15 and annually thereafter, the Secretary shall certify to the
 16 congressional defense committees that the plan required
 17 by subsection (b) is being implemented in accordance with
 18 the 2025 deadline specified in that subsection.

19 **DIVISION B—MILITARY CON-**
 20 **STRUCTION AUTHORIZA-**
 21 **TIONS**

22 **SEC. 2001. SHORT TITLE.**

23 This division may be cited as the “Military Construc-
 24 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 XXVII and title
7 XXIX for military construction projects, land acquisition,
8 family housing projects and facilities, and contributions to
9 the North Atlantic Treaty Organization Security Invest-
10 ment 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
17 authorizations for military construction projects, land ac-
18 quisition, family housing projects and facilities, and con-
19 tributions to the North Atlantic Treaty Organization Se-
20 curity Investment Program (and authorizations of appro-
21 priations therefor), for which appropriated funds have
22 been obligated before the later of—

23 (1) October 1, 2024; or

24 (2) the date of the enactment of an Act author-
25 izing funds for fiscal year 2025 for military con-
26 struction projects, land acquisition, family housing

1 projects and facilities, or contributions to the North
 2 Atlantic Treaty Organization Security Investment
 3 Program.

4 **SEC. 2003. EFFECTIVE DATE.**

5 Titles XXI through XXVII and title XXIX shall take
 6 effect on the later of—

7 (1) October 1, 2019; or

8 (2) the date of the enactment of this Act.

9 **TITLE XXI—ARMY MILITARY**
 10 **CONSTRUCTION**

11 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 12 **ACQUISITION PROJECTS.**

13 (a) **INSIDE THE UNITED STATES.**—Using amounts
 14 appropriated pursuant to the authorization of appropria-
 15 tions in section 2103(a) and available for military con-
 16 struction projects inside the United States as specified in
 17 the funding table in section 4601, the Secretary of the
 18 Army may acquire real property and carry out military
 19 construction projects for the installations or locations in-
 20 side the United States, and in the amounts, set forth in
 21 the following table:

Army: Inside the United States

State	Installation	Amount
Alabama	Redstone Arsenal	\$38,000,000
Colorado	Fort Carson	\$71,000,000
Georgia	Fort Gordon	\$107,000,000
	Hunter Army Airfield	\$62,000,000
Kentucky	Fort Campbell	\$61,300,000
Massachusetts	Soldier Systems Center Natick	\$50,000,000
Michigan	Detroit Arsenal	\$24,000,000
New York	Fort Drum	\$44,000,000

Army: Inside the United States—Continued

State	Installation	Amount
North Carolina	Fort Bragg	\$12,500,000
Oklahoma	Fort Sill	\$73,000,000
Pennsylvania	Carlisle Barracks	\$98,000,000
South Carolina	Fort Jackson	\$88,000,000
Texas	Corpus Christi Army Depot	\$86,000,000
	Fort Hood	\$50,500,000
Virginia	Fort Belvoir	\$60,000,000
	Joint Base Langley-Eustis	\$55,000,000
Washington	Joint Base Lewis-McChord	\$46,000,000

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
5 in the funding table in section 4601, the Secretary of the
6 Army may acquire real property and carry out military
7 construction projects for the installations or locations out-
8 side the United States, and in the amounts, set forth in
9 the following table:

Army: Outside the United States

Country	Installation	Amount
Honduras	Soto Cano Air Base	\$34,000,000
Japan	Kadena Air Base	\$80,000,000

10 **SEC. 2102. FAMILY HOUSING.**

11 (a) CONSTRUCTION AND ACQUISITION.—Using
12 amounts appropriated pursuant to the authorization of ap-
13 propriations in section 2103(a) and available for military
14 family housing functions as specified in the funding table
15 in section 4601, the Secretary of the Army may construct
16 or acquire family housing units (including land acquisition
17 and supporting facilities) at the installations or locations,

1 in the number of units, and in the amounts set forth in
 2 the following table:

Army: Family Housing

State/Coun- try	Installation or Location	Units	Amount
Pennsylvania	Tobyhanna Army Depot	Family Housing Replacement Construction.	\$19,000,000

3 (b) PLANNING AND DESIGN.—Using amounts appro-
 4 priated pursuant to the authorization of appropriations in
 5 section 2103(a) and available for military family housing
 6 functions as specified in the funding table in section 4601,
 7 the Secretary of the Army may carry out architectural and
 8 engineering services and construction design activities
 9 with respect to the construction or improvement of family
 10 housing units in an amount not to exceed \$9,222,000.

11 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
 13 are hereby authorized to be appropriated for fiscal years
 14 beginning after September 30, 2019, for military con-
 15 struction, land acquisition, and military family housing
 16 functions of the Department of the Army as specified in
 17 the funding table in section 4601.

18 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
 19 PROJECTS.—Notwithstanding the cost variations author-
 20 ized by section 2853 of title 10, United States Code, and
 21 any other cost variation authorized by law, the total cost
 22 of all projects carried out under section 2101 of this Act

1 may not exceed the total amount authorized to be appro-
 2 priated under subsection (a), as specified in the funding
 3 table in section 4601.

4 **SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT**
 5 **CERTAIN FISCAL YEAR 2019 PROJECT.**

6 In the case of the authorization contained in the table
 7 in section 2101(a) of the Military Construction Authoriza-
 8 tion Act for Fiscal Year 2019 (division B of Public Law
 9 115–232) for Anniston Army Depot, Alabama, for con-
 10 struction of a weapon maintenance shop, the Secretary of
 11 the Army may construct a 21,000 square foot weapon
 12 maintenance shop.

13 **TITLE XXII—NAVY MILITARY**
 14 **CONSTRUCTION**

15 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 16 **ACQUISITION PROJECTS.**

17 (a) **INSIDE THE UNITED STATES.**—Using amounts
 18 appropriated pursuant to the authorization of appropria-
 19 tions in section 2204(a) and available for military con-
 20 struction projects inside the United States as specified in
 21 the funding table in section 4601, the Secretary of the
 22 Navy may acquire real property and carry out military
 23 construction projects for the installations or locations in-
 24 side the United States, and in the amounts, set forth in
 25 the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	\$189,760,000
California	Camp Pendleton	\$185,569,000
	China Lake	\$64,500,000
	Coronado	\$165,830,000
	Marine Corps Air Station Miramar	\$37,400,000
	Marine Corps Recruit Depot San Diego	\$9,900,000
	Seal Beach	\$123,310,000
	Travis Air Force Base	\$64,000,000
Connecticut	New London	\$72,260,000
Florida	Naval Air Station Jacksonville	\$32,420,000
	Marine Corps Support Facility Blount Island.	\$18,700,000
Hawaii	Kaneohe Bay	\$134,050,000
	West Loch	\$53,790,000
North Carolina	Camp Lejeune	\$229,010,000
	Marine Corps Air Station Cherry Point	\$166,870,000
	New River	\$11,320,000
South Carolina	Marine Corps Recruit Depot Parris Island ..	\$37,200,000
Virginia	Norfolk	\$79,100,000
	Portsmouth	\$48,930,000
	Quantico	\$143,350,000
	Yorktown	\$59,000,000
Washington	Bremerton	\$51,010,000
	Keyport	\$25,050,000
	Kitsap	\$48,000,000
Unspecified CONUS	Zulu	\$59,600,000

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
5 in the funding table in section 4601, the Secretary of the
6 Navy may acquire real property and carry out military
7 construction projects for the installations or locations out-
8 side the United States, and in the amounts, set forth in
9 the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Australia	Darwin	\$211,500,000
Bahrain Island	Southwest Asia	\$53,360,000
Guam	Joint Region Marianas	\$226,000,000
Italy	Sigonella	\$77,400,000
Japan	Iwakuni	\$15,870,000
	Yokosuka	\$174,692,000

1 **SEC. 2202. FAMILY HOUSING.**

2 Using amounts appropriated pursuant to the author-
3 ization of appropriations in section 2204(a) and available
4 for military family housing functions as specified in the
5 funding table in section 4601, the Secretary of the Navy
6 may carry out architectural and engineering services and
7 construction design activities with respect to the construc-
8 tion or improvement of family housing units in an amount
9 not to exceed \$5,863,000.

10 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
11 **UNITS.**

12 Subject to section 2825 of title 10, United States
13 Code, and using amounts appropriated pursuant to the
14 authorization of appropriations in section 2204(a) of this
15 Act and available for military family housing functions as
16 specified in the funding table in section 4601, the Sec-
17 retary of the Navy may improve existing military family
18 housing units in an amount not to exceed \$41,798,000.

19 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

20 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
21 are hereby authorized to be appropriated for fiscal years
22 beginning after September 30, 2019, for military con-
23 struction, land acquisition, and military family housing
24 functions of the Department of the Navy, as specified in
25 the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	\$8,600,000
Arkansas	Little Rock Air Force Base	\$47,000,000
California	Travis Air Force Base	\$43,100,000
Colorado	Peterson Air Force Base	\$54,000,000
	Schriever Air Force Base	\$148,000,000
Illinois	Scott Air Force Base	\$100,000,000
Missouri	Whiteman Air Force Base	\$27,000,000
Montana	Malmstrom Air Force Base	\$235,000,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
Nevada	Nellis Air Force Base	\$65,200,000
New Mexico	Holloman Air Force Base	\$20,000,000
	Kirtland Air Force Base	\$37,900,000
North Dakota	Minot Air Force Base	\$5,500,000
Texas	Joint Base San Antonio	\$207,300,000
Utah	Hill Air Force Base	\$114,500,000
Washington	Fairchild Air Force Base	\$31,000,000
Wyoming	F.E. Warren Air Force Base	\$18,100,000
Unspecified CONUS	Zulu	\$31,200,000
Unspecified Worldwide	Zulu	\$230,000,000

(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
Australia	Tindal	\$70,600,000
Cyprus	Royal Air Force Akrotiri	\$27,000,000
Guam	Joint Region Marianas	\$65,000,000
Japan	Kadena Air Base	\$31,500,000
	Misawa Air Base	\$5,300,000
	Yokota Air Base	\$12,400,000
Jordan	Azraq	\$66,000,000
Mariana Islands	Tinian	\$316,000,000
United Kingdom	Royal Air Force Lakenheath	\$14,300,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air

1 Force may carry out architectural and engineering serv-
2 ices and construction design activities with respect to the
3 construction or improvement of family housing units in an
4 amount not to exceed \$3,409,000.

5 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
6 **UNITS.**

7 Subject to section 2825 of title 10, United States
8 Code, and using amounts appropriated pursuant to the
9 authorization of appropriations in section 2304(a) and
10 available for military family housing functions as specified
11 in the funding table in section 4601, the Secretary of the
12 Air Force may improve existing military family housing
13 units in an amount not to exceed \$53,584,000.

14 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
15 **FORCE.**

16 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
17 are hereby authorized to be appropriated for fiscal years
18 beginning after September 30, 2019, for military con-
19 struction, land acquisition, and military family housing
20 functions of the Department of the Air Force, as specified
21 in the funding table in section 4601.

22 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
23 **PROJECTS.**—Notwithstanding the cost variations author-
24 ized by section 2853 of title 10, United States Code, and
25 any other cost variation authorized by law, the total cost

1 of all projects carried out under section 2301 of this Act
2 may not exceed the total amount authorized to be appro-
3 priated under subsection (a), as specified in the funding
4 table in section 4601.

5 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**
6 **CERTAIN FISCAL YEAR 2015 PROJECT.**

7 In the case of the authorization contained in the table
8 in section 2301(b) of the Military Construction Authoriza-
9 tion Act for Fiscal Year 2015 (division B of Public Law
10 113–291; 128 Stat. 3679) for Royal Air Force Croughton,
11 for JIAC Consolidation Phase 1, the location shall be
12 Royal Air Force Molesworth, United Kingdom.

13 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT**
14 **CERTAIN FISCAL YEAR 2016 PROJECT.**

15 In the case of the authorization contained in the table
16 in section 2301(b) of the Military Construction Authoriza-
17 tion Act for Fiscal Year 2016 (division B of Public Law
18 114–92; 129 Stat. 1153) for JIAC Consolidation Phase
19 2, as modified by section 2305 of the Military Construc-
20 tion Authorization Act for Fiscal Year 2019 (division B
21 of Public Law 115–232) for an unspecified location in the
22 United Kingdom, the Secretary of the Air Force may con-
23 struct a 5,152 square meter intelligence analytic center,
24 a 5,234 square meter intelligence fusion center, and a 807
25 square meter battlefield information collection and exploi-

1 tation system center at Royal Air Force Molesworth,
2 United Kingdom.

3 **SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT**
4 **CERTAIN FISCAL YEAR 2017 PROJECT.**

5 In the case of the authorization contained in the table
6 in section 2301(b) of the Military Construction Authoriza-
7 tion Act for Fiscal Year 2017 (division B of Public Law
8 114–328; 130 Stat. 2697) for JIAC Consolidation Phase
9 3, as modified by section 2305 of the Military Construc-
10 tion Authorization Act for Fiscal Year 2019 (division B
11 of Public Law 115–32) for an unspecified location in the
12 United Kingdom, the Secretary of the Air Force may con-
13 struct a 1,562 square meter regional joint intelligence
14 training facility and a 4,495 square meter combatant com-
15 mand intelligence facility at Royal Air Force Molesworth,
16 United Kingdom.

17 **SEC. 2308. ADDITIONAL AUTHORITY TO CARRY OUT CER-**
18 **TAIN FISCAL YEAR 2018 PROJECTS.**

19 (a) JOINT BASE SAN ANTONIO.—In the case of the
20 authorization contained in the table in section 2301(a) of
21 the Military Construction Authorization Act for Fiscal
22 Year 2018 (division B of Public Law 115–91; 131 Stat.
23 1826) for Joint Base San Antonio, Texas—

1 (1) for construction of a dining and classroom
2 facility the Secretary of the Air Force may construct
3 a 750 square meter equipment building; and

4 (2) for construction of an air traffic control
5 tower the Secretary of the Air Force may construct
6 a 636 square meter air traffic control tower.

7 (b) RYGGE.—In the case of the authorization con-
8 tained in the table in section 2903 of the Military Con-
9 struction Authorization Act for Fiscal Year 2018 (division
10 B of Public Law 115–91; 131 Stat. 1876) for Rygge, Nor-
11 way, for repairing and expanding a quick reaction alert
12 pad, the Secretary of the Air Force may construct 1,327
13 square meters of aircraft shelter and a 404 square meter
14 fire protection support building.

15 **SEC. 2309. MODIFICATION OF AUTHORITY TO CARRY OUT**
16 **CERTAIN FISCAL YEAR 2019 PROJECTS.**

17 (a) HANSCOM AIR FORCE BASE.—In the case of the
18 authorization contained in the table in section 2301(a) of
19 the Military Construction Authorization Act for Fiscal
20 Year 2019 (division B of Public Law 115–232) for
21 Hanscom Air Force Base, Massachusetts, for the con-
22 struction of a semiconductor or microelectronics lab facil-
23 ity, the Secretary of the Air Force may construct a 1,000
24 kilowatt stand-by generator.

(b) ROYAL AIR FORCE LAKENHEATH.—In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232) for Royal Air Force Lakenheath, United Kingdom, for the construction of an F-35 dormitory, the Secretary of the Air Force may construct a 5,900 square meter dormitory.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
California	Beale Air Force Base	\$33,700,000
	Camp Pendleton	\$17,700,000
CONUS Classified	Classified Location	\$82,200,000
Florida	Elgin Air Force Base	\$16,500,000
	Hurlburt Field	\$108,386,000
	Key West	\$16,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$67,700,000

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
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	Dam Neck	\$12,770,000
	Defense Distribution Depot Richmond	\$98,800,000
	Joint Expeditionary Base Little Creek-Fort Story.	\$45,604,000
	Pentagon	\$28,802,000
Washington	Joint Base Lewis-McChord	\$47,700,000
Wisconsin	General Mitchell International Airport	\$25,900,000
Unspecified CONUS	Zulu	\$100,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2403(a) and available for military con-
4 struction projects outside the United States as specified
5 in the funding table in section 4601, the Secretary of De-
6 fense may acquire real property and carry out military
7 construction projects for the installations or locations out-
8 side the United States, and in the amounts, set forth in
9 the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Germany	Geilenkirchen Air Base	\$30,479,000
	Ramstein Air Base	\$66,880,000
Guam	Joint Region Marianas	\$19,200,000
Japan	Yokota Air Base	\$136,411,000
Worldwide Classi- fied	Classified Location	\$52,000,000

1 **SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CON-**
2 **SERVATION INVESTMENT PROGRAM**
3 **PROJECTS.**

4 (a) INSIDE THE UNITED STATES.—Using amounts
5 appropriated pursuant to the authorization of appropria-
6 tions in section 2403(a) and available for energy conserva-
7 tion projects as specified in the funding table in section
8 4601, the Secretary of Defense may carry out energy con-
9 servation projects under chapter 173 of title 10, United
10 States Code, for the installations or locations inside the
11 United States, and in the amounts, set forth in the fol-
12 lowing table:

ERCIP Projects: Inside the United States

State	Installation or Location	Amount
California	Mountain View	\$9,700,000
	Naval Air Weapons Station China Lake	\$8,950,000
	Naval Support Activity Monterey	\$10,540,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$4,000,000
Louisiana	Joint Reserve Base Naval Air Station New Orleans	\$5,340,000
	South Potomac	\$18,460,000
Maryland	Naval Support Activity Bethesda	\$13,840,000
	White Sands Missile Range	\$5,800,000
New Mexico	Fort Hood	\$16,500,000
	Camp Swift	\$4,500,000
Virginia	National Reconnaissance Office Headquarters	\$66,000
Washington	Naval Base Kitsap	\$23,670,000

13 (b) OUTSIDE THE UNITED STATES.—Using amounts
14 appropriated pursuant to the authorization of appropria-
15 tions in section 2403(a) and available for energy conserva-
16 tion projects as specified in the funding table in section
17 4601, the Secretary of Defense may carry out energy con-
18 servation projects under chapter 173 of title 10, United

1 States Code, for the installations or locations outside the
 2 United States, and in the amounts, set forth in the fol-
 3 lowing table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Guam	Naval Base Guam	\$16,970,000

4 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
 5 **FENSE AGENCIES.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
 7 are hereby authorized to be appropriated for fiscal years
 8 beginning after September 30, 2019, for military con-
 9 struction, land acquisition, and military family housing
 10 functions of the Department of Defense (other than the
 11 military departments), as specified in the funding table
 12 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 2401 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.

1 **TITLE XXV—INTERNATIONAL**
2 **PROGRAMS**
3 **Subtitle A—North Atlantic Treaty**
4 **Organization Security Invest-**
5 **ment Program**

6 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
7 **ACQUISITION PROJECTS.**

8 The Secretary of Defense may make contributions for
9 the North Atlantic Treaty Organization Security Invest-
10 ment Program as provided in section 2806 of title 10,
11 United States Code, in an amount not to exceed the sum
12 of the amount authorized to be appropriated for this pur-
13 pose in section 2502 and the amount collected from the
14 North Atlantic Treaty Organization as a result of con-
15 struction previously financed by the United States.

16 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

17 (a) **AUTHORIZATION.**—Funds are hereby authorized
18 to be appropriated for fiscal years beginning after Sep-
19 tember 30, 2019, for contributions by the Secretary of De-
20 fense under section 2806 of title 10, United States Code,
21 for the share of the United States of the cost of projects
22 for the North Atlantic Treaty Organization Security In-
23 vestment Program authorized by section 2501 as specified
24 in the funding table in section 4601.

(b) AUTHORITY TO RECOGNIZE NATO AUTHORIZATION AMOUNTS AS BUDGETARY RESOURCES FOR PROJECT EXECUTION.—When the United States is designated as the Host Nation for the purposes of executing a project under the NATO Security Investment Program (NSIP), the Department of Defense construction agent may recognize the NATO project authorization amounts as budgetary resources to incur obligations for the purposes of executing the NSIP project.

Subtitle B—Host Country In-Kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Country	Component	Installation or Location	Project	Amount
Korea	Army	Camp Carroll	Army Prepositioned Stock-4 Wheeled Vehicle Maintenance Facility	\$51,000,000
	Army	Camp Humphreys	Unaccompanied Enlisted Personnel Housing, P1	\$154,000,000
	Army	Camp Humphreys	Unaccompanied Enlisted Personnel Housing, P2	\$211,000,000
	Army	Camp Humphreys	Satellite Communications Facility	\$32,000,000

Republic of Korea Funded Construction Projects—Continued

Country	Component	Installation or Location	Project	Amount
	Air Force ..	Gwangju Air Base	Hydrant Fuel System Upgrade Electrical	\$35,000,000
	Air Force ..	Kunsan Air Base	Distribution System ..	\$14,200,000
	Air Force ..	Kunsan Air Base	Dining Facility	\$21,000,000
	Air Force ..	Suwon Air Base	Hydrant Fuel System	\$24,000,000

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON- STRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Location	Amount
Alabama	Anniston Army Depot	\$34,000,000
	Foley	\$12,000,000
California	Camp Roberts	\$12,000,000
Idaho	Orchard Training Area	\$29,000,000
Maryland	Havre de Grace	\$12,000,000
Massachusetts	Camp Edwards	\$9,700,000
Minnesota	New Ulm	\$11,200,000
Mississippi	Camp Shelby	\$8,100,000
Missouri	Springfield	\$12,000,000
Nebraska	Bellevue	\$29,000,000
New Hampshire	Concord	\$5,950,000
New York	Jamaica Armory	\$91,000,000
Pennsylvania	Moon Township	\$23,000,000

Army National Guard—Continued

State	Location	Amount
Vermont	Camp Ethan Allen	\$30,000,000
Washington	Richland	\$11,400,000

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 fund-
6 ing table in section 4601, the Secretary of the Army may
7 acquire 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
10 table:

Army Reserve

State	Location	Amount
Delaware	Dover Air Force Base	\$21,000,000
Wisconsin	Fort McCoy	\$25,000,000

11 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
12 **CORPS RESERVE CONSTRUCTION AND LAND**
13 **ACQUISITION PROJECTS.**

14 Using amounts appropriated pursuant to the author-
15 ization of appropriations in section 2606 and available for
16 the National Guard and Reserve as specified in the fund-
17 ing table in section 4601, the Secretary of the Navy may
18 acquire real property and carry out military construction
19 projects for the Navy Reserve and Marine Corps Reserve

1 locations inside the United States, and in the amounts,
 2 set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Louisiana	New Orleans	\$25,260,000

3 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**
 4 **TION AND LAND ACQUISITION PROJECTS.**

5 Using amounts appropriated pursuant to the author-
 6 ization of appropriations in section 2606 and available for
 7 the National Guard and Reserve as specified in the fund-
 8 ing table in section 4601, the Secretary of the Air Force
 9 may acquire real property and carry out military construc-
 10 tion projects for the Air National Guard locations inside
 11 the United States, and in the amounts, set forth in the
 12 following table:

Air National Guard

State	Location	Amount
California	Moffett Air National Guard Base	\$57,000,000
Georgia	Savannah/Hilton Head International Airport.	\$24,000,000
Missouri	Rosecrans Memorial Airport	\$9,500,000
Puerto Rico	Luis Munoz Marin International Air- port.	\$50,000,000
Wisconsin	Truax Field Air National Guard Base	\$34,000,000

13 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**
 14 **TION AND LAND ACQUISITION PROJECTS.**

15 Using amounts appropriated pursuant to the author-
 16 ization of appropriations in section 2606 and available for
 17 the National Guard and Reserve as specified in the fund-
 18 ing table in section 4601, the Secretary of the Air Force

1 may acquire real property and carry out military construc-
 2 tion projects for the Air Force Reserve locations inside
 3 the United States, and in the amounts, set forth in the
 4 following table:

Air Force Reserve

State	Location	Amount
Georgia	Robins Air Force Base	\$43,000,000
Minnesota	Minneapolis-St. Paul International Airport.	\$9,800,000

5 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**
 6 **TIONAL GUARD AND RESERVE.**

7 Funds are hereby authorized to be appropriated for
 8 fiscal years beginning after September 30, 2019, for the
 9 costs of acquisition, architectural and engineering services,
 10 and construction of facilities for the Guard and Reserve
 11 Forces, and for contributions therefor, under chapter
 12 1803 of title 10, United States Code (including the cost
 13 of acquisition of land for those facilities), as specified in
 14 the funding table in section 4601.

1 **TITLE XXVII—BASE REALIGN-**
2 **MENT AND CLOSURE ACTIVI-**
3 **TIES**

4 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**
5 **BASE REALIGNMENT AND CLOSURE ACTIVI-**
6 **TIES FUNDED THROUGH DEPARTMENT OF**
7 **DEFENSE BASE CLOSURE ACCOUNT.**

8 Funds are hereby authorized to be appropriated for
9 fiscal years beginning after September 30, 2019, for base
10 realignment and closure activities, including real property
11 acquisition and military construction projects, as author-
12 ized by the Defense Base Closure and Realignment Act
13 of 1990 (part A of title XXIX of Public Law 101–510;
14 10 U.S.C. 2687 note) and funded through the Department
15 of Defense Base Closure Account established by section
16 2906 of such Act (as amended by section 2711 of the Mili-
17 tary Construction Authorization Act for Fiscal Year 2013
18 (division B of Public Law 112–239; 126 Stat. 2140)), as
19 specified in the funding table in section 4601.

20 **SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL**
21 **BASE REALIGNMENT AND CLOSURE (BRAC)**
22 **ROUND.**

23 Nothing in this Act shall be construed to authorize
24 an additional Base Realignment and Closure (BRAC)
25 round.

1 **TITLE XXVIII—MILITARY CON-**
2 **STRUCTION GENERAL PROVI-**
3 **SIONS**

4 **Subtitle A—Military Construction**
5 **Program**

6 **SEC. 2801. MILITARY INSTALLATION RESILIENCE PLANS**
7 **AND PROJECTS OF DEPARTMENT OF DE-**
8 **FENSE.**

9 (a) PLANS AND PROJECTS.—

10 (1) IN GENERAL.—Subchapter I of chapter 169
11 of title 10, United States Code, is amended by add-
12 ing at the end the following new sections:

13 **“§ 2815. Military installation resilience plans**

14 “(a) IN GENERAL.—The Secretary of each military
15 department shall ensure the maintenance and enhance-
16 ment of military installation resilience through the devel-
17 opment and implementation of military installation resil-
18 ience plans under this section for each military installation
19 under the jurisdiction of such Secretary that is in a coastal
20 area.

21 “(b) MILITARY INSTALLATION RESILIENCE PLANS
22 FOR NATIONAL GUARD INSTALLATIONS.—The Secretary
23 of a military department, subject to the availability of ap-
24 propriations, may develop and implement a military instal-

1 lation resilience plan for a State-owned installation of the
2 National Guard that is in a coastal area if—

3 “(1) such a plan is developed and implemented
4 in coordination with the chief executive officer of the
5 State in which the installation is located; and

6 “(2) such a plan is deemed, for purposes of any
7 other provision of law, to be for lands or other geo-
8 graphical areas owned or controlled by the Depart-
9 ment of Defense, or designated for use by the De-
10 partment of Defense.

11 “(c) REQUIRED ELEMENTS OF PLANS.—To the ex-
12 tent appropriate and applicable, each military installation
13 resilience plan under this section shall provide for the fol-
14 lowing:

15 “(1) A qualitative and, to the extent prac-
16 ticable, quantitative assessment of—

17 “(A) current risks and threats to the resil-
18 ience of the military installation, including from
19 extreme weather events, mean sea level fluctua-
20 tion, flooding, and other changes in environ-
21 mental conditions; and

22 “(B) future risks and threats, including
23 from extreme weather events, mean sea level
24 fluctuation, flooding, and other changes in envi-
25 ronmental conditions, based on projections from

1 reliable and authorized sources as described in
2 section 2805(c) of the Military Construction
3 Authorization Act for Fiscal Year 2019 (divi-
4 sion B of Public Law 115–232; 10 U.S.C. 2864
5 note), to the resilience of any project considered
6 in the master plan for the installation under
7 section 2864 of this title during the 50-year
8 lifespan of the installation.

9 “(2) A description of the—

10 “(A) assets or infrastructure located on
11 the installation vulnerable to the risks and
12 threats described in paragraph (1), with special
13 emphasis on assets or infrastructure critical to
14 the accomplishment of the missions of the in-
15 stallation and missions of any members of the
16 armed forces stationed at the installation; and

17 “(B) community infrastructure and re-
18 sources located outside the military installation
19 that are—

20 “(i) critical to the accomplishment of
21 the missions of the military installation
22 and of members of the armed forces sta-
23 tioned at the installation; and

24 “(ii) vulnerable to the risks and
25 threats described in paragraph (1).

1 “(3) A description of the—

2 “(A) current or planned infrastructure
3 projects or other measures to mitigate the im-
4 pacts of risks and threats described in para-
5 graph (1) to the resilience of the military instal-
6 lation and the accomplishment of the missions
7 of the military installation and missions of
8 members of the armed forces stationed at the
9 installation;

10 “(B) estimated costs associated with such
11 current or planned infrastructure projects or
12 other mitigation measures; and

13 “(C) current or planned interagency agree-
14 ments, cooperative agreements, memoranda of
15 agreement, or other agreements with other Fed-
16 eral agencies, Indian tribes, State or local gov-
17 ernments or entities, or other organizations or
18 individuals for the purpose of or that will assist
19 in maintaining or enhancing military installa-
20 tion resilience and the resilience of the commu-
21 nity infrastructure and resources described in
22 paragraph (2)(B).

23 “(d) CONSISTENCY AND INTEGRATION WITH OTHER
24 PLANS.—The Secretary of each military department shall

1 ensure that each military installation resilience plan pre-
2 pared by such Secretary under this section is—

3 “(1) consistent with the integrated natural re-
4 source management plan of the Secretary required
5 by section 101(a)(1)(B) of the Sikes Act (16 U.S.C.
6 670a);

7 “(2) consistent with and integrated into the in-
8 stallation energy resilience master plan of the Sec-
9 retary required by section 2911(b)(3) of this title;
10 and

11 “(3) consistent with and integrated into the in-
12 stallation master plan of the Secretary required by
13 section 2864 of this title.

14 “(e) INCLUSION OF CERTAIN PROJECTS.—The Sec-
15 retary of each military department shall include in mili-
16 tary installation resilience plans under this section
17 projects or improvements to facilities conducted using
18 amounts for sustainment, restoration, and modernization.

19 “(f) DEFINITIONS.—In this section:

20 “(1) The term ‘community infrastructure’ has
21 the meaning given that term in section 2391(e)(4)
22 of this title.

23 “(2) The term ‘Indian tribe’ has the meaning
24 given that term in section 4 of the Indian Self-De-

1 termination and Education Assistance Act (25
2 U.S.C. 5304).”.

3 **“§ 2815a. Military installation resilience projects**

4 “(a) PROJECTS REQUIRED.—The Secretary of De-
5 fense shall carry out military construction projects for
6 military installation resilience, not previously authorized,
7 using funds authorized to be appropriated or otherwise
8 made available for that purpose.

9 “(b) CONGRESSIONAL NOTIFICATION.—(1) When a
10 decision is made to carry out a project under this section,
11 the Secretary of Defense shall notify the congressional de-
12 fense committees of that decision.

13 “(2) The Secretary of Defense shall include in each
14 notification submitted under paragraph (1) the rationale
15 for how the project would—

16 “(A) enhance military installation resilience;

17 “(B) enhance mission assurance;

18 “(C) support mission critical functions; and

19 “(D) address known vulnerabilities.

20 “(c) TIMING OF PROJECTS.—A project may be car-
21 ried out under this section only after the end of the 14-
22 day period beginning on the date that notification with
23 respect to that project under subsection (b) is received by
24 the congressional defense committees in an electronic me-
25 dium pursuant to section 480 of this title.

1 “(d) ANNUAL REPORT.—Not later than 90 days after
2 the end of each fiscal year, the Secretary of Defense shall
3 submit to the congressional defense committees a report
4 on the status of the planned and active projects carried
5 out under this section (including completed projects), and
6 shall include in the report with respect to each such
7 project the following information:

8 “(1) The title, location, a brief description of
9 the scope of work, the original project cost estimate,
10 and the current working cost estimate.

11 “(2) The rationale for how the project would—

12 “(A) enhance military installation resil-
13 ience;

14 “(B) enhance mission assurance;

15 “(C) support mission critical functions;

16 and

17 “(D) address known vulnerabilities.

18 “(3) Such other information as the Secretary
19 considers appropriate.

20 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
21 is authorized to be appropriated to the Department of De-
22 fense to carry out this section \$100,000,000 for each fiscal
23 year.”.

24 (2) CLERICAL AMENDMENT.—The table of sec-
25 tions at the beginning of chapter 169 of such title

1 is amended by inserting after the item relating to
2 section 2814 the following new items:

“2815. Military installation resilience plans.

“2815a. Military installation resilience projects.”.

3 (b) REPORT.—

4 (1) IN GENERAL.—Not later than March 1,
5 2020, the Secretary of Defense shall submit to the
6 congressional defense committees a report on the ex-
7 tent to which military installation resilience plans
8 were prepared or implemented in accordance with
9 section 2815 of title 10, United States Code, as
10 added by subsection (a)(1).

11 (2) ELEMENTS.—The report required by para-
12 graph (1) shall include the following:

13 (A) The number of military installation re-
14 silience plans in effect, including the date on
15 which each plan was issued in final form or
16 most recently revised.

17 (B) The amounts expended on mitigation
18 measures conducted pursuant to or consistent
19 with such plans, including moving critical mili-
20 tary functions of the Department of Defense to
21 less vulnerable military installations.

22 (C) An assessment of the extent to which
23 such plans comply with section 2815 of title 10,

1 United States Code, as added by subsection
2 (a)(1).

3 **SEC. 2802. PROHIBITION ON USE OF FUNDS TO REDUCE AIR**
4 **BASE RESILIENCY OR DEMOLISH PROTECTED**
5 **AIRCRAFT SHELTERS IN THE EUROPEAN**
6 **THEATER WITHOUT CREATING A SIMILAR**
7 **PROTECTION FROM ATTACK.**

8 No funds authorized to be appropriated by this Act
9 or otherwise made available for the Department of De-
10 fense for fiscal year 2020 may be obligated or expended
11 to implement any activity that reduces air base resiliency
12 or demolishes protected aircraft shelters in the European
13 theater without creating a similar protection from attack
14 in the European theater until such time as the Secretary
15 of Defense certifies to the congressional defense commit-
16 tees that protected aircraft shelters are not required in
17 the European theater.

18 **SEC. 2803. PROHIBITION ON USE OF FUNDS TO CLOSE OR**
19 **RETURN TO THE HOST NATION ANY EXISTING**
20 **AIR BASE.**

21 No funds authorized to be appropriated by this Act
22 or otherwise made available for the Department of De-
23 fense for fiscal year 2020 may be obligated or expended
24 to implement any activity that closes or returns to the host
25 nation any existing air base until such time as the Sec-

1 retary of Defense certifies that there is no longer a need
2 for a rotational military presence in the European theater.

3 **SEC. 2804. INCREASED AUTHORITY FOR CERTAIN UNSPEC-**
4 **IFIED MINOR MILITARY CONSTRUCTION**
5 **PROJECTS.**

6 (a) IN GENERAL.—Notwithstanding the limitations
7 specified in section 2805 of title 10, United States Code,
8 the Secretary concerned may carry out unspecified minor
9 military construction projects in an amount not to exceed
10 \$12,000,000 at the following installations:

- 11 (1) Tyndall Air Force Base, Florida.
- 12 (2) Camp Ashland, Nebraska.
- 13 (3) Offutt Air Force Base, Nebraska.
- 14 (4) Camp Lejeune, North Carolina.
- 15 (5) Marine Corps Air Station Cherry Point,
16 North Carolina.

17 (b) ADJUSTMENT OF LIMITATION.—The Secretary
18 concerned may adjust the dollar limitation specified in
19 subsection (a) applicable to a project described in such
20 subsection to reflect the area construction cost index for
21 military construction projects published by the Depart-
22 ment of Defense during the prior fiscal year for the loca-
23 tion of the project, except that no such limitation may ex-
24 ceed \$19,000,000 as the result of any adjustment made
25 under this subsection.

1 (c) TERMINATION.—The authority under this section
 2 shall terminate on the date that is five years after the date
 3 of the enactment of this Act.

4 **SEC. 2805. TECHNICAL CORRECTIONS AND IMPROVEMENTS**
 5 **TO INSTALLATION RESILIENCE.**

6 (a) DEFENSE ACCESS ROADS.—Section 210 of title
 7 23, United States Code, is amended—

8 (1) in subsection (a), by striking “(a)(1) The
 9 Secretary” and all that follows through the end of
 10 paragraph (1) and inserting the following:

11 “(a) AUTHORIZATION.—

12 “(1) IN GENERAL.—Of the funds appropriated
 13 for defense access roads, the Secretary may use such
 14 amounts as are appropriate for—

15 “(A) the construction and maintenance of
 16 defense access roads (including bridges, tubes,
 17 tunnels, and culverts or other water manage-
 18 ment structures on those roads) to—

19 “(i) military reservations;

20 “(ii) defense industry sites;

21 “(iii) air or sea ports that, as deter-
 22 mined by the Secretary, in consultation
 23 with the Secretary of Defense, are nec-
 24 essary for or are planned to be used for
 25 the deployment or sustainment of members

1 of the Armed Forces, equipment, or sup-
2 plies; 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
7 of current or projected increases in mean high
8 tides, recurrent flooding, or other weather-re-
9 lated conditions or natural disasters, in any
10 case in which the roads are certified to the Sec-
11 retary as important to the national defense
12 by—

13 “(i) the Secretary of Defense; or

14 “(ii) such other official as the Presi-
15 dent may designate; and

16 “(C) replacing existing highways and high-
17 way connections that are shut off from general
18 public use by necessary closures, closures due to
19 mean sea level fluctuation and flooding, or re-
20 strictions at—

21 “(i) military reservations;

22 “(ii) air or sea ports that are nec-
23 essary for or are planned to be used for
24 the deployment or sustainment of members

1 of the Armed Forces, equipment, or sup-
2 plies; or

3 “(iii) defense industry sites.”;

4 (2) in subsection (b), by striking “the construc-
5 tion and maintenance of” and inserting “the con-
6 struction, maintenance, reconstruction, or improve-
7 ment of, or enhancements to,”;

8 (3) in subsection (c)—

9 (A) by striking “him” and inserting “the
10 Secretary”;

11 (B) by striking “construction, mainte-
12 nance, and repair work” and inserting “activi-
13 ties for construction, maintenance, reconstruc-
14 tion, enhancement, improvement, and repair”;

15 (C) by striking “therein” and inserting “in
16 those areas”; and

17 (D) by striking “condition for such train-
18 ing purposes and for repairing the damage
19 caused to such highways by the operations” and
20 inserting the following: “condition for—

21 “(1) that training; and

22 “(2) repairing the damage to those highways
23 caused by—

1 “(A) weather-related events, increases in
 2 mean high tide levels, recurrent flooding, or
 3 natural disasters; or

4 “(B) the operations”;

5 (4) in subsection (g), in the second sentence, by
 6 striking “construction which has been” and inserting
 7 “construction and other activities”; and

8 (5) by striking subsection (i) and inserting the
 9 following:

10 “(i) REPAIR OF CERTAIN DAMAGES AND INFRA-
 11 STRUCTURE.—The amounts made available to carry out
 12 this section may be used to pay the cost of repairing dam-
 13 age caused, or any infrastructure to mitigate a risk posed,
 14 to a defense access road by recurrent or projected recur-
 15 rent flooding, sea level fluctuation, a natural disaster, or
 16 any other current or projected change in applicable envi-
 17 ronmental conditions, if the Secretary determines that
 18 continued access to a military installation, defense indus-
 19 try site, air or sea port necessary for or planned to be
 20 used for the deployment or sustainment of members of the
 21 Armed Forces, equipment, or supplies, or to a source of
 22 raw materials, has been or is projected to be impacted by
 23 those events or conditions.”.

24 (b) STUDY ON CERTAIN THREATS TO MILITARY IN-
 25 STALLATION RESILIENCE.—

1 (1) STUDY.—

2 (A) IN GENERAL.—Not later than March
3 1, 2020, the Secretary of Defense shall com-
4 plete a comprehensive study, to be conducted by
5 the Director of the Engineer Research and De-
6 velopment Center of the Army Corps of Engi-
7 neers, on the risks posed by coastal or inland
8 flooding, mean sea level fluctuation, and storm
9 surge to the military installation resilience of
10 military installations and State-owned installa-
11 tions of the National Guard that the Secretary
12 determines are vulnerable to those risks.

13 (B) COORDINATION.—The study under
14 subparagraph (A) shall be conducted in coordi-
15 nation with other elements of the Army Corps
16 of Engineers, other Federal agencies, and
17 State, local, and tribal officials to ensure con-
18 sistency with other plans or pre-disaster and
19 risk mitigation measures being planned or
20 taken in the areas within the scope of the
21 study.

22 (2) RISK MITIGATION MEASURES.—The study
23 required by paragraph (1)(A) shall include the iden-
24 tification of and recommendations concerning ongo-
25 ing or potential risk mitigation measures, including

1 on lands and waters not under the jurisdiction of the
2 Department of Defense, including authorized
3 projects of the Army Corps of Engineers and cur-
4 rent or potential projects under the Continuing Au-
5 thorities Program of the Corps of Engineers, that
6 would contribute to preserving or enhancing the
7 military installation resilience of military installa-
8 tions and State-owned installations of the National
9 Guard within the scope of the study.

10 (3) BARRIERS TO MAINTAINING AND ENHANC-
11 ING RESILIENCE.—The study required by paragraph
12 (1)(A) shall identify institutional, administrative,
13 legislative, and other barriers to preserving and en-
14 hancing the military installation resilience of the in-
15 stallations determined by such study to be vulnerable
16 to the risks posed by coastal or inland flooding, sea
17 level rise, or storm surge.

18 (4) REPORTS.—

19 (A) INITIAL REPORT.—Not later than one
20 year after the date of the enactment of this Act,
21 the Secretary of Defense shall submit to the
22 congressional defense committees a report pro-
23 viding the status of, interim results for, and an
24 expected completion date for the study required
25 by paragraph (1)(A).

1 (B) FINAL REPORT.—Not later than two
2 years after the date of the enactment of this
3 Act, the Secretary shall submit to the congres-
4 sional defense committees a final report on the
5 study required by paragraph (1)(A).

6 (5) DEFINITIONS.—In this subsection:

7 (A) CONGRESSIONAL DEFENSE COMMIT-
8 TEES; MILITARY INSTALLATION RESILIENCE.—
9 The terms “congressional defense committees”
10 and “military installation resilience” have the
11 meanings given those terms in section 101 of
12 title 10, United States Code.

13 (B) CONTINUING AUTHORITIES PROGRAM
14 OF THE CORPS OF ENGINEERS.—The term
15 “Continuing Authorities Program of the Corps
16 of Engineers” means any of the programs listed
17 in section 1030(a) of the Water Resources Re-
18 form and Development Act of 2014 (33 U.S.C.
19 400).

20 (c) UPDATE OF UNITED FACILITIES CRITERIA TO
21 INCLUDE CHANGING ENVIRONMENTAL CONDITION PRO-
22 JECTIONS.—Section 2805(c) of the John S. McCain Na-
23 tional Defense Authorization Act for Fiscal Year 2019
24 (Public Law 115–232) is amended—

1 (1) by striking “Not later than” and inserting
2 the following:

3 “(1) FISCAL YEAR 2019.—Not later than”;

4 (2) in paragraph (1), as designated by para-
5 graph (1), by striking “United Facilities Criteria
6 (UFC) 2-100-01 and UFC 2-100-02” and inserting
7 “United Facilities Criteria (UFC) 1-200-01 and
8 UFC 1-200-02”; and

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

11 “(2) FISCAL YEAR 2020.—Not later than 30
12 days after the date of the enactment of the National
13 Defense Authorization Act for Fiscal Year 2020, the
14 Secretary of Defense shall amend the United Facili-
15 ties Criteria (UFC) as follows:

16 “(A) To require that installations of the
17 Department of Defense assess the risks from
18 extreme weather and related effects and develop
19 plans to address those risks.

20 “(B) To require in the design of any mili-
21 tary construction project the use of the fol-
22 lowing weather projections:

23 “(i) Population projections from the
24 Bureau of the Census.

1 “(ii) Land use change projections and
2 weather projections from the National
3 Academy of Sciences.

4 “(iii) Land use change projections
5 through the use of land use and land cover
6 modeling by the United States Geological
7 Survey.

8 “(iv) Weather projections from the
9 United States Global Change Research
10 Program, including in the National Cli-
11 mate Assessment.

12 “(v) Weather projections developed
13 through the use of Localized Constructed
14 Analogs Statistical Downscaling.

15 “(vi) Weather projections developed
16 through the Earth Exchange program of
17 the National Aeronautics and Space Ad-
18 ministration.

19 “(vii) Weather projections included in
20 the technical report NOS CO-OPS 083 set
21 forth by the National Oceanic and Atmos-
22 pheric Administration.

23 “(viii) Any customized, high-resolution
24 model weather projections developed by the
25 Strategic Environmental Research and De-

1 velopment Program for specific regions
2 with the goal of assessing the vulnerability
3 of installations of the Department.

4 “(C) To require the Secretary to provide
5 guidance to project designers and master plan-
6 ners on how to use weather projections.

7 “(D) To require the use throughout the
8 Department of the Naval Facilities Engineering
9 Command Climate Change Installation Adapta-
10 tion and Resilience planning handbook.”.

11 **Subtitle B—Land Conveyances**

12 **SEC. 2811. RELEASE OF INTERESTS RETAINED IN CAMP JO-** 13 **SEPH T. ROBINSON, ARKANSAS, FOR USE OF** 14 **SUCH LAND AS A VETERANS CEMETERY.**

15 (a) RELEASE OF RETAINED INTERESTS.—

16 (1) IN GENERAL.—With respect to a parcel of
17 land at Camp Joseph T. Robinson, Arkansas, con-
18 sisting of approximately 141.52 acres that lies in a
19 part of section 35, township 3 north, range 12 west,
20 Pulaski County, Arkansas, and comprising a portion
21 of the property conveyed by the United States to the
22 State of Arkansas for training of the National
23 Guard and for other military purposes pursuant to
24 “An Act authorizing the transfer of part of Camp
25 Joseph T. Robinson to the State of Arkansas”, ap-

1 proved June 30, 1950 (64 Stat. 311, chapter 429),
2 the Secretary of the Army may release the terms
3 and conditions imposed, and reversionary interests
4 retained, by the United States under section 2 of
5 such Act, and the right to reenter and use the prop-
6 erty retained by the United States under section 3
7 of such Act.

8 (2) IMPACT ON OTHER RIGHTS OR INTER-
9 ESTS.—The release of terms and conditions and re-
10 tained interests under paragraph (1) with respect to
11 the parcel described in such paragraph shall not be
12 construed to alter the rights or interests retained by
13 the United States with respect to the remainder of
14 the real property conveyed to the State of Arkansas
15 under the Act described in such paragraph.

16 (b) INSTRUMENT OF RELEASE AND DESCRIPTION OF
17 PROPERTY.—

18 (1) IN GENERAL.—The Secretary of the Army
19 may execute and file in the appropriate office a deed
20 of release, amended deed, or other appropriate in-
21 strument reflecting the release of terms and condi-
22 tions and retained interests under subsection (a).

23 (2) LEGAL DESCRIPTION.—The exact acreage
24 and legal description of the property described in

1 subsection (a) shall be determined by a survey satis-
2 factory to the Secretary of the Army.

3 (c) CONDITIONS ON RELEASE AND REVERSIONARY
4 INTEREST.—

5 (1) EXPANSION OF VETERANS CEMETERY AND
6 REVERSIONARY INTEREST.—

7 (A) EXPANSION OF VETERANS CEME-
8 TERY.—The State of Arkansas may use the
9 parcel of land described in subsection (a)(1)
10 only for the expansion of the Arkansas State
11 Veterans Cemetery.

12 (B) REVERSIONARY INTEREST.—If the
13 Secretary of the Army determines at any time
14 that the parcel of land described in subsection
15 (a)(1) is not being used in accordance with the
16 purpose specified in subparagraph (A), all right,
17 title, and interest in and to the land, including
18 any improvements thereto, shall, at the option
19 of the Secretary, revert to and become the prop-
20 erty of the United States, and the United
21 States shall have the right of immediate entry
22 onto such parcel.

23 (2) ADDITIONAL TERMS AND CONDITIONS.—
24 The Secretary of the Army may require in the in-
25 strument of release such additional terms and condi-

1 tions in connection with the release of terms and
2 conditions and retained interests under subsection
3 (a) as the Secretary considers appropriate to protect
4 the interests of the United States.

5 (d) PAYMENT OF ADMINISTRATIVE COSTS.—

6 (1) PAYMENT REQUIRED.—

7 (A) IN GENERAL.—The Secretary of the
8 Army may require the State of Arkansas to
9 cover costs to be incurred by the Secretary, or
10 to reimburse the Secretary for costs incurred by
11 the Secretary, to carry out the release of terms
12 and conditions and retained interests under
13 subsection (a), including survey costs, costs re-
14 lated to environmental documentation, and
15 other administrative costs related to the release.

16 (B) REFUND OF AMOUNTS.—If amounts
17 paid to the Secretary by the State of Arkansas
18 in advance under subparagraph (A) exceed the
19 costs actually incurred by the Secretary to carry
20 out the release, the Secretary shall refund the
21 excess amount to the State.

22 (2) TREATMENT OF AMOUNTS RECEIVED.—

23 Amounts received under paragraph (1) as reim-
24 bursement for costs incurred by the Secretary to
25 carry out the release of terms and conditions and re-

1 tained interests under subsection (a) shall be cred-
2 ited to the fund or account that was used to cover
3 the costs incurred by the Secretary in carrying out
4 the release. Amounts so credited shall be merged
5 with amounts in such fund or account and shall be
6 available for the same purposes, and subject to the
7 same conditions and limitations, as amounts in such
8 fund or account.

9 **SEC. 2812. TRANSFER OF ADMINISTRATIVE JURISDICTION**
10 **OVER CERTAIN PARCELS OF FEDERAL LAND**
11 **IN ARLINGTON, VIRGINIA.**

12 (a) TRANSFER TO THE SECRETARY OF THE ARMY.—

13 (1) TRANSFER.—Administrative jurisdiction
14 over the parcel of Federal land described in para-
15 graph (2) is transferred from the Secretary of the
16 Interior to the Secretary of the Army.

17 (2) DESCRIPTION OF LAND.—The parcel of
18 Federal land referred to in paragraph (1) is the ap-
19 proximately 16.09-acre parcel of land in Arlington,
20 Virginia, as depicted on the map entitled “Arlington
21 National Cemetery, Memorial Ave–NPS Parcel” and
22 dated February 11, 2019.

23 (b) TRANSFER TO THE SECRETARY OF THE INTE-
24 RIOR.—

1 (1) TRANSFER.—Administrative jurisdiction
2 over the parcel of Federal land described in para-
3 graph (2) is transferred from the Secretary of the
4 Army to the Secretary of the Interior.

5 (2) DESCRIPTION OF LAND.—The parcel of
6 Federal land referred to in paragraph (1) is the ap-
7 proximately 1.04-acre parcel of land in Arlington,
8 Virginia, as depicted on the map entitled “Arlington
9 National Cemetery–Chaffee NPS Land Swap” and
10 dated October 31, 2018.

11 (c) LAND SURVEYS.—The exact acreage and legal de-
12 scription of a parcel of Federal land described in sub-
13 section (a)(2) or (b)(2) shall be determined by a survey
14 satisfactory to the Secretary of the Army and the Sec-
15 retary of the Interior.

16 (d) AUTHORITY TO CORRECT ERRORS.—The Sec-
17 retary of the Army and the Secretary of the Interior may
18 correct any clerical or typographical error in a map de-
19 scribed in subsection (a)(2) or (b)(2).

20 (e) TERMS AND CONDITIONS.—

21 (1) NO REIMBURSEMENT OR CONSIDER-
22 ATION.—A transfer by subsection (a)(1) or (b)(1)
23 shall be without reimbursement or consideration.

24 (2) CONTINUED RECREATIONAL ACCESS.—The
25 use of a bicycle trail or recreational access within a

1 parcel of Federal land described in subsection (a)(2)
2 or (b)(2) in which the use or access is authorized be-
3 fore the date of enactment of this Act shall be al-
4 lowed to continue after the transfer of the applicable
5 parcel of Federal land by subsection (a)(1) or (b)(1).

6 (3) MANAGEMENT OF PARCEL TRANSFERRED
7 TO SECRETARY OF THE ARMY.—The parcel of Fed-
8 eral land transferred to the Secretary of the Army
9 by section (a)(1) shall be administered by the Sec-
10 retary of the Army—

11 (A) as part of Arlington National Ceme-
12 tery; and

13 (B) in accordance with applicable law, in-
14 cluding—

15 (i) regulations; and

16 (ii) section 2409 of title 38, United
17 States Code.

18 (4) MANAGEMENT OF PARCEL TRANSFERRED
19 TO SECRETARY OF THE INTERIOR.—The parcel of
20 Federal land transferred to the Secretary of the In-
21 terior by subsection (b)(1) shall be—

22 (A) included within the boundary of Ar-
23 lington House, The Robert E. Lee Memorial;
24 and

1 (B) administered by the Secretary of the
2 Interior—

3 (i) as part of the memorial referred to
4 in subparagraph (A); and

5 (ii) in accordance with applicable law
6 (including regulations).

7 **SEC. 2813. MODIFICATION OF REQUIREMENTS RELATING**
8 **TO LAND ACQUISITION IN ARLINGTON COUN-**
9 **TY, VIRGINIA.**

10 Section 2829A of the National Defense Authorization
11 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
12 2728) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (2)—

15 (i) in subparagraph (A)—

16 (I) by striking “to remove” and
17 inserting “if existing County utilities
18 in the Southgate Road right of way
19 are permitted to remain in accordance
20 with a mutually agreed upon utility
21 easement, to remove”

22 (II) by striking “through a re-
23 alignment” and inserting “through—
24 “(i) a realignment”;

1 (III) in clause (i), as designated
 2 by subclause (I), by striking “and” at
 3 the end and inserting “or”; and

4 (IV) by adding at the end the fol-
 5 lowing new clause:

6 “(ii) the replacement of Southgate
 7 Road with a new access road to Joint Base
 8 Myer-Henderson Hall; and”; and

9 (ii) in subparagraph (B), by striking
 10 the period at the end and inserting “in ac-
 11 cordance with this section and applicable
 12 Federal, Commonwealth, and County road
 13 right of way engineering standards and re-
 14 quirements.”; and

15 (B) by amending paragraph (3) to read as
 16 follows:

17 “(3) CONSIDERATION.—

18 “(A) IN GENERAL.—The Secretary shall
 19 expend amounts up to fair market value consid-
 20 eration for the interests in land acquired under
 21 this subsection as such value is determined by
 22 an independent appraisal process in accordance
 23 with the Uniform Relocation Assistance and
 24 Real Property Acquisition Policies Act of 1970
 25 (42 U.S.C. 4601 et seq.).

1 “(B) IN-KIND CONSIDERATION.—

2 “(i) IN GENERAL.—Any substitute or
3 replacement facilities provided as in-kind
4 consideration to replace existing Common-
5 wealth or County roadways under this sub-
6 section shall—

7 “(I) be conveyed in fee simple ab-
8 solute with no encumbrances or re-
9 strictions unless otherwise agreed by
10 the Commonwealth or the County;

11 “(II) comply with applicable
12 Commonwealth or County road right
13 of way engineering standards and re-
14 quirements; and

15 “(III) with respect to any sub-
16 stitute facility provided for the re-
17 alignment of Columbia Pike—

18 “(aa) include a right-of-way
19 profile (including constructed
20 roadway, sidewalks, bicycle trails,
21 multi-use trails, buffers, etc.) of
22 not less than 92 feet in width;
23 and

24 “(bb) ensure that, if a vehi-
25 cle or equipment tunnel under

1 Columbia Pike is determined by
2 the Secretary to be necessary,
3 there is a depth of not less than
4 10 feet between the top of the
5 tunnel and the surface of the
6 roadway.

7 “(ii) DIFFERENCE IN FAIR MARKET
8 VALUE.—The Commonwealth and the
9 County shall be entitled to monetary com-
10 pensation in an amount equal to the dif-
11 ference in the fair market value of any
12 property acquired under this subsection
13 and any property provided as in-kind con-
14 sideration under this subparagraph for
15 such acquired property, which shall be ap-
16 praised—

17 “(I) as if such properties were to
18 be made available as surplus; and

19 “(II) as determined by an inde-
20 pendent appraisal process in accord-
21 ance with the Uniform Relocation As-
22 sistance and Real Property Acquisi-
23 tion Policies Act of 1970 (42 U.S.C.
24 4601 et seq.).”;

(2) in subsection (c), by striking “appraisals acceptable to the Secretary” and inserting “an independent appraisal process in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.)”; and

(3) in subsection (d), by striking “, in consultation with the Commonwealth and the County where practicable” and inserting “the Commonwealth, and the County”.

SEC. 2814. WHITE SANDS MISSILE RANGE LAND ENHANCEMENTS.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term “Map” means the map entitled “White Sands National Park Proposed Boundary Revision & Transfer of Lands Between National Park Service & Department of the Army”, numbered 142/136,271, and dated February 14, 2017.

(2) MILITARY MUNITIONS.—The term “military munitions” has the meaning given the term in section 101(e) of title 10, United States Code.

(3) MISSILE RANGE.—The term “missile range” means the White Sands Missile Range, New Mexico, administered by the Secretary of the Army.

1 (4) MONUMENT.—The term “Monument”
2 means the White Sands National Monument, New
3 Mexico, established by Presidential Proclamation
4 No. 2025 (54 U.S.C. 320301 note), dated January
5 18, 1933, and administered by the Secretary.

6 (5) MUNITIONS DEBRIS.—The term “munitions
7 debris” has the meaning given the term in volume
8 of the Department of Defense Manual Number
9 6055.09-M entitled “DoD Ammunitions and Explo-
10 sives Safety Standards” and dated February 29,
11 2008 (as in effect on the date of enactment of this
12 Act).

13 (6) PARK.—The term “Park” means the White
14 Sands National Park established by subsection
15 (b)(2)(A).

16 (7) PUBLIC LAND ORDER.—The term “Public
17 Land Order” means Public Land Order 833, dated
18 May 21, 1952 (17 Fed. Reg. 4822).

19 (8) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior.

21 (9) STATE.—The term “State” means the State
22 of New Mexico.

23 (b) WHITE SANDS NATIONAL PARK.—

24 (1) FINDINGS.—Congress finds that—

1 (A) White Sands National Monument was
2 established on January 18, 1933, by President
3 Herbert Hoover under chapter 3203 of title 54,
4 United States Code (commonly known as the
5 “Antiquities Act of 1906”);

6 (B) President Hoover proclaimed that the
7 Monument was established “for the preserva-
8 tion of the white sands and additional features
9 of scenic, scientific, and educational interest”;

10 (C) the Monument was expanded by Presi-
11 dents Roosevelt, Eisenhower, Carter, and Clin-
12 ton in 1934, 1942, 1953, 1978, and 1996, re-
13 spectively;

14 (D) the Monument contains a substantially
15 more diverse set of nationally significant histor-
16 ical, archaeological, scientific, and natural re-
17 sources than were known of at the time the
18 Monument was established, including a number
19 of recent discoveries;

20 (E) the Monument is recognized as a
21 major unit of the National Park System with
22 extraordinary values enjoyed by more visitors
23 each year since 1995 than any other unit in the
24 State;

1 (F) the Monument contributes significantly
2 to the local economy by attracting tourists; and

3 (G) designation of the Monument as a na-
4 tional park would increase public recognition of
5 the diverse array of nationally significant re-
6 sources at the Monument and visitation to the
7 unit.

8 (2) ESTABLISHMENT OF WHITE SANDS NA-
9 TIONAL PARK.—

10 (A) ESTABLISHMENT.—To protect, pre-
11 serve, and restore its scenic, scientific, edu-
12 cational, natural, geological, historical, cultural,
13 archaeological, paleontological, hydrological,
14 fish, wildlife, and recreational values and to en-
15 hance visitor experiences, there is established in
16 the State the White Sands National Park as a
17 unit of the National Park System.

18 (B) ABOLISHMENT OF WHITE SANDS NA-
19 TIONAL MONUMENT.—

20 (i) ABOLISHMENT.—Due to the estab-
21 lishment of the Park, the Monument is
22 abolished.

23 (ii) INCORPORATION.—The land and
24 interests in land that comprise the Monu-

1 ment are incorporated in, and shall be con-
2 sidered to be part of, the Park.

3 (C) REFERENCES.—Any reference in a
4 law, map, regulation, document, paper, or other
5 record of the United States to the “White
6 Sands National Monument” shall be considered
7 to be a reference to the “White Sands National
8 Park”.

9 (D) AVAILABILITY OF FUNDS.—Any funds
10 available for the Monument shall be available
11 for the Park.

12 (E) ADMINISTRATION.—The Secretary
13 shall administer the Park in accordance with—

14 (i) this subsection; and

15 (ii) the laws generally applicable to
16 units of the National Park System, includ-
17 ing section 100101(a), chapter 1003, sec-
18 tions 100751(a), 100752, 100753, and
19 102101, and chapter 3201 of title 54,
20 United States Code.

21 (F) WORLD HERITAGE LIST NOMINA-
22 TION.—

23 (i) COUNTY CONCURRENCE.—The
24 Secretary shall not submit a nomination
25 for the Park to be included on the World

1 Heritage List of the United Nations Edu-
2 cational, Scientific and Cultural Organiza-
3 tion unless each county in which the Park
4 is located concurs in the nomination.

5 (ii) ARMY NOTIFICATION.—Before
6 submitting a nomination for the Park to be
7 included on the World Heritage List of the
8 United Nations Educational, Scientific and
9 Cultural Organization, the Secretary shall
10 notify the Secretary of the Army of the in-
11 tent of the Secretary to nominate the
12 Park.

13 (G) EFFECT.—Nothing in this paragraph
14 affects—

15 (i) valid existing rights (including
16 water rights);

17 (ii) permits or contracts issued by the
18 Monument;

19 (iii) existing agreements, including
20 agreements with the Department of De-
21 fense;

22 (iv) the jurisdiction of the Department
23 of Defense regarding the restricted air-
24 space above the Park; or

1 (v) the airshed classification of the
2 Park under the Clean Air Act (42 U.S.C.
3 7401 et seq.).

4 (c) MODIFICATION OF BOUNDARIES OF WHITE
5 SANDS NATIONAL PARK AND WHITE SANDS MISSILE
6 RANGE.—

7 (1) TRANSFERS OF ADMINISTRATIVE JURISDIC-
8 TION.—

9 (A) TRANSFER OF ADMINISTRATIVE JURIS-
10 DICTION TO THE SECRETARY.—

11 (i) IN GENERAL.—Administrative ju-
12 risdiction over the land described in clause
13 (ii) is transferred from the Secretary of the
14 Army to the Secretary.

15 (ii) DESCRIPTION OF LAND.—The
16 land referred to in clause (i) is—

17 (I) the approximately 2,826 acres
18 of land identified as “To NPS, lands
19 inside current boundary” on the Map;
20 and

21 (II) the approximately 5,766
22 acres of land identified as “To NPS,
23 new additions” on the Map.

24 (B) TRANSFER OF ADMINISTRATIVE JURIS-
25 DICTION TO THE SECRETARY OF THE ARMY.—

1 (i) IN GENERAL.—Administrative ju-
2 risdiction over the land described in clause
3 (ii) is transferred from the Secretary to
4 the Secretary of the Army.

5 (ii) DESCRIPTION OF LAND.—The
6 land referred to in clause (i) is the ap-
7 proximately 3,737 acres of land identified
8 as “To DOA” on the Map.

9 (2) BOUNDARY MODIFICATIONS.—

10 (A) PARK.—

11 (i) IN GENERAL.—The boundary of
12 the Park is revised to reflect the boundary
13 depicted on the Map.

14 (ii) MAP.—

15 (I) IN GENERAL.—The Secretary,
16 in coordination with the Secretary of
17 the Army, shall prepare and keep on
18 file for public inspection in the appro-
19 priate office of the Secretary a map
20 and a legal description of the revised
21 boundary of the Park.

22 (II) EFFECT.—The map and
23 legal description under subclause (I)
24 shall have the same force and effect
25 as if included in this section, except

1 that the Secretary may correct clerical
2 and typographical errors in the map
3 and legal description.

4 (iii) BOUNDARY SURVEY.—As soon as
5 practicable after the date of the establish-
6 ment of the Park and subject to the avail-
7 ability of funds, the Secretary shall com-
8 plete an official boundary survey of the
9 Park.

10 (B) MISSILE RANGE.—

11 (i) IN GENERAL.—The boundary of
12 the missile range and the Public Land
13 Order are modified to exclude the land
14 transferred to the Secretary under para-
15 graph (1)(A) and to include the land
16 transferred to the Secretary of the Army
17 under paragraph (1)(B).

18 (ii) MAP.—The Secretary shall pre-
19 pare a map and legal description depicting
20 the revised boundary of the missile range.

21 (C) CONFORMING AMENDMENT.—Section
22 2854 of Public Law 104–201 (54 U.S.C.
23 320301 note) is repealed.

24 (3) ADMINISTRATION.—

1 (A) PARK.—The Secretary shall admin-
 2 ister the land transferred under paragraph
 3 (1)(A) in accordance with laws (including regu-
 4 lations) applicable to the Park.

5 (B) MISSILE RANGE.—Subject to subpara-
 6 graph (C), the Secretary of the Army shall ad-
 7 minister the land transferred to the Secretary
 8 of the Army under paragraph (1)(B) as part of
 9 the missile range.

10 (C) INFRASTRUCTURE; RESOURCE MAN-
 11 AGEMENT.—

12 (i) RANGE ROAD 7.—

13 (I) INFRASTRUCTURE MANAGE-
 14 MENT.—To the maximum extent prac-
 15 ticable, in planning, constructing, and
 16 managing infrastructure on the land
 17 described in subclause (III), the Sec-
 18 retary of the Army shall apply low-im-
 19 pact development techniques and
 20 strategies to prevent impacts within
 21 the missile range and the Park from
 22 stormwater runoff from the land de-
 23 scribed in that subclause.

24 (II) RESOURCE MANAGEMENT.—
 25 The Secretary of the Army shall—

1 (aa) manage the land de-
2 scribed in subclause (III) in a
3 manner consistent with the pro-
4 tection of natural and cultural re-
5 sources within the missile range
6 and the Park and in accordance
7 with section 101(a)(1)(B) of the
8 Sikes Act (16 U.S.C.
9 670a(a)(1)(B)), division A of
10 subtitle III of title 54, United
11 States Code, and the Native
12 American Graves Protection and
13 Repatriation Act (25 U.S.C.
14 3001 et seq.); and

15 (bb) include the land de-
16 scribed in subclause (III) in the
17 integrated natural and cultural
18 resource management plan for
19 the missile range.

20 (III) DESCRIPTION OF LAND.—

21 The land referred to in subclauses (I)
22 and (II) is the land that is transferred
23 to the administrative jurisdiction of
24 the Secretary of the Army under

1 paragraph (1)(B) and located in the
2 area east of Range Road 7 in—

3 (aa) T. 17 S., R. 5 E., sec.

4 31;

5 (bb) T. 18 S., R. 5 E.; and

6 (cc) T. 19 S., R. 5 E., sec.

7 5.

8 (ii) FENCE.—

9 (I) IN GENERAL.—The Secretary
10 of the Army shall continue to allow
11 the Secretary to maintain the fence
12 shown on the Map until such time as
13 the Secretary determines that the
14 fence is unnecessary for the manage-
15 ment of the Park.

16 (II) REMOVAL.—If the Secretary
17 determines that the fence is unneces-
18 sary for the management of the Park
19 under subclause (I), the Secretary
20 shall promptly remove the fence at the
21 expense of the Department of the In-
22 terior.

23 (D) RESEARCH.—The Secretary of the
24 Army and the Secretary may enter into an
25 agreement to allow the Secretary to conduct

1 certain research in the area identified as “Co-
2 operative Use Research Area” on the Map.

3 (E) MILITARY MUNITIONS AND MUNITIONS
4 DEBRIS.—

5 (i) RESPONSE ACTION.—With respect
6 to any Federal liability, the Secretary of
7 the Army shall remain responsible for any
8 response action addressing military muni-
9 tions or munitions debris on the land
10 transferred under paragraph (1)(A) to the
11 same extent as on the day before the date
12 of enactment of this Act.

13 (ii) INVESTIGATION OF MILITARY MU-
14 NITIONS AND MUNITIONS DEBRIS.—

15 (I) IN GENERAL.—The Secretary
16 may request that the Secretary of the
17 Army conduct 1 or more investiga-
18 tions of military munitions or muni-
19 tions debris on any land transferred
20 under paragraph (1)(A).

21 (II) ACCESS.—The Secretary
22 shall give access to the Secretary of
23 the Army to the land covered by a re-
24 quest under subclause (I) for the pur-

1 poses of conducting the 1 or more in-
 2 vestigations under that subclause.

3 (III) LIMITATION.—An investiga-
 4 tion conducted under this clause shall
 5 be subject to available appropriations.

6 (iii) APPLICABLE LAW.—Any activities
 7 undertaken under this subparagraph shall
 8 be carried out in accordance with—

9 (I) the Comprehensive Environ-
 10 mental Response, Compensation, and
 11 Liability Act of 1980 (42 U.S.C. 9601
 12 et seq.);

13 (II) the purposes for which the
 14 Park was established; and

15 (III) any other applicable law.

16 **Subtitle C—Other Matters**

17 **SEC. 2821. EQUAL TREATMENT OF INSURED DEPOSITORY** 18 **INSTITUTIONS AND CREDIT UNIONS OPER-** 19 **ATING ON MILITARY INSTALLATIONS.**

20 Section 2667 of title 10, United States Code, is
 21 amended by adding at the end the following:

22 “(I) TREATMENT OF INSURED DEPOSITORY INSTITU-
 23 TIONS.—(1) Each covered insured depository institution
 24 operating on a military installation within the continental
 25 United States may be allotted space or leased land on the

1 military installation without charge for rent or services in
2 the same manner as a credit union organized under State
3 law or a Federal credit union under section 124 of the
4 Federal Credit Union Act (12 U.S.C. 1770) if space is
5 available.

6 “(2) Each covered insured depository institution,
7 credit union organized under State law, and Federal credit
8 union operating on a military installation within the conti-
9 nental United States shall be treated equally with respect
10 to policies of the Department of Defense governing the
11 financial terms of leases, logistical support, services, and
12 utilities.

13 “(3) The Secretary concerned shall not be required
14 to provide no-cost office space or a no-cost land lease to
15 any covered insured depository institution, credit union or-
16 ganized under State law, or Federal credit union.

17 “(4) In this subsection:

18 “(A) The term ‘covered insured depository in-
19 stitution’ means an insured depository institution
20 that meets the requirements applicable to a credit
21 union organized under State law or a Federal credit
22 union under section 124 of the Federal Credit Union
23 Act (12 U.S.C. 1770). The depositors of an insured
24 depository institution shall be considered members

1 for purposes of the application of this subparagraph
 2 to that section.

3 “(B) The term ‘Federal credit union’ has the
 4 meaning given the term in section 101 of the Fed-
 5 eral Credit Union Act (12 U.S.C. 1752).

6 “(C) The term ‘insured depository institution’
 7 has the meaning given the term in section 3 of the
 8 Federal Deposit Insurance Act (12 U.S.C. 1813).”.

9 **SEC. 2822. EXPANSION OF TEMPORARY AUTHORITY FOR**
 10 **ACCEPTANCE AND USE OF CONTRIBUTIONS**
 11 **FOR CERTAIN CONSTRUCTION, MAINTENANCE, AND REPAIR PROJECTS MUTUALLY**
 12 **BENEFICIAL TO THE DEPARTMENT OF DE-**
 13 **FENSE AND KUWAIT MILITARY FORCES.**
 14

15 (a) EXPANSION.—Section 2804 of the Military Con-
 16 struction Authorization Act for Fiscal Year 2016 (10
 17 U.S.C. 2350j note) is amended—

18 (1) in subsection (a)—

19 (A) by striking “government of Kuwait”
 20 and inserting “Government of Kuwait and the
 21 Government of the Republic of Korea”; and

22 (B) by striking “Kuwait military forces”
 23 and inserting “the military forces of the appli-
 24 cable contributing country”;

1 (2) in subsection (b), by inserting “for contribu-
 2 tions from the contributing country” after “Sec-
 3 retary of Defense”;

4 (3) in subsection (c), by striking “government
 5 of Kuwait” and inserting “government of the con-
 6 tributing country”; and

7 (4) in subsection (e)—

8 (A) in paragraph (1), by striking “govern-
 9 ment of Kuwait” and inserting “government of
 10 the contributing country”; and

11 (B) in paragraph (2)—

12 (i) in subparagraph (A), by striking
 13 “Kuwait military forces” and inserting
 14 “military forces of the contributing coun-
 15 try”; and

16 (ii) in subparagraph (C), by striking
 17 “Kuwait military forces” and inserting
 18 “the military forces of the contributing
 19 country”.

20 (b) CONFORMING AMENDMENT.—The heading of
 21 such section is amended to read as follows:

1 **“SEC. 2804. TEMPORARY AUTHORITY FOR ACCEPTANCE**
2 **AND USE OF CONTRIBUTIONS FOR CERTAIN**
3 **CONSTRUCTION, MAINTENANCE, AND REPAIR**
4 **PROJECTS MUTUALLY BENEFICIAL TO THE**
5 **DEPARTMENT OF DEFENSE AND THE MILI-**
6 **TARY FORCES OF KUWAIT AND THE REPUB-**
7 **LIC OF KOREA.”.**

8 **SEC. 2823. DESIGNATION OF SUMPTER SMITH JOINT NA-**
9 **TIONAL GUARD BASE.**

10 (a) DESIGNATION.—The Sumpter Smith Air Na-
11 tional Guard Base in Birmingham, Alabama, shall after
12 the date of the enactment of this Act be known and des-
13 ignated as the “Sumpter Smith Joint National Guard
14 Base”.

15 (b) REFERENCE.—Any reference in any law, regula-
16 tion, map, document, paper, or other record of the United
17 States to the installation referred to in subsection (a) shall
18 be considered to be a reference to the Sumpter Smith
19 Joint National Guard Base.

20 **SEC. 2824. PROHIBITION ON USE OF FUNDS TO PRIVATIZE**
21 **TEMPORARY LODGING ON INSTALLATIONS**
22 **OF DEPARTMENT OF DEFENSE.**

23 No funds may be authorized to be appropriated to
24 the Department of Defense for fiscal year 2020 to pri-
25 vatize temporary lodging on installations of the Depart-
26 ment.

1 **SEC. 2825. PILOT PROGRAM TO EXTEND SERVICE LIFE OF**
2 **ROADS AND RUNWAYS UNDER THE JURISDIC-**
3 **TION OF THE SECRETARIES OF THE MILI-**
4 **TARY DEPARTMENTS.**

5 (a) PILOT PROGRAM AUTHORIZED.—Each Secretary
6 of a military department may carry out a pilot program
7 to design, build, and test technologies and innovative pave-
8 ment materials in order to extend the service life of roads
9 and runways under the jurisdiction of the Secretary con-
10 cerned.

11 (b) SCOPE.—A pilot program under subsection (a)
12 shall include the following:

13 (1) The design, testing, and assembly of tech-
14 nologies and systems suitable for pavement applica-
15 tions.

16 (2) Research, development, and testing of new
17 pavement materials for use in different geographic
18 areas in the United States.

19 (3) The design and procurement of platforms
20 and equipment to test the performance, cost, feasi-
21 bility, and effectiveness of the technologies, systems,
22 and materials described in paragraphs (1) and (2).

23 (c) AWARD OF CONTRACTS OR GRANTS.—

24 (1) IN GENERAL.—Each Secretary of a military
25 department may carry out a pilot program under
26 subsection (a) through the award of contracts or

1 grants for the designing, building, or testing of tech-
2 nologies or innovative pavement materials under the
3 pilot program.

4 (2) MERIT-BASED SELECTION.—Any award of a
5 contract or grant under a pilot program under sub-
6 section (a) shall be made using merit-based selection
7 procedures.

8 (d) REPORT.—

9 (1) IN GENERAL.—Not later than two years
10 after the commencement of a pilot program under
11 subsection (a), the Secretary of the military depart-
12 ment concerned shall submit to the congressional de-
13 fense committees a report on the pilot program.

14 (2) CONTENTS.—Each report under paragraph
15 (1) with respect to a pilot program shall include the
16 following:

17 (A) An assessment of the effectiveness of
18 activities under the pilot program in improving
19 the service life of roads and runways under the
20 jurisdiction of the Secretary concerned.

21 (B) An analysis of the potential lifetime
22 cost savings and reduction in energy demands
23 associated with the extended service life of such
24 roads and runways.

(e) TERMINATION OF AUTHORITY.—Each pilot program under subsection (a) shall terminate on September 30, 2024.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Army may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Location	Amount
Cuba	Guantanamo Bay	\$33,800,000
Worldwide Unspecified	Unspecified Worldwide Locations	\$42,200,000

SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Navy may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Location	Amount
Spain	Rota	\$69,570,000

1 **SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 2 **LAND ACQUISITION PROJECTS.**

3 The Secretary of the Air Force may acquire real
 4 property and carry out the military construction projects
 5 for the installations outside the United States, and in the
 6 amounts, set forth in the following table:

Air Force: Outside the United States

Country	Location	Amount
Iceland	Keflavik	\$57,000,000
Spain	Moron	\$8,500,000
Worldwide Unspecified	Unspecified Worldwide Locations	\$175,000,000

7 **SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 8 **TION AND LAND ACQUISITION PROJECTS.**

9 The Secretary of Defense may acquire real property
 10 and carry out the military construction projects for the
 11 installations outside the United States, and in the
 12 amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Location	Amount
Germany	Gemersheim	\$46,000,000

13 **SEC. 2905. DISASTER RECOVERY PROJECTS.**

14 (a) NAVY.—The Secretary of the Navy may acquire
 15 real property and carry out military construction projects
 16 inside the United States relating to disaster recovery for
 17 the locations, and in the amounts, set forth in the fol-
 18 lowing table:

Navy: Inside the United States

State	Location	Amount
North Carolina	Camp Lejeune	\$861,587,000
	Marine Corps Air Station Cherry Point	\$64,561,000
Unspecified	Zulu	\$50,000,000

1 (b) AIR FORCE.—The Secretary of the Air Force may
2 acquire real property and carry out military construction
3 projects inside the United States relating to disaster re-
4 covery for the locations, and in the amounts, set forth in
5 the following table:

Air Force: Inside the United States

State	Location	Amount
Florida	Tyndall Air Force Base	\$1,278,700,000
Unspecified	Zulu	\$247,000,000

6 (c) ARMY NATIONAL GUARD.—The Secretary of the
7 Army may acquire real property and carry out military
8 construction projects inside the United States relating to
9 disaster recovery for the locations, and in the amounts,
10 set forth in the following table:

Army National Guard: Inside the United States

State	Location	Amount
Florida	Panama City	\$25,000,000
North Carolina	MTA Fort Fisher	\$25,000,000

11 (d) DEFENSE-WIDE.—The Secretary of Defense may
12 acquire real property and carry out military construction
13 projects inside the United States relating to disaster re-
14 covery for the locations, and in the amounts, set forth in
15 the following table:

Defense-wide: Inside the United States

State	Location	Amount
North Carolina	Camp Lejeune—Defense Health Agency	\$45,313,000
	Camp Lejeune—SOCOM	\$30,000,000

1 **SEC. 2906. REPLENISHMENT OF CERTAIN MILITARY CON-**
2 **STRUCTIONS FUNDS.**

3 (a) IN GENERAL.—Of the amount authorized to be
4 appropriated for fiscal year 2020 by section 2905 and
5 available as specified in the funding table in section 4602,
6 \$3,600,000,000 shall be available for replenishment of
7 funds that were authorized to be appropriated by military
8 construction authorization Acts for fiscal years before fis-
9 cal year 2020 for military construction projects authorized
10 by such Acts, but were used instead for military construc-
11 tion projects authorized by section 2808 of title 10, United
12 States Code, in connection with the national emergency
13 along the southern land border of the United States de-
14 clared in 2019 pursuant to the National Emergencies Act
15 (50 U.S.C. 1601 et seq.).

16 (b) REPLENISHMENT BY TRANSFER.—

17 (1) IN GENERAL.—Any amounts available
18 under subsection (a) that are used for replenishment
19 of funds as described in that subsection shall be
20 transferred to the account that was the source of
21 such funds.

1 (2) INAPPLICABILITY TOWARD TRANSFER LIM-
2 TATIONS.—Any transfer of amounts under this sub-
3 section shall not count toward any limitation on
4 transfer of Department of Defense funds in section
5 1001 or 1512 or any other limitation on transfer of
6 Department of funds in law.

7 (3) SUNSET OF AUTHORITY.—The authority to
8 make transfers under this subsection shall terminate
9 on September 30, 2020.

10 (c) USE OF FUNDS.—

11 (1) IN GENERAL.—Amounts transferred under
12 subsection (b) for replenishment of funds as de-
13 scribed in subsection (a) may be used only for mili-
14 tary construction projects for which such funds were
15 originally authorized in a military construction au-
16 thorization Act described in subsection (a).

17 (2) NO INCREASE IN AUTHORIZED AMOUNT OF
18 PROJECTS.—The total amount of funds available for
19 a military construction project described in para-
20 graph (1) may not exceed the current amount au-
21 thorized for such project by applicable military con-
22 struction authorization Acts (including this Act). A
23 replenishment of funds under this section for a mili-
24 tary construction project shall not operate to in-

1 crease the authorized amount of the project or the
2 amount authorized to be available for the project.

3 **SEC. 2907. AUTHORIZATION OF APPROPRIATIONS.**

4 Funds are hereby authorized to be appropriated for
5 fiscal years beginning after September 30, 2019, for the
6 military construction projects outside the United States
7 authorized by this title as specified in the funding table
8 in section 4602.

9 **TITLE XXX—MILITARY HOUSING**
10 **PRIVATIZATION REFORM**

11 **SEC. 3001. DEFINITIONS.**

12 (a) IN GENERAL.—In this title:

13 (1) LANDLORD.—The term “landlord” has the
14 meaning given that term in section 2871 of title 10,
15 United States Code, as amended by subsection (b).

16 (2) PRIVATIZED MILITARY HOUSING.—The
17 term “privatized military housing” means housing
18 provided under subchapter IV of chapter 169 of title
19 10, United States Code.

20 (b) TITLE 10.—Section 2871 of title 10, United
21 States Code, is amended—

22 (1) by redesignating paragraphs (7) and (8) as
23 paragraphs (9) and (11), respectively;

24 (2) by inserting after paragraph (6) the fol-
25 lowing new paragraphs:

1 “(7) The term ‘incentive fees’ means any
2 amounts payable to a landlord for meeting or ex-
3 ceeding performance metrics as specified in a con-
4 tract with the Department of Defense.

5 “(8) The term ‘landlord’ means an eligible enti-
6 ty or lessor who owns, manages, or is otherwise re-
7 sponsible for a housing unit under this subchapter.”;
8 and

9 (3) by inserting after paragraph (9), as redesign-
10 nated by paragraph (1) of this subsection, the fol-
11 lowing new paragraph:

12 “(10) The term ‘tenant’ means a member of the
13 armed forces, including a reserve component thereof,
14 or a family member of a member of the armed forces
15 who resides at a housing unit under this sub-
16 chapter.”.

17 **Subtitle A—Accountability and** 18 **Oversight**

19 **SEC. 3011. TENANT BILL OF RIGHTS FOR PRIVATIZED MILI-** 20 **TARY HOUSING.**

21 (a) IN GENERAL.—Subchapter IV of chapter 169 of
22 title 10, United States Code, is amended by adding at the
23 end the following new section:

1 **“§ 2887. Tenant Bill of Rights**

2 “(a) IN GENERAL.—(1) The Secretary of Defense, in
3 coordination with the Secretary of each military depart-
4 ment, shall develop a document known as the ‘Tenant Bill
5 of Rights’ for tenants of housing units under this sub-
6 chapter.

7 “(2) At a minimum, the document developed under
8 paragraph (1) shall contain the right of each tenant as
9 follows:

10 “(A) To reside in a home and community that
11 meets health and environmental standards estab-
12 lished by the Secretary of Defense.

13 “(B) To reside in a home that has working fix-
14 tures, appliances, and utilities and reside in a com-
15 munity with well-maintained common areas and
16 amenity spaces.

17 “(C) To report inadequate housing standards or
18 deficits in habitability to the landlord, chain of com-
19 mand, and housing management office without fear
20 of reprisal.

21 “(D) With respect to the housing management
22 office of the installation of the Department at which
23 the housing unit is located—

24 “(i) to use such office as an advocate relat-
25 ing to such housing unit; and

1 “(ii) to receive advice and support from
2 such office relating to such housing unit.

3 “(E) To receive property management services
4 provided by a landlord that meet or exceed industry
5 standards and that are performed by professionally
6 trained, responsive, and courteous customer service
7 and maintenance staff.

8 “(F) To have multiple, convenient methods to
9 communicate directly with the landlord and mainte-
10 nance staff, and to receive honest, straightforward,
11 and responsive communications at all times.

12 “(G) With respect to repairs—

13 “(i) to prompt and professional repairs;

14 “(ii) to be informed of the required time
15 frame for those repairs when a maintenance re-
16 quest is submitted; and

17 “(iii) to prompt relocation into suitable
18 lodging or other housing at no cost to the ten-
19 ant until the repairs are completed or relocation
20 to an alternative residence on the installation or
21 within the surrounding local community at no
22 cost to the tenant.

23 “(H) To enter into a dispute resolution process
24 under section 2891 of this title concerning disputes
25 over repairs, damage claims, and rental payments to

1 be resolved by a neutral decision maker, with any
2 decision in favor of the tenant to include a reduction
3 in rent owed to the landlord to be paid or credited
4 to the tenant.

5 “(I) To withhold basic allowance for housing
6 (including for any dependents of the tenant in the
7 tenant’s household) under section 403 of title 37, or
8 any pay of the tenant subject to allotment described
9 in section 2882(c) of this title, if the tenant is en-
10 gaged in a dispute under subparagraph (H) until a
11 decision in the matter is made.

12 “(J) To be fully briefed by the landlord on all
13 rights and responsibilities associated with tenancy
14 prior to signing a lease and receive a 30-day fol-
15 lowup to review these responsibilities.

16 “(K) To have sufficient time and opportunity to
17 prepare and be present for move-in and move-out in-
18 spections, including an opportunity to obtain nec-
19 essary paperwork.

20 “(L) To have reasonable, advance notice of any
21 entrance by a landlord into the housing unit, except
22 in the case of an emergency.

23 “(M) To have clearly defined rental terms in
24 the lease agreement.

1 “(N) To not pay non-refundable fees or have
2 application of rent credits arbitrarily held.

3 “(O) To have universal procedures for housing
4 under this subchapter that are the same for all in-
5 stallations of the Department.

6 “(P) To file claims against a landlord.

7 “(3) The document developed under paragraph (1)
8 shall contain the responsibilities of each tenant as follows:

9 “(A) To report maintenance or quality of life
10 issues to the landlord in a timely manner.

11 “(B) To maintain standard upkeep of the hous-
12 ing unit as recommended by the housing manage-
13 ment office.

14 “(b) DISTRIBUTION.—The Secretary shall ensure
15 that the Tenant Bill of Rights under this section is at-
16 tached to each lease agreement for housing under this sub-
17 chapter.

18 “(c) REPORT AND PUBLICATION.—(1) Beginning in
19 fiscal year 2021, and biennially thereafter, the Secretary
20 of Defense, in coordination with the Secretary of each
21 military department, shall submit to the congressional de-
22 fense committees, as part of the annual budget submission
23 of the President for that year under section 1105(a) of
24 title 31, United States Code, the Tenant Bill of Rights
25 under this section.

1 “(2) Upon submitting the Tenant Bill of Rights to
 2 the congressional defense committees under paragraph
 3 (1), the Secretary of Defense shall publish the Tenant Bill
 4 of Rights on a publicly available Internet website of the
 5 Department of Defense.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
 7 at the beginning of such subchapter is amended by insert-
 8 ing after the item relating to section 2886 the following
 9 new item:

“2887. Tenant Bill of Rights.”.

10 (c) MILITARY DEPARTMENT PLANS.—Not later than
 11 February 1, 2020, the Secretary of each military depart-
 12 ment shall submit to the congressional defense committees
 13 a plan for the implementation by that military department
 14 of section 2887 of title 10, United States Code, as added
 15 by subsection (a).

16 **SEC. 3012. DESIGNATION OF CHIEF HOUSING OFFICER FOR**
 17 **PRIVATIZED MILITARY HOUSING.**

18 (a) IN GENERAL.—Subchapter IV of chapter 169 of
 19 title 10, United States Code, is amended by inserting after
 20 section 2872a the following new section:

21 **“§ 2872b. Chief Housing Officer**

22 “(a) IN GENERAL.—(1) The Secretary of Defense
 23 shall designate, from among officials of the Department
 24 of Defense who are appointed by the President with the

1 advice and consent of the Senate, a Chief Housing Officer
2 who shall oversee housing provided under this subchapter.

3 “(2) The official designated under paragraph (1) may
4 have duties in addition to the duties of the Chief Housing
5 Officer under this section.

6 “(b) DUTIES.—The Chief Housing Officer shall over-
7 see all aspects of the provision of housing under this sub-
8 chapter, including by carrying out the following:

9 “(1) Creation and standardization of policies
10 and processes.

11 “(2) Oversight of the administration of lease
12 agreements by the Secretary of each military depart-
13 ment.

14 “(3) Audits of the provision of housing under
15 this subchapter, including audits of lease agreements
16 and other contracts, maintenance work orders, and
17 incentive fee payments and general audits in the
18 conduct of oversight.

19 “(c) OFFICE AND STAFF.—(1) The Chief Housing
20 Officer shall establish and maintain an office staffed by
21 military personnel and employees of the Department of
22 Defense whose skills and capabilities will assist the Chief
23 Housing Officer in the exercise of the duties of the Chief
24 Housing Officer under subsection (b). Such office shall be
25 known as the ‘Office of the Chief Housing Officer’.

1 “(2) Personnel and employees staffed under para-
 2 graph (1) shall include legal counsel, engineers, and audi-
 3 tors.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
 5 at the beginning of such subchapter is amended by insert-
 6 ing after the item relating to section 2872a the following
 7 new item:

“2872b. Chief Housing Officer.”.

8 (c) REPORT.—Not later than 60 days after the date
 9 of the enactment of this Act, the Secretary of Defense
 10 shall submit to the congressional defense committees a re-
 11 port on—

12 (1) the designation of a Chief Housing Officer
 13 under section 2872b of title 10, United States Code,
 14 as added by subsection (a); and

15 (2) the organizational structure, funding,
 16 human resources, and other relevant requirements of
 17 the Office of the Chief Housing Officer under such
 18 section.

19 **SEC. 3013. COMMAND OVERSIGHT OF MILITARY**
 20 **PRIVATIZED HOUSING AS ELEMENT OF PER-**
 21 **FORMANCE EVALUATIONS.**

22 (a) EVALUATIONS IN GENERAL.—Each Secretary of
 23 a military department shall ensure that the performance
 24 evaluations of any individual described in subsection (b)
 25 under the jurisdiction of such Secretary indicates the ex-

1 tent to which such individual has or has not exercised ef-
2 fective oversight and leadership in the following:

3 (1) Improving conditions of privatized housing
4 under the military privatized housing initiative
5 under subchapter IV of chapter 169, United States
6 Code.

7 (2) Addressing concerns with respect to such
8 housing of members of the Armed Forces and their
9 families who reside in such housing on an installa-
10 tion of the military department concerned.

11 (b) COVERED INDIVIDUALS.—The individuals de-
12 scribed in this subsection are as follows:

13 (1) The commander of an installation of a mili-
14 tary department at which on-installation housing is
15 managed by a landlord under the military privatized
16 housing initiative referred to in subsection (a)(1).

17 (2) Each officer or senior enlisted member of
18 the Armed Forces at an installation described in
19 paragraph (1) whose duties include facilities or
20 housing management at such installation.

21 (3) Any other officer or enlisted member of the
22 Armed Forces (whether or not at an installation de-
23 scribed in paragraph (1)) as specified by the Sec-
24 retary of the military department concerned for pur-
25 poses of this section.

1 **SEC. 3014. CONSIDERATION OF HISTORY OF LANDLORD IN**
 2 **CONTRACT RENEWAL PROCESS FOR**
 3 **PRIVATIZED MILITARY HOUSING.**

4 (a) IN GENERAL.—Subchapter IV of chapter 169 of
 5 title 10, United States Code, is amended by inserting after
 6 section 2874 the following new section:

7 **“§ 2874a. Consideration of history of landlord in con-**
 8 **tract renewal process**

9 “(a) IN GENERAL.—In deciding whether to enter into
 10 or renew a contract with a landlord under this subchapter,
 11 the Secretary of Defense shall develop a standard process
 12 for determining past performance for purposes of inform-
 13 ing future decisions regarding the award of such a con-
 14 tract.

15 “(b) ELEMENTS OF PROCESS.—The process devel-
 16 oped under subsection (a) shall include, at a minimum,
 17 consideration of the following:

18 “(1) Any history of the landlord of providing
 19 substandard housing.

20 “(2) The recommendation of the commander of
 21 the installation at which the housing is to be located
 22 under the contract.

23 “(3) The recommendation of the commander of
 24 any installation at which the landlord has provided
 25 housing under this subchapter.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of such subchapter is amended by insert-
 3 ing after the item relating to section 2874 the following
 4 new item:

“2874a. Consideration of history of landlord in contract renewal process.”.

5 **SEC. 3015. TREATMENT OF BREACH OF CONTRACT FOR**
 6 **PRIVATIZED MILITARY HOUSING.**

7 (a) IN GENERAL.—Subchapter IV of chapter 169 of
 8 title 10, United States Code, is amended by inserting after
 9 section 2874a the following new section:

10 **“§ 2874b. Treatment of breach of contract**

11 “Notwithstanding any other provision of law, the Sec-
 12 retary of Defense—

13 “(1) shall withhold amounts to be paid under a
 14 contract under this subchapter if the other party to
 15 the contract is found to have engaged in a material
 16 breach of the contract;

17 “(2) shall rescind a contract under this sub-
 18 chapter if the other party to the contract, based on
 19 credible evidence, fails to cure such breach within 90
 20 days; and

21 “(3) shall not permit the other party to a con-
 22 tract rescinded under paragraph (2) to enter into
 23 new contracts with the Secretary under this sub-
 24 chapter or undertake expansions under existing con-
 25 tracts with the Secretary under this subchapter.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of such subchapter is amended by insert-
 3 ing after the item relating to section 2874a the following
 4 new item:

“2874b. Treatment of breach of contract.”.

5 **SEC. 3016. UNIFORM CODE OF BASIC STANDARDS FOR**
 6 **PRIVATIZED MILITARY HOUSING AND PLAN**
 7 **TO CONDUCT INSPECTIONS AND ASSESS-**
 8 **MENTS.**

9 (a) UNIFORM CODE.—The Secretary of Defense shall
 10 establish a uniform code of basic housing standards for
 11 safety, comfort, and habitability for privatized military
 12 housing.

13 (b) PLAN.—

14 (1) IN GENERAL.—Not later than February 1,
 15 2020, the Secretary of Defense shall submit to the
 16 congressional defense committees a plan of the De-
 17 partment of Defense to contract with home inspec-
 18 tors described in subsection (c) to conduct a thor-
 19 ough inspection and assessment of the structural in-
 20 tegrity and habitability of each privatized military
 21 housing unit.

22 (2) INCLUSION OF UNIFORM CODE.—The plan
 23 submitted under paragraph (1) shall include the uni-
 24 form code established under subsection (a).

25 (3) IMPLEMENTATION.—

1 (A) IN GENERAL.—Not later than Feb-
2 ruary 1, 2021, the Secretary of each military
3 department shall conduct inspections and as-
4 sessments of privatized military housing units
5 under the jurisdiction of the Secretary con-
6 cerned pursuant to the plan submitted under
7 paragraph (1) to identify issues and ensure
8 compliance with applicable housing codes, in-
9 cluding the uniform code established under sub-
10 section (a).

11 (B) REPORT.—Not later than March 1,
12 2021, the Secretary of Defense shall submit to
13 the congressional defense committees a report
14 on the findings of the inspections and assess-
15 ments conducted under subparagraph (A).

16 (c) HOME INSPECTORS DESCRIBED.—A home inspec-
17 tor described in this subsection is a home inspector that
18 is not affiliated with—

- 19 (1) the Federal Government; or
20 (2) an individual or entity who owns or man-
21 ages a privatized military housing unit.

1 **SEC. 3017. REPEAL OF SUPPLEMENTAL PAYMENTS TO LES-**
2 **SORS AND REQUIREMENT FOR USE OF**
3 **FUNDS IN CONNECTION WITH THE MILITARY**
4 **HOUSING PRIVATIZATION INITIATIVE.**

5 (a) REPEAL.—

6 (1) IN GENERAL.—Section 606 of the John S.
7 McCain National Defense Authorization Act for Fis-
8 cal Year 2019 (Public Law 115–232; 132 Stat.
9 1795; 10 U.S.C. 2871 note) is amended by striking
10 subsection (a).

11 (2) EFFECTIVE DATE.—The amendment made
12 by paragraph (1) shall take effect on the date of the
13 enactment of this Act, and shall apply with respect
14 to months beginning on or after that date.

15 (b) USE OF FUNDS IN CONNECTION WITH MHPI.—

16 (1) IN GENERAL.—Each month beginning with
17 the first month after the date of the enactment of
18 this Act, each Secretary of a military department
19 shall do the following:

20 (A) PAYMENTS TO LESSORS.—Use funds,
21 in an amount calculated pursuant to paragraph
22 (2)(A), for payments to lessors of covered hous-
23 ing in the manner provided by subsection (a) of
24 section 606 of the John S. McCain National
25 Defense Authorization Act for Fiscal Year

1 2019, as in effect on the day before the date of
2 the enactment of this Act.

3 (B) IMPROVEMENT OF OVERSIGHT AND
4 MANAGEMENT OF AGREEMENTS.—Use funds, in
5 an amount calculated pursuant to paragraph
6 (2)(B), for improvements of the oversight and
7 management of agreements for MHPI housing
8 under the jurisdiction of such Secretary.

9 (2) MONTHLY AMOUNTS.—

10 (A) FOR PAYMENTS TO LESSORS.—The
11 amount calculated for a military department for
12 a month pursuant to this subparagraph is 2
13 percent of the aggregate of the amounts cal-
14 culated under section 403(b)(3)(A)(i) of title
15 37, United States Code, for covered housing
16 under the jurisdiction of such department for
17 such month.

18 (B) FOR IMPROVEMENT OF OVERSIGHT
19 AND MANAGEMENT OF AGREEMENTS.—The
20 amount calculated for a military department for
21 a month pursuant to this subparagraph is 3
22 percent of the aggregate of the amounts cal-
23 culated under section 403(b)(3)(A)(i) of title
24 37, United States Code, for covered housing

1 under the jurisdiction of such department for
2 such month.

3 (3) IMPROVEMENTS.—Improvements under
4 paragraph (1)(B) to the oversight and management
5 of agreements described in that paragraph may in-
6 clude the following:

7 (A) Assignment of additional civilian per-
8 sonnel to perform oversight and management
9 functions with respect to such agreements.

10 (B) Investment in technological mecha-
11 nisms to assist the military department con-
12 cerned in overseeing the maintenance and up-
13 keep of MHPI housing.

14 (C) Such additional investment in the over-
15 sight and management of such agreements, and
16 in overseeing the maintenance and upkeep of
17 MHPI housing, as the Secretary of the military
18 department concerned considers appropriate.

19 (4) ADDITIONAL PAYMENTS TO LESSORS.—In
20 any month described in paragraph (1), the Secretary
21 of a military department may use amounts, in addi-
22 tion to amounts calculated pursuant to paragraph
23 (2)(A), for payments to lessors as described in para-
24 graph (1)(A) if such Secretary provides advance no-
25 tice of such payments to the Committees on Armed

1 Services of the Senate and the House of Representa-
2 tives.

3 (5) DEFINITIONS.—In this subsection, the
4 terms “covered housing” and “MHPI housing” have
5 the meanings given such terms in section 606(d) of
6 the John S. McCain National Defense Authorization
7 Act for Fiscal Year 2019.

8 **SEC. 3018. STANDARD FOR COMMON CREDENTIALS FOR**
9 **HEALTH AND ENVIRONMENTAL INSPECTORS**
10 **OF PRIVATIZED MILITARY HOUSING.**

11 (a) IN GENERAL.—Not later than February 1, 2020,
12 the Secretary of Defense shall submit to the congressional
13 defense committees a report that contains a standard for
14 common credentials to be used throughout the Depart-
15 ment of Defense for all inspectors of health and environ-
16 mental hazards at privatized military housing units, in-
17 cluding inspectors contracted by the Department.

18 (b) INCLUSION OF CATEGORIES FOR SPECIFIC ENVI-
19 RONMENTAL HAZARDS.—The standard submitted under
20 subsection (a) shall include categories for specific environ-
21 mental hazards such as lead, mold, and radon.

22 **SEC. 3019. IMPROVEMENT OF PRIVATIZED MILITARY HOUS-**
23 **ING.**

24 (a) COMPLAINT DATABASE AND FINANCIAL TRANS-
25 PARENCY.—

1 (1) IN GENERAL.—Subchapter IV of chapter
2 169 of title 10, United States Code, is amended by
3 adding at the end the following new sections:

4 **“§ 2888. Complaint database**

5 “(a) DATABASE REQUIRED.—The Secretary of De-
6 fense shall establish a database that is available to the
7 public of complaints relating to housing units under this
8 subchapter.

9 “(b) FILING OF COMPLAINTS.—The Secretary shall
10 ensure that a tenant of a housing unit under this sub-
11 chapter may file a complaint relating to such housing unit
12 for inclusion in the database under subsection (a).

13 “(c) RESPONSE BY LANDLORD.—(1) The Secretary
14 shall include in any contract with a landlord responsible
15 for a housing unit under this subchapter a requirement
16 that the landlord respond to any complaints included in
17 the database under subsection (a) that relate to the hous-
18 ing unit.

19 “(2) Any response under paragraph (1) shall be in-
20 cluded in the database under subsection (a).

21 **“§ 2889. Financial transparency**

22 “(a) PUBLICATION OF DETAILS OF CONTRACTS.—(1)
23 Not less frequently than annually, the Secretary Defense
24 shall publish in the Federal Register the financial details

1 of each contract for the management of housing units
2 under this subchapter.

3 “(2) The financial details published under paragraph
4 (1) shall include the following:

5 “(A) Base management fees for managing the
6 housing units.

7 “(B) Incentive fees relating to the housing
8 units, including details on the following:

9 “(i) Metrics upon which such incentive fees
10 are paid.

11 “(ii) Whether incentive fees were paid in
12 full or withheld in part or in full during the
13 year covered by the publication, and if so, why.

14 “(C) Asset management fees relating to the
15 housing units.

16 “(D) Preferred return fees relating to the hous-
17 ing units.

18 “(E) Any deferred fees or other fees relating to
19 the housing units.

20 “(F) Residual cash flow distributions relating
21 to the housing units.

22 “(b) ANNUAL FINANCIAL STATEMENTS.—(1) The
23 Secretary of Defense shall require that each landlord sub-
24 mit to the Secretary, not less frequently than annually,

1 financial statements equivalent to a 10-K (or successor
2 form) for—

3 “(A) the landlord; and

4 “(B) each contract entered into between the
5 landlord and the Department of Defense under this
6 subchapter.”.

7 (2) CLERICAL AMENDMENT.—The table of sec-
8 tions at the beginning of such subchapter is amend-
9 ed by inserting after the item relating to section
10 2887 the following new items:

“2888. Complaint database.

“2889. Financial transparency.”.

11 (b) ANNUAL REPORTS ON PRIVATIZED MILITARY
12 HOUSING AND DENIED REQUESTS TO WITHHOLD PAY-
13 MENTS.—Section 2884 of title 10, United States Code, is
14 amended by adding at the end the following new sub-
15 sections:

16 “(d) ANNUAL REPORT ON HOUSING.—(1) Not less
17 frequently than annually, the Secretary of Defense shall
18 submit to the congressional defense committees and pub-
19 lish on a publicly available website of the Department of
20 Defense a report on housing units under this subchapter,
21 disaggregated by military installation.

22 “(2) Each report submitted under paragraph (1)
23 shall include the following:

1 “(A) An assessment of the condition of housing
2 units under this subchapter based on the average
3 age of those units and the estimated time until re-
4 capitalization.

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 relat-
11 ing to such housing units.

12 “(E) An assessment of overall customer service
13 for tenants of such housing units.

14 “(F) A description of the results of any no-no-
15 tice housing inspections conducted for such housing
16 units.

17 “(G) The results of any resident surveys con-
18 ducted with respect to such housing units.

19 “(e) REPORT ON DENIED REQUESTS TO WITHHOLD
20 PAYMENTS.—Not less frequently than annually, the com-
21 mander of each military installation shall submit to the
22 congressional defense committees a report on all requests
23 that were made by members of the armed forces who are
24 tenants of housing units under this subchapter to withhold
25 from the landlord of such unit any basic allowance for

1 housing payable to the member (including for any depend-
 2 ents of the member in the member's household) under sec-
 3 tion 403 of title 37, or any other allotment of pay under
 4 section 2882(c) of this title, and that were denied during
 5 the year covered by the report.”.

6 **SEC. 3020. ACCESS TO MAINTENANCE WORK ORDER SYS-**
 7 **TEM OF LANDLORDS OF PRIVATIZED MILI-**
 8 **TARY HOUSING.**

9 (a) IN GENERAL.—Subchapter IV of chapter 169 of
 10 title 10, United States Code, is amended by adding at the
 11 end the following new section:

12 **“§ 2890. Access to maintenance work order system**

13 “The Secretary of Defense shall require each landlord
 14 that provides housing under this subchapter at an installa-
 15 tion of the Department of Defense to provide access to
 16 the maintenance work order system of such landlord with
 17 respect to such housing to the following:

18 “(1) Personnel of the housing management of-
 19 fice at such installation.

20 “(2) Personnel of the installation and engineer
 21 command or center of the military department con-
 22 cerned.

23 “(3) Such other personnel of the Department of
 24 Defense as the Secretary determines necessary.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of such subchapter is amended by insert-
 3 ing after the item relating to section 2889 the following
 4 new item:

“2890. Access to maintenance work order system.”.

5 **SEC. 3021. ACCESS BY TENANTS OF PRIVATIZED MILITARY**
 6 **HOUSING TO WORK ORDER SYSTEM OF LAND-**
 7 **LORD.**

8 The Secretary of Defense shall require that each
 9 landlord for a privatized military housing unit—

10 (1) have an electronic work order system for all
 11 work orders for maintenance requests relating to
 12 such unit; and

13 (2) provide to a tenant of such unit access to
 14 such system to, at a minimum, track the status and
 15 progress of work orders for maintenance requests re-
 16 lating to such unit.

17 **Subtitle B—Prioritizing Families**

18 **SEC. 3031. DISPUTE RESOLUTION PROCESS FOR LAND-**
 19 **LORD-TENANT DISPUTES REGARDING**
 20 **PRIVATIZED MILITARY HOUSING AND RE-**
 21 **QUESTS TO WITHHOLD PAYMENTS.**

22 (a) DISPUTE RESOLUTION AND REQUEST TO WITH-
 23 HOLD PAYMENT.—

1 (1) IN GENERAL.—Subchapter IV of chapter
2 169 of title 10, United States Code, is amended by
3 adding at the end the following new sections:

4 **“§ 2891. Landlord-tenant dispute resolution process**

5 “(a) IN GENERAL.—The Secretary of Defense shall
6 implement a standardized formal dispute resolution proc-
7 ess on each military installation with housing units under
8 this subchapter to ensure the prompt and fair resolution
9 of landlord-tenant disputes concerning maintenance and
10 repairs, damage claims, rental payments, move-out
11 charges, and such other issues relating to such housing
12 units as the Secretary determines appropriate.

13 “(b) DISPUTE SUBMITTAL.—(1) Each landlord shall
14 establish a process through which a tenant of a housing
15 unit under this subchapter may submit a dispute directly
16 to the landlord through an online or other form.

17 “(2) Not later than 24 hours after receiving a dispute
18 submittal from a tenant under paragraph (1), the landlord
19 shall—

20 “(A) notify the tenant that the submittal has
21 been received; and

22 “(B) transmit a copy of such submittal to the
23 housing management office of the installation in
24 which the housing unit is located.

1 “(3)(A) Not later than seven days after receiving a
2 dispute submittal from a tenant under paragraph (1), the
3 landlord shall—

4 “(i) submit to the tenant a decision regarding
5 the dispute; and

6 “(ii) transmit a copy of such decision to the
7 housing management office.

8 “(B)(i) For purposes of conducting an assessment
9 necessary to make a decision under subparagraph (A) with
10 respect to a housing unit, the landlord may access the
11 housing unit at a time and for a duration mutually agreed
12 upon by the landlord and the tenant.

13 “(ii) The tenant may request that an employee of the
14 housing management office be present when the landlord
15 accesses the housing unit of the tenant under clause (i).

16 “(c) APPEALS.—(1) Not later than 30 days after a
17 tenant receives a decision by a landlord under subsection
18 (b)(3), the tenant may appeal that decision for review
19 under subsection (d) by the commander of the military
20 installation at which the housing unit is located.

21 “(2) Any appeal submitted under paragraph (1) shall
22 be submitted—

23 “(A) on a standardized form; and

24 “(B) to an address designated by the com-
25 mander for such purpose.

1 “(3) The Secretary shall ensure that, in preparing an
2 appeal to the commander under this subsection, a tenant
3 shall have access to advice and assistance from a military
4 housing advocate employed by the military department
5 concerned or a military legal assistance attorney under
6 section 1044 of this title.

7 “(d) REVIEW PROCESS.—(1) The commander of each
8 military installation with housing units under this sub-
9 chapter shall establish a military privatized housing dis-
10 pute resolution appeals process—

11 “(A) to review and decide appeals by tenants
12 under subsection (c) relating to such housing units;
13 and

14 “(B) to review and decide requests to withhold
15 payments under section 2891a of this title

16 “(2)(A) Before making any decision with respect to
17 an appeal or a request under the process established under
18 paragraph (1) with respect to a housing unit, the com-
19 mander shall certify that the commander has solicited rec-
20 ommendations or information relating to such appeal or
21 request from the following:

22 “(i) The chief of the housing management office
23 of the installation.

24 “(ii) A representative of the landlord for the
25 housing unit.

1 “(iii) The tenant filing the appeal or request.

2 “(iv) A qualified judge advocate of the military
3 department concerned.

4 “(v) The civil engineer for the installation.

5 “(3)(A) The commander shall make a decision with
6 respect to an appeal or a request under the process estab-
7 lished under paragraph (1) not later than 30 days after
8 the appeal or request has been made.

9 “(B) A commander may take longer than the 30-day
10 period set forth under subparagraph (A) to make a deci-
11 sion described in such subparagraph in limited cir-
12 cumstances as determined by the Secretary of Defense,
13 but in no case shall such a decision be made more than
14 60 days after the appeal or request has been made.

15 “(4) Decisions by a commander under this subsection
16 shall be final.

17 “(e) RULE OF CONSTRUCTION ON USE OF OTHER
18 ADJUDICATIVE BODIES.—Nothing in this section or any
19 other provision of law shall be construed to prohibit a ten-
20 ant of a housing unit under this subchapter from pursuing
21 a claim against a landlord in any adjudicative body with
22 jurisdiction over the housing unit or the claim.

23 **“§ 2891a. Request to withhold payments**

24 “(a) IN GENERAL.—A member of the armed forces
25 or family member of a member of the armed forces who

1 is a tenant of a housing unit under this subchapter may
2 submit to the commander of the installation of the Depart-
3 ment of Defense at which the member is stationed a re-
4 quest to withhold all or part of any basic allowance for
5 housing payable to the member (including for any depend-
6 ents of the member in the member's household) under sec-
7 tion 403 of title 37, or all or part of any pay of a tenant
8 subject to allotment as described in section 2882(c) of this
9 title, for lease of the unit during the period in which—

10 “(1) the landlord responsible for such housing
11 unit has not met maintenance guidelines and proce-
12 dures established by the landlord or the Department
13 of Defense, either through contract or otherwise; or
14 “(2) such housing unit is uninhabitable accord-
15 ing to State and local law for the jurisdiction in
16 which the housing unit is located.

17 “(b) PROCEDURES.—(1) Upon the filing of a request
18 by a tenant under subsection (a)—

19 “(A) under such procedures as the Secretary of
20 Defense shall establish, the Defense Finance and
21 Accounting Service (DFAS) or such other appro-
22 priate office or offices of the Department of Defense
23 as the Secretary shall specify for purposes of such
24 procedures, shall tentatively grant the request and

1 hold any amounts withheld in escrow with notice to
2 the landlord; and

3 “(B) the housing management office of the in-
4 stallation in which the housing unit is located shall,
5 not later than 15 days after the date on which the
6 request was submitted to the commander of the in-
7 stallation, complete an investigation that includes an
8 inspection conducted by housing inspectors that are
9 certified at the State and local level.

10 “(2) If the commander agrees with a request by a
11 tenant under subsection (a) with respect to a housing unit,
12 the housing management office shall notify the landlord
13 responsible for such unit of the issues described in sub-
14 section (a) that require remediation in accordance with the
15 requirements of the Department of Defense or State or
16 local law.

17 “(c) REMEDIATION.—In accordance with procedures
18 established under subsection (b)(1)(A) for the withholding
19 of any basic allowance for housing or other allotment pay
20 under this section, if the landlord responsible for the hous-
21 ing unit does not remediate the issues described in sub-
22 section (a) within a reasonable period of time established
23 by the commander of the installation for the remediation
24 of the issues, the amount payable to the landlord for such

1 unit shall be reduced by 10 percent for each period of five
2 days during which the issues are not remediated.

3 “(d) DISCLOSURE OF RIGHTS.—(1) Each housing
4 management office of an installation of the Department
5 of Defense shall disclose in writing to each new tenant
6 of a housing unit under this subchapter, upon the signing
7 of the lease for the housing unit, their rights with respect
8 to the housing unit and the procedures under this section
9 for submitting a request to the landlord responsible for
10 the housing unit.

11 “(2) The Secretary of Defense shall ensure that each
12 lease entered into with a tenant for a housing unit under
13 this subchapter clearly expresses in a separate addendum
14 the procedures under this section for submitting a request
15 to the landlord responsible for the housing unit.”.

16 (2) CLERICAL AMENDMENT.—The table of sec-
17 tions at the beginning of such subchapter is amend-
18 ed by adding at the end the following new items:

“2891. Landlord-tenant dispute resolution process.

“2891a. Request to withhold payments.”.

19 (b) MODIFICATION OF DEFINITION OF MILITARY
20 LEGAL ASSISTANCE.—Section 1044(d)(3)(B) of such title
21 is amended by striking “and 1565b(a)(1)(A)” and insert-
22 ing “1565b(a)(1)(A), and 2891(c)(3)”.

23 (c) TIMING OF ESTABLISHMENT.—Not later than
24 180 days after the date of the enactment of this Act, the

1 Secretary of Defense shall establish the dispute resolution
2 process required under section 2891 of title 10, United
3 States Code, as added by subsection (a).

4 (d) AGREEMENT BY LANDLORDS.—

5 (1) IN GENERAL.—Not later than February 1,
6 2020, the Secretary of Defense shall seek agreement
7 from all landlords to participate in the dispute reso-
8 lution process required under section 2891 of such
9 title.

10 (2) SUBMITTAL OF LIST TO CONGRESS.—Not
11 later than March 1, 2020, the Secretary shall submit
12 to the congressional defense committees a list of all
13 landlords who did not agree under paragraph (1) to
14 participate in the dispute resolution process under
15 section 2891 of such title.

16 (3) CONSIDERATION OF LACK OF AGREEMENT
17 IN FUTURE CONTRACTS.—The Secretary shall in-
18 clude any lack of agreement under paragraph (1) as
19 past performance considered under section 2888 of
20 such title with respect to entering into or renewing
21 any future contracts.

22 **SEC. 3032. SUSPENSION OF RESIDENT ENERGY CONSERVA-**
23 **TION PROGRAM.**

24 (a) IN GENERAL.—The Secretary of Defense shall
25 suspend the initiative of the Department of Defense

1 known as the “Resident Energy Conservation Program”
2 and instruct the Secretary of each military department to
3 suspend any program carried out by such Secretary that
4 measures the energy usage for each military housing unit
5 on an installation of the Department of Defense.

6 (b) TERM OF SUSPENSION.—The suspension under
7 subsection (a) shall remain in effect until the Secretary
8 of Defense certifies to the congressional defense commit-
9 tees that—

10 (1) 100 percent of military housing on an in-
11 stallation of the Department of Defense is individ-
12 ually metered; and

13 (2) energy audits conducted by an independent
14 entity, or entities, confirm that such housing is indi-
15 vidually metered.

16 (c) TERMINATION.—If the Secretary of Defense is
17 unable to make the certification under subsection (b), each
18 program described in subsection (a) shall be terminated
19 on the date that is two years after the date of the enact-
20 ment this Act.

1 **SEC. 3033. ACCESS BY TENANTS TO HISTORICAL MAINTENANCE INFORMATION FOR PRIVATIZED MILITARY HOUSING.**

2
3
4 (a) IN GENERAL.—Subchapter IV of chapter 169 of
5 title 10, United States Code, is amended by adding at the
6 end the following new section:

7 **“§ 2892. Access by tenants to historical maintenance information**

8
9 “The Secretary shall require each landlord that pro-
10 vides housing under this subchapter at an installation of
11 the Department of Defense to provide a prospective tenant
12 of such housing, before the tenant moves in, all informa-
13 tion regarding maintenance conducted with respect to that
14 housing unit for the previous 10 years.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 at the beginning of such subchapter is amended by insert-
17 ing after the item relating to section 2891 the following
18 new item:

“2892. Access by tenants to historical maintenance information.”.

19 **SEC. 3034. PROHIBITION ON USE OF CALL CENTERS OUTSIDE THE UNITED STATES FOR MAINTENANCE CALLS BY TENANTS OF PRIVATIZED MILITARY HOUSING.**

20
21
22
23 (a) IN GENERAL.—Subchapter IV of chapter 169 of
24 title 10, United States Code, is amended by inserting after
25 section 2886 the following new section:

1 **“§ 2886a. Prohibiting use of call centers outside the**
 2 **United States for tenant maintenance**
 3 **calls**

4 “A landlord responsible for a housing unit under this
 5 subchapter may not use a call center outside the United
 6 States for any call from a tenant relating to maintenance
 7 with respect to the housing unit.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
 9 at the beginning of such subchapter is amended by insert-
 10 ing after the item relating to section 2886 the following
 11 new item:

“2886a. Prohibiting use of call centers outside the United States for tenant
 maintenance calls.”.

12 (c) EFFECTIVE DATE.—The amendments made by
 13 this section shall take effect on the date that is one year
 14 after the date of the enactment of this Act.

15 **SEC. 3035. RADON TESTING FOR PRIVATIZED MILITARY**
 16 **HOUSING.**

17 (a) REPORT.—Not later than March 1, 2020, the
 18 Secretary of Defense shall submit to the congressional de-
 19 fense committees a report identifying the installations of
 20 the Department of Defense that have privatized military
 21 housing that should be monitored for radon.

22 (b) INITIAL TESTING.—

23 (1) PROCEDURES.—The Secretary shall estab-
 24 lish testing procedures for all privatized military

1 housing at installations identified under subsection
2 (a), whether through regular testing of such housing
3 or the installation of monitoring equipment, to en-
4 sure radon levels are below recommended levels es-
5 tablished by the Environmental Protection Agency.

6 (2) COMPLETION OF TESTING.—Not later than
7 June 1, 2020, the Secretary shall complete testing
8 described in paragraph (1) for all privatized military
9 housing identified under subsection (a).

10 (c) NOTIFICATION REGARDING MITIGATION DE-
11 VICE.—In the event that a privatized military housing unit
12 is determined under testing under subsection (b)(2) to
13 need a radon mitigation device, the Secretary shall notify
14 the landlord of such unit not later than seven days after
15 such determination.

16 (d) ANNUAL TESTING.—Not less frequently than an-
17 nually, the Secretary of each military department shall
18 certify to the congressional defense committees that radon
19 testing is being conducted for privatized military housing
20 at installations identified under subsection (a) under the
21 jurisdiction of the Secretary concerned, whether through
22 regular testing of such housing or the installation of moni-
23 toring equipment.

1 **SEC. 3036. EXPANSION OF WINDOWS COVERED BY RE-**
2 **QUIREMENT TO USE WINDOW FALL PREVEN-**
3 **TION DEVICES IN PRIVATIZED MILITARY**
4 **HOUSING.**

5 Section 2879(c) of title 10, United States Code, is
6 amended by striking “24 inches” and inserting “42
7 inches”.

8 **SEC. 3037. REQUIREMENTS RELATING TO MOVE OUT AND**
9 **MAINTENANCE WITH RESPECT TO**
10 **PRIVATIZED MILITARY HOUSING.**

11 Not later than 30 days after the date of the enact-
12 ment of this Act, the Secretary of Defense, in consultation
13 with the Secretary of each military department, shall—

14 (1) develop a uniform move-out checklist for
15 tenants of privatized military housing throughout
16 the Department of Defense to assist the oversight of
17 such housing by the housing management office of
18 the installation at which such housing is located;

19 (2) develop a uniform checklist throughout the
20 Department for the validation by the housing man-
21 agement office of the completion of all maintenance
22 work related to health and safety issues at privatized
23 military housing; and

24 (3) require that all maintenance issues and
25 work orders related to health and safety issues at
26 privatized military housing be reported to the com-

1 mander of the installation at which the housing is
2 located.

3 **Subtitle C—Long-Term Quality**
4 **Assurance**

5 **SEC. 3041. DEVELOPMENT OF STANDARDIZED DOCUMENTA-**
6 **TION, TEMPLATES, AND FORMS FOR**
7 **PRIVATIZED MILITARY HOUSING.**

8 (a) IN GENERAL.—The Secretary of Defense, in co-
9 ordination with the Secretary of each military department,
10 shall develop throughout the Department of Defense
11 standardized documentation, templates, and forms for
12 privatized military housing.

13 (b) INITIAL GUIDANCE.—Not later than 30 days
14 after the date of the enactment of this Act, the Secretary
15 of Defense shall issue guidance to develop the following:

16 (1) Policies and standard operating procedures
17 of the Department for privatized military housing.

18 (2) A universal lease agreement for privatized
19 military housing that includes—

20 (A) the Tenant Bill of Rights under sec-
21 tion 2887 of title 10, United States Code; and

22 (B) any addendum required by the law of
23 the State in which the housing unit is located.

24 (3) A standardized operating agreement for
25 landlords.

1 (c) **MILITARY DEPARTMENT PLANS.**—Not later than
2 February 1, 2020, the Secretary of each military depart-
3 ment shall submit to the congressional defense committees
4 a plan for the implementation of this section by that mili-
5 tary department.

6 **SEC. 3042. COUNCIL ON PRIVATIZED MILITARY HOUSING.**

7 (a) **IN GENERAL.**—The Assistant Secretary con-
8 cerned shall establish a council (in this section referred
9 to as the “Council”) to identify and resolve problems with
10 privatized military housing at installations of the Depart-
11 ment of Defense under the jurisdiction of the Assistant
12 Secretary concerned.

13 (b) **MEMBERS.**—

14 (1) **IN GENERAL.**—Each Council shall be com-
15 prised of the Assistant Secretary concerned and the
16 following members selected by the Assistant Sec-
17 retary concerned:

18 (A) Not fewer than two civil engineers em-
19 ployed at an installation under the jurisdiction
20 of the Assistant Secretary concerned.

21 (B) Not fewer than two chiefs of a housing
22 management office at such an installation.

23 (C) Not fewer than two commanders of
24 such an installation.

1 (2) LIMITATION.—In each Council, not more
2 than two members may be from the same installa-
3 tion.

4 (3) TERMS.—

5 (A) TWO YEARS.—The term for a member
6 of the Council, other than the Assistant Sec-
7 retary concerned, shall be two years.

8 (B) LIMITATION ON TERMS.—A member of
9 the Council, other than the Assistant Secretary
10 concerned, may serve not more than two terms.

11 (c) DUTIES.—Each Council shall review, at a min-
12 imum, the following:

13 (1) Systemic concerns from tenants relating to
14 privatized military housing under the jurisdiction of
15 the Assistant Secretary concerned.

16 (2) Best practices for housing management of-
17 fices at installations under the jurisdiction of the As-
18 sistant Secretary concerned.

19 (3) Best practices for handling installation-wide
20 maintenance issues.

21 (d) MEETINGS.—Each Council shall meet not less
22 frequently than quarterly.

23 (e) REPORT.—Not later than 60 days after the first
24 meeting of the Council, and not later than October 1 of
25 each year thereafter, the Council shall submit to the Sec-

1 retary of Defense a report on the findings of the Council
 2 during the period covered by the report.

3 (f) ASSISTANT SECRETARY CONCERNED.—The term
 4 “Assistant Secretary concerned” means—

5 (1) with respect to the Army, the Assistant Sec-
 6 retary of the Army for Energy, Installations, and
 7 Environment;

8 (2) with respect to the Navy, the Marine Corps,
 9 and the Coast Guard when it is operating as a serv-
 10 ice in the Department of the Navy, the Assistant
 11 Secretary of the Navy for Energy, Installations, and
 12 Environment; and

13 (3) with respect to the Air Force, the Assistant
 14 Secretary of the Air Force for Energy, Installations,
 15 and Environment.

16 **SEC. 3043. REQUIREMENTS RELATING TO MANAGEMENT OF**
 17 **PRIVATIZED MILITARY HOUSING.**

18 (a) IN GENERAL.—Subchapter IV of chapter 169 of
 19 title 10, United States Code, is amended by inserting after
 20 section 2872b following new section:

21 **“§ 2872c. Requirements relating to management of**
 22 **housing**

23 “(a) IN GENERAL.—The Secretary of Defense shall
 24 ensure that the operating agreement for each installation
 25 of the Department of Defense at which on-base housing

1 is managed by a landlord under this subchapter includes
2 the requirements set forth in this section relating to such
3 housing.

4 “(b) REQUIREMENTS FOR INSTALLATION COM-
5 MANDERS.—The commander of each installation described
6 in subsection (a) shall do the following:

7 “(1) On an annual basis, review and approve
8 the mold mitigation plan and pest control plan of
9 each landlord at such installation.

10 “(2) Use the assigned bio-environmental per-
11 sonnel or contractor equivalent at such installation
12 to test for mold, unsafe water conditions, and other
13 health and safety conditions if requested by the head
14 of the housing management office of such installa-
15 tion.

16 “(c) REQUIREMENTS FOR HOUSING MANAGEMENT
17 OFFICE.—The head of the housing management office of
18 each installation described in subsection (a) shall, with re-
19 spect to housing units under this subchapter, do the fol-
20 lowing:

21 “(1) Conduct physical inspections and approve
22 the habitability of each vacant housing unit before
23 the landlord offers the unit available for occupancy.

24 “(2) Conduct physical inspections upon tenant
25 move out and receive copies of any move out charges

1 that a landlord seeks to collect from an outgoing
2 tenant.

3 “(3) Establish contact with a tenant regarding
4 the satisfaction of the tenant with the housing unit
5 not later than—

6 “(A) 15 days after move-in; and

7 “(B) 60 days after move-in.

8 “(4) Maintain all test results relating to the
9 health, environmental, and safety condition of a
10 housing unit and the results of any official housing
11 inspection for the life of the contract relating to that
12 housing unit.

13 “(d) REQUIREMENTS FOR LANDLORDS.—The land-
14 lord of any housing unit under this subchapter at an in-
15 stallation described in subsection (a) shall do the fol-
16 lowing:

17 “(1) Disclose to the Secretary of Defense bonus
18 structures for community managers and regional ex-
19 ecutives and bonus structures relating to mainte-
20 nance to minimize the impact of those incentives on
21 the operating budget of the installation.

22 “(2) With respect to test results relating to the
23 health and safety condition of the housing unit—

24 “(A) not later than three days after receiv-
25 ing those results, share those results with the

1 tenant of such unit and submit those results to
2 the head of the housing management office for
3 the installation; and

4 “(B) include with any environmental haz-
5 ard test results a simple guide explaining those
6 results, preferably citing standards set forth by
7 the Federal Government relating to environ-
8 mental hazards.

9 “(3) Conduct a walkthrough inspection before a
10 prospective tenant signs a lease—

11 “(A) with the prospective tenant; or

12 “(B) if the prospective tenant is not able
13 to be present for the inspection, with an official
14 of the housing management office designated by
15 the prospective tenant to conduct the inspection
16 on their behalf.

17 “(4) In the event that the housing unit does not
18 meet minimum health, safety, and welfare standards
19 set forth in Federal, State, and local law after in-
20 spection under subsection (c)(1), the landlord shall
21 remediate any issues and make any appropriate re-
22 pairs prior to another inspection by the housing
23 management office under such subsection.

24 “(5) Not conduct any promotional events to
25 incentivize tenants to fill out maintenance comment

1 cards or satisfaction surveys of any kind without the
2 approval of the chief of the housing management of-
3 fice.

4 “(6) Not award an installation of the Depart-
5 ment or an officer or employee of the Department
6 a ‘Partner of the Year’ award or similar award.

7 “(7) Not have a tenant agree to any form of
8 settlement, nondisclosure, or release of liability with-
9 out—

10 “(A) first notifying the tenant of their
11 right to assistance from the legal assistance of-
12 fice at the installation; and

13 “(B) not later than five days before agree-
14 ing to any such settlement, nondisclosure, or re-
15 lease of liability, providing a copy of such agree-
16 ment to the Assistant Secretary of Defense for
17 Sustainment;

18 “(8) Not change the position of a prospective
19 tenant on a waiting list for a housing unit or remove
20 a prospective tenant from the waiting list if the pro-
21 spective tenant turns down an offer for a housing
22 unit determined unsatisfactory by the prospective
23 tenant and confirmed by the housing management
24 office and the commander of the installation.

1 “(9) Allow, with permission of the tenant as ap-
2 appropriate, employees of the housing management of-
3 fice and other officers and employees of the Depart-
4 ment to conduct physical inspections of common
5 grounds and individual quarters of the housing unit.

6 “(10) Agree to a mechanism under which all or
7 part of basic allowance for housing payable to the
8 tenant (including for any dependents of the tenant
9 in the tenant’s household) under section 403 of title
10 37, or all or part of any other allotment of pay
11 under section 2882(c) of this title can be held in es-
12 crow until—

13 “(A) any dispute between the tenant and
14 the landlord is resolved; and

15 “(B) the commander of the installation has
16 reviewed and decided such dispute.

17 “(11) Ensure that the needs of enrollees in the
18 Exceptional Family Member Program, or any suc-
19 cessor program, are considered in assigning prospec-
20 tive tenants to housing units.

21 “(12) Keep any maintenance work order system
22 up to date with the latest software, functionality,
23 and features.

1 “(13) Have any agreements or forms to be used
2 by the landlord approved by the Assistant Secretary
3 of Defense for Sustainment, including the following:

4 “(A) A common lease agreement.

5 “(B) Any disclosure or nondisclosure forms
6 that could be given to a tenant.

7 “(C) Any notices required to be provided
8 to the tenant under the Tenant Bill of Rights
9 under section 2887 of this title.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of such subchapter is amended by insert-
12 ing after the item relating to section 2872b the following
13 new item:

 “2872c. Requirements relating to management of housing.”.

14 (c) MILITARY DEPARTMENT PLANS.—Not later than
15 February 1, 2020, the Secretary of each military depart-
16 ment shall submit to the congressional defense committees
17 a plan for the implementation by that military department
18 of section 2872c of title 10, United States Code, as added
19 by subsection (a).

20 **SEC. 3044. REQUIREMENTS RELATING TO CONTRACTS FOR**
21 **PRIVATIZED MILITARY HOUSING.**

22 (a) IN GENERAL.—Subchapter IV of chapter 169 of
23 title 10, United States Code, is amended by inserting after
24 section 2872c the following new section:

1 **“§ 2872d. Requirements relating to contracts for pro-**
2 **vision of housing**

3 “(a) IN GENERAL.—The Secretary of each military
4 department shall include in any contract for a term of
5 more than 10 years with a landlord for the provision of
6 housing under this subchapter at an installation under the
7 jurisdiction of the Secretary concerned the following:

8 “(1) The Secretary concerned may renegotiate
9 the contract with the landlord not less frequently
10 than once every five years.

11 “(2) The landlord shall prohibit any employee
12 of the landlord who commits work order fraud under
13 the contract, as determined by the Secretary con-
14 cerned, from doing any work under the contract.

15 “(3) If the landlord fails to or is unable to rem-
16 edy any health or environmental hazard at a housing
17 unit under the contract, such failure or inability will
18 be taken into consideration in determining whether
19 to pay or withhold all or part of any incentive fees
20 for which the landlord may be eligible under the con-
21 tract.

22 “(4) If the landlord is found by the Secretary
23 concerned to have not maintained the minimum
24 standards of habitability for a housing unit under
25 such contract, the landlord shall pay all medical bills
26 for a tenant of such housing unit that are associated

1 with the conditions of such housing unit that do not
2 meet such minimum standards.

3 “(5) The landlord shall pay reasonable reloca-
4 tion costs associated with the permanent relocation
5 of a tenant from a housing unit of the landlord to
6 new housing due to health or environmental haz-
7 ards—

8 “(A) present in the housing unit being va-
9 cated through no fault of the tenant; and

10 “(B) confirmed by the housing manage-
11 ment office of the installation as making the
12 unit uninhabitable.

13 “(6) The landlord shall pay reasonable reloca-
14 tion costs and actual costs of living, including per
15 diem, associated with the temporary relocation of a
16 tenant to new housing due to health or environ-
17 mental hazards—

18 “(A) present in the housing unit being va-
19 cated through no fault of the tenant; and

20 “(B) confirmed by the housing manage-
21 ment office of the installation as making the
22 unit uninhabitable.

23 “(7) The landlord shall ensure that the mainte-
24 nance work order system of the landlord (hardware
25 and software) is up to date, including by —

1 “(A) providing a reliable mechanism
2 through which a tenant may submit work order
3 requests through an Internet portal and mobile
4 application, which shall incorporate the ability
5 to upload photos, communicate with mainte-
6 nance personnel, and rate individual service
7 calls;

8 “(B) allowing real-time access to such sys-
9 tem by officials of the Department at the instal-
10 lation, major subordinate command, and serv-
11 ice-wide levels; and

12 “(C) allowing the work order or mainte-
13 nance ticket to be closed only once the tenant
14 and the head of the housing management office
15 of the installation sign off.

16 “(b) PAYMENT OF ACTUAL COSTS OF LIVING.—The
17 landlord shall pay actual costs of living under subsection
18 (a)(6) in connection with a health or environmental hazard
19 until such time as—

20 “(1)(A) the health or environmental hazard is
21 remediated;

22 “(B) the housing unit being vacated is deter-
23 mined to be habitable by the tenant, the housing
24 management office of the installation, and chain of
25 command; and

1 “(C) the tenant resumes occupancy of the hous-
2 ing unit; or

3 “(2) the tenant moves to a new housing unit.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of such subchapter is amended by insert-
6 ing after the item relating to section 2872c the following
7 new item:

 “2872d. Requirements relating to contracts for provision of housing.”.

8 (c) EFFECTIVE DATE.—Section 2872d of such title,
9 as added by subsection (a), shall apply to contracts en-
10 tered into or renewed on and after the date of the enact-
11 ment of this Act.

12 **SEC. 3045. WITHHOLDING OF INCENTIVE FEES FOR LAND-**
13 **LORDS OF PRIVATIZED MILITARY HOUSING**
14 **FOR FAILURE TO REMEDY A HEALTH OR EN-**
15 **VIRONMENTAL HAZARD.**

16 (a) IN GENERAL.—Subchapter IV of chapter 169 of
17 title 10, United States Code, is amended by inserting after
18 section 2874b the following new section:

19 **“§ 2874c. Withholding of incentive fees for landlords**

20 “The Secretary of Defense shall withhold incentive
21 fees paid to a landlord for failure by the landlord to rem-
22 edy a health or environmental hazard at a housing unit
23 under this subchapter, as determined by the Secretary.”.

24 (b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of such subchapter is amended by insert-

1 ing after the item relating to section 2874b the following
 2 new item:

“2874c. Withholding of incentive fees for landlords.”.

3 **SEC. 3046. EXPANSION OF DIRECT HIRE AUTHORITY FOR**
 4 **DEPARTMENT OF DEFENSE FOR CHILDCARE**
 5 **SERVICES PROVIDERS FOR DEPARTMENT**
 6 **CHILD DEVELOPMENT CENTERS TO INCLUDE**
 7 **DIRECT HIRE AUTHORITY FOR INSTALLA-**
 8 **TION MILITARY HOUSING OFFICE PER-**
 9 **SONNEL.**

10 (a) IN GENERAL.—Section 559 of the National De-
 11 fense Authorization Act for Fiscal Year 2018 (Public Law
 12 115–91; 131 Stat. 1406; 10 U.S.C. 1792 note) is amend-
 13 ed—

14 (1) in subsection (a)—

15 (A) in the matter preceding paragraph (1),
 16 by inserting “, and individuals to fill vacancies
 17 in installation military housing offices,” after
 18 “childcare services providers”;

19 (B) in paragraph (1), by inserting “or for
 20 employees at installation military housing of-
 21 fices” before the semicolon; and

22 (C) in paragraph (2), by inserting “or for
 23 installation military housing office employees”
 24 before the period;

1 (2) by redesignating subsection (f) as sub-
2 section (g); and

3 (3) by inserting after subsection (e) the fol-
4 lowing new subsection (f):

5 “(f) **INSTALLATION MILITARY HOUSING OFFICE DE-**
6 **FINED.**—The term ‘installation military housing office’
7 means any office whose primary function is performing
8 day-to-day supervision of military housing covered by sub-
9 chapter IV of chapter 169 of title 10, United States
10 Code.”.

11 (b) **HEADING AND TECHNICAL AMENDMENTS.**—

12 (1) **HEADING AMENDMENT.**—The heading of
13 such section is amended to read as follows:

14 **“SEC. 599. DIRECT HIRE AUTHORITY FOR DEPARTMENT OF**
15 **DEFENSE FOR CHILDCARE SERVICES PRO-**
16 **VIDERS FOR DEPARTMENT CHILD DEVELOP-**
17 **MENT CENTERS AND INSTALLATION MILI-**
18 **TARY HOUSING OFFICES.”.**

19 (2) **TECHNICAL AMENDMENT.**—Subsection (d)
20 of such section is amended by striking “Oversight
21 and Government Reform” and inserting “Oversight
22 and Reform”.

23 (c) **USE OF EXISTING REGULATIONS.**—The Sec-
24 retary of Defense shall use the authority in section 599
25 of the National Defense Authorization Act for Fiscal Year

1 2018 granted by the amendments made by this section
2 in a manner consistent with the regulations prescribed for
3 purposes of such section 599 pursuant to subsection (b)
4 of such section 599, without the need to prescribe separate
5 regulations for the use of such authority.

6 **SEC. 3047. PLAN ON ESTABLISHMENT OF DEPARTMENT OF**
7 **DEFENSE JURISDICTION OVER OFF-BASE**
8 **PRIVATIZED MILITARY HOUSING.**

9 Not later than 30 days after the date of the enact-
10 ment of this Act, the Secretary of Defense, in consultation
11 with the Secretary of each military department, shall sub-
12 mit to the congressional defense committees a plan to es-
13 tablish jurisdiction by the Department of Defense, concur-
14 rently with local community law enforcement, at locations
15 with privatized military housing that is not located on an
16 installation of the Department of Defense.

17 **Subtitle D—Other Housing Matters**

18 **SEC. 3051. LEAD-BASED PAINT TESTING AND REPORTING.**

19 (a) ESTABLISHMENT OF DEPARTMENT OF DEFENSE
20 POLICY ON LEAD TESTING ON MILITARY INSTALLA-
21 TIONS.—

22 (1) IN GENERAL.—Not later than February 1,
23 2020, the Secretary of Defense shall establish a pol-
24 icy under which—

1 (A) a qualified individual may access a
2 military installation for the purpose of con-
3 ducting lead testing on the installation, subject
4 to the approval of the Secretary; and

5 (B) the results of any lead testing con-
6 ducted on a military installation shall be trans-
7 mitted—

8 (i) in the case of a military installa-
9 tion located inside the United States, to—

10 (I) the civil engineer of the in-
11 stallation;

12 (II) the housing management of-
13 fice of the installation;

14 (III) the major subordinate com-
15 mand of the Armed Force with juris-
16 diction over the installation; and

17 (IV) if required by law, any rel-
18 evant Federal, State, and local agen-
19 cies; and

20 (ii) in the case of a military installa-
21 tion located outside the United States, to
22 the civil engineer or commander of the in-
23 stallation who shall transmit those results
24 to the major subordinate command of the

1 Armed Force with jurisdiction over the in-
2 stallation.

3 (2) DEFINITIONS.—In this subsection:

4 (A) UNITED STATES.—The term “United
5 States” has the meaning given such term in
6 section 101(a)(1) of title 10, United States
7 Code.

8 (B) QUALIFIED INDIVIDUAL.—The term
9 “qualified individual” means an individual who
10 is certified by the Environmental Protection
11 Agency or by a State as—

- 12 (i) a lead-based paint inspector; or
- 13 (ii) a lead-based paint risk assessor.

14 (b) ANNUAL REPORTING ON LEAD-BASED PAINT IN
15 MILITARY HOUSING.—

16 (1) IN GENERAL.—Subchapter III of chapter
17 169 of title 10, United States Code, is amended by
18 adding at the end the following new section:

19 **“§ 2869a. Annual reporting on lead-based paint in**
20 **military housing**

21 “(a) ANNUAL REPORTS.—

22 “(1) IN GENERAL.—Not later than February 1
23 of each year, the Secretary of Defense shall submit
24 to the congressional defense committees a report
25 that sets forth, with respect to military housing

1 under the jurisdiction of each Secretary of a military
2 department for the calendar year preceding the year
3 in which the report is submitted, the following:

4 “(A) A certification that indicates whether
5 the military housing under the jurisdiction of
6 the Secretary concerned is in compliance with
7 the requirements respecting lead-based paint,
8 lead-based paint activities, and lead-based paint
9 hazards described in section 408 of the Toxic
10 Substances Control Act (15 U.S.C. 2688).

11 “(B) A detailed summary of the data,
12 disaggregated by military department, used in
13 making the certification under subparagraph
14 (A).

15 “(C) The total number of military housing
16 units under the jurisdiction of the Secretary
17 concerned that were inspected for lead-based
18 paint in accordance with the requirements de-
19 scribed in subparagraph (A).

20 “(D) The total number of military housing
21 units under the jurisdiction of the Secretary
22 concerned that were not inspected for lead-
23 based paint.

24 “(E) The total number of military housing
25 units that were found to contain lead-based

1 paint in the course of the inspections described
 2 in subparagraph (C).

3 “(F) A description of any abatement ef-
 4 forts with respect to lead-based paint conducted
 5 regarding the military housing units described
 6 in subparagraph (E).

7 “(2) PUBLICATION.—The Secretary of Defense
 8 shall publish each report submitted under paragraph
 9 (1) on a publicly available website of the Depart-
 10 ment of Defense.

11 “(b) MILITARY HOUSING DEFINED.—In this section,
 12 the term ‘military housing’ includes military family hous-
 13 ing and military unaccompanied housing (as such term is
 14 defined in section 2871 of this title).”.

15 (2) CLERICAL AMENDMENT.—The table of sec-
 16 tions at the beginning of such subchapter is amend-
 17 ed by adding at the end the following new item:

“2869a. Annual reporting on lead-based paint in military housing.”.

18 **SEC. 3052. SATISFACTION SURVEY FOR TENANTS OF MILI-**
 19 **TARY HOUSING.**

20 (a) IN GENERAL.—Not later than March 1, 2020, the
 21 Secretary of Defense shall require that each installation
 22 of the Department of Defense use the same satisfaction
 23 survey for tenants of military housing, which shall be an
 24 electronic survey with embedded privacy and security
 25 mechanisms.

1 (b) PRIVACY AND SECURITY MECHANISMS.—The pri-
2 vacy and security mechanisms used under subsection
3 (a)—

4 (1) may include a code unique to the tenant to
5 be surveyed that is sent to the cell phone number of
6 the tenant and required to be entered to access the
7 survey; and

8 (2) in the case of housing under subchapter IV
9 of chapter 169 of title 10, United States Code, shall
10 ensure that the survey is not shared with the land-
11 lord of the housing unit until the survey is reviewed
12 and the results are tallied by an employee of the De-
13 partment of Defense.

14 **SEC. 3053. INFORMATION ON LEGAL SERVICES PROVIDED**
15 **TO MEMBERS OF THE ARMED FORCES**
16 **HARMED BY HEALTH OR ENVIRONMENTAL**
17 **HAZARDS AT MILITARY HOUSING.**

18 (a) REPORT.—Not later than 90 days after the date
19 of the enactment of this Act, the Secretary of Defense
20 shall submit to the congressional defense committees a re-
21 port on the legal services that the Secretary may provide
22 to members of the Armed Forces who have been harmed
23 by a health or environmental hazard while living in mili-
24 tary housing.

1 (b) AVAILABILITY OF INFORMATION.—The Secretary
2 of the military department concerned shall make the infor-
3 mation contained in the report submitted under subsection
4 (a) available to members of the Armed Forces at all instal-
5 lations of the Department of Defense in the United States.

6 **SEC. 3054. MITIGATION OF RISKS POSED BY CERTAIN**
7 **ITEMS IN MILITARY FAMILY HOUSING UNITS.**

8 (a) ANCHORING OF ITEMS BY RESIDENTS.—The Sec-
9 retary of Defense shall allow a resident of a military fam-
10 ily housing unit to anchor any furniture, television, or
11 large appliance to the wall of the unit for purposes of pre-
12 venting such item from tipping over without incurring a
13 penalty or obligation to repair the wall upon vacating the
14 unit.

15 (b) ANCHORING OF ITEMS FOR ALL UNITS.—

16 (1) EXISTING UNITS.—Not later than one year
17 after the date of the enactment of this Act, the Sec-
18 retary of Defense shall ensure that all freestanding
19 chests, door chests, armoires, dressers, entertain-
20 ment centers, bookcases taller than 27 inches, tele-
21 visions, and large appliances provided by the Depart-
22 ment of Defense are securely anchored in each fur-
23 nished military family housing unit under the juris-
24 diction of the Department as of the date of the en-
25 actment of this Act.

1 (2) NEW UNITS.—The Secretary of Defense
2 shall ensure that all freestanding chests, door chests,
3 armoires, dressers, entertainment centers, bookcases
4 taller than 27 inches, televisions, and large appli-
5 ances provided by the Department of Defense are se-
6 curely anchored in each furnished military family
7 housing unit made available after the date of the en-
8 actment of this Act.

9 **SEC. 3055. TECHNICAL CORRECTION TO CERTAIN PAY-**
10 **MENTS FOR LESSORS OF PRIVATIZED MILI-**
11 **TARY HOUSING.**

12 Paragraph (3) of section 606(d) of the John S.
13 McCain National Defense Authorization Act for Fiscal
14 Year 2019 (Public Law 115–232; 10 U.S.C. 2871 note)
15 is amended to read as follows:

16 “(3) The term ‘MHPI housing’ means housing
17 procured, acquired, constructed, or for which any
18 phase or portion of a project agreement was first fi-
19 nalized and signed, under the alternative authority
20 of subchapter IV of chapter 169 of title 10, United
21 States Code (known as the Military Housing Privat-
22 ization Initiative), on or before September 30,
23 2014.”.

1 **SEC. 3056. PILOT PROGRAM TO BUILD AND MONITOR USE**
2 **OF SINGLE FAMILY HOMES.**

3 (a) IN GENERAL.—The Secretary of the Army shall
4 carry out a pilot program to build and monitor the use
5 of not fewer than 5 single family homes for members of
6 the Army and their families.

7 (b) LOCATION.—The Secretary of the Army shall
8 carry out the pilot program at an installation of the Army
9 as determined by the Secretary.

10 (c) DESIGN.—In building homes under the pilot pro-
11 gram, the Secretary of the Army shall use the All-Amer-
12 ican Abode design from the suburban single-family divi-
13 sion design by the United States Military Academy.

14 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated to the Secretary of the
16 Army \$1,000,000 to carry out the pilot program under
17 this section.

1 **DIVISION C—DEPARTMENT OF**
2 **ENERGY NATIONAL SECURITY**
3 **AUTHORIZATIONS AND**
4 **OTHER AUTHORIZATIONS**
5 **TITLE XXXI—DEPARTMENT OF**
6 **ENERGY NATIONAL SECURITY**
7 **PROGRAMS**

8 **Subtitle A—National Security**
9 **Programs and Authorizations**

10 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
11 **TION.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
13 are hereby authorized to be appropriated to the Depart-
14 ment of Energy for fiscal year 2020 for the activities of
15 the National Nuclear Security Administration in carrying
16 out programs as specified in the funding table in section
17 4701.

18 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
19 From funds referred to in subsection (a) that are available
20 for carrying out plant projects, the Secretary of Energy
21 may carry out new plant projects for the National Nuclear
22 Security Administration as follows:

23 Project 20–D–931, KL Fuel Development Lab-
24 oratory, Knolls Atomic Power Laboratory, Schenec-
25 tady, New York, \$23,700,000.

1 General Purpose Project, PF-4 Power and
2 Communications Systems Upgrade, Los Alamos Na-
3 tional Laboratory, New Mexico, \$16,000,000.

4 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
6 are hereby authorized to be appropriated to the Depart-
7 ment of Energy for fiscal year 2020 for defense environ-
8 mental cleanup activities in carrying out programs as
9 specified in the funding table in section 4701.

10 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
11 From funds referred to in subsection (a) that are available
12 for carrying out plant projects, the Secretary of Energy
13 may carry out, for defense environmental cleanup activi-
14 ties, the following new plant projects:

15 Project 20-D-401, Saltstone Disposal Units
16 numbers 10, 11, and 12, Savannah River Site,
17 Aiken, South Carolina, \$1,000,000.

18 Project 20-D-402, Advanced Manufacturing
19 Collaborative, Savannah River Site, Aiken, South
20 Carolina, \$50,000,000.

21 Project 20-U-401, On-Site Waste Disposal Fa-
22 cility (Cell Lines 2 and 3), Portsmouth Site, Pike
23 County, Ohio, \$10,000,000.

1 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

2 Funds are hereby authorized to be appropriated to
3 the Department of Energy for fiscal year 2020 for other
4 defense activities in carrying out programs as specified in
5 the funding table in section 4701.

6 **SEC. 3104. NUCLEAR ENERGY.**

7 Funds are hereby authorized to be appropriated to
8 the Department of Energy for fiscal year 2020 for nuclear
9 energy as specified in the funding table in section 4701.

10 **Subtitle B—Program Authoriza-**
11 **tions, Restrictions, and Limita-**
12 **tions**

13 **SEC. 3111. TECHNICAL CORRECTIONS TO NATIONAL NU-**
14 **CLEAR SECURITY ADMINISTRATION ACT AND**
15 **ATOMIC ENERGY DEFENSE ACT.**

16 (a) DEFINITIONS IN NATIONAL NUCLEAR SECURITY
17 ADMINISTRATION ACT.—Section 3281(2)(A) of the Na-
18 tional Nuclear Security Administration Act (50 U.S.C.
19 2471(2)(A)) is amended by striking “Plant” and inserting
20 “National Security Campus”.

21 (b) AMENDMENTS TO ATOMIC ENERGY DEFENSE
22 ACT.—

23 (1) DEFINITIONS.—Section 4002(9)(A) of the
24 Atomic Energy Defense Act (50 U.S.C. 2501(9)(A))
25 is amended striking “Plant” and inserting “National
26 Security Campus”.

1 (2) STOCKPILE STEWARDSHIP, MANAGEMENT,
2 AND RESPONSIVENESS PLAN.—Section 4203 of the
3 Atomic Energy Defense Act (50 U.S.C. 2523) is
4 amended—

5 (A) in subsection (d)(4)(A)(ii), by striking
6 “quadrennial defense review if such strategy
7 has not been submitted” and inserting “na-
8 tional defense strategy”;

9 (B) in subsection (e)(1)(A)(i), by striking
10 “or the most recent quadrennial defense review,
11 as applicable under subsection (d)(4)(A), and
12 the” and inserting “referred to in subsection
13 (d)(4)(A)(i), the most recent the national de-
14 fense strategy, and the most recent”; and

15 (C) in subsection (f)—

16 (i) by striking paragraph (4);

17 (ii) by redesignating paragraph (3) as
18 paragraph (4); and

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

21 “(3) The term ‘national defense strategy’
22 means the review of the defense programs and poli-
23 cies of the United States that is carried out every
24 four years under section 113(g) of title 10, United
25 States Code.”.

(3) MANUFACTURING INFRASTRUCTURE FOR
 NUCLEAR WEAPONS STOCKPILE.—Section 4212 of
 the Atomic Energy Defense Act (50 U.S.C. 2532) is
 amended—

(A) in subsection (a)(1), in the matter pre-
 ceding subparagraph (A), by inserting “most
 recent” before “Nuclear Posture Review”; and

(B) in subsection (b)—

(i) in paragraph (2), by striking
 “Plant” and inserting “National Security
 Complex”; and

(ii) in paragraph (4), by striking
 “Plant” and inserting “National Security
 Campus, Kansas City, Missouri”.

(4) REPORTS ON LIFE EXTENSION PRO-
 GRAMS.—

(A) IN GENERAL.—Section 4216 of the
 Atomic Energy Defense Act (50 U.S.C. 2536)
 is amended—

(i) in the section heading, by striking
 “**LIFETIME**” and inserting “**LIFE**”; and

(ii) by striking “lifetime” each place it
 appears and inserting “life”.

(B) CLERICAL AMENDMENT.—The table of
 contents for the Atomic Energy Defense Act is

1 amended by striking the item relating to section
2 4216 and inserting the following new item:

“Sec. 4216. Reports on life extension programs.”.

3 (5) ADVICE ON SAFETY, SECURITY, AND RELI-
4 ABILITY OF NUCLEAR WEAPONS STOCKPILE.—Sec-
5 tion 4218 of the Atomic Energy Defense Act (50
6 U.S.C. 2538) is amended—

7 (A) in subsection (d), by striking “or the
8 Commander of the United States Strategic
9 Command”; and

10 (B) in subsection (e)(1)—

11 (i) by striking “, a member of” and
12 all that follows through “Strategic Com-
13 mand” and inserting “or a member of the
14 Nuclear Weapons Council”; and

15 (ii) by striking “, member, or Com-
16 mander” and inserting “or member”.

17 (6) LIFE-CYCLE COST ESTIMATES.—Section
18 4714(a) of the Atomic Energy Defense Act (50
19 U.S.C. 2754(a)) is amended—

20 (A) by striking “413.3” and inserting
21 “413.3B”; and

22 (B) by inserting “, or a successor order,”
23 after “assets)”.

24 (7) UNFUNDED PRIORITIES.—

1 (A) IN GENERAL.—Section 4716 of the
 2 Atomic Energy Defense Act (50 U.S.C. 2756)
 3 is amended in the section heading by striking
 4 “**NATIONAL NUCLEAR SECURITY ADMINIS-**
 5 **TRATION**” and inserting “**ADMINISTRA-**
 6 **TION**”.

7 (B) CLERICAL AMENDMENT.—The table of
 8 contents for the Atomic Energy Defense Act is
 9 amended by striking the item relating to section
 10 4716 and inserting the following new item:

“Sec. 4716. Unfunded priorities of the Administration.”.

11 (8) REVIEWS OF CAPITAL ASSETS ACQUISITION
 12 PROJECTS.—Section 4733(d)(3)(B) of the Atomic
 13 Energy Defense Act (50 U.S.C. 2773(d)(3)(B)) is
 14 amended by striking “413.3” and inserting
 15 “413.3B”.

16 **SEC. 3112. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
 17 **TION PERSONNEL SYSTEM.**

18 (a) IN GENERAL.—Subtitle C of the National Nu-
 19 clear Security Administration Act (50 U.S.C. 2441 et
 20 seq.) is amended by adding at the end the following new
 21 section:

22 **“SEC. 3248. ALTERNATIVE PERSONNEL SYSTEM.**

23 “(a) IN GENERAL.—The Administrator may adapt
 24 the pay banding and performance-based pay adjustment
 25 demonstration project carried out by the Administration

1 under the authority provided by section 4703 of title 5,
2 United States Code, into a permanent alternative per-
3 sonnel system for the Administration (to be known as the
4 ‘National Nuclear Security Administration Personnel Sys-
5 tem’) and implement that system with respect to employ-
6 ees of the Administration.

7 “(b) MODIFICATIONS.—In adapting the demonstra-
8 tion project described in subsection (a) into a permanent
9 alternative personnel system, the Administrator—

10 “(1) may, subject to paragraph (2), revise the
11 requirements and limitations of the demonstration
12 project to the extent necessary; and

13 “(2) shall—

14 “(A) ensure that the permanent alternative
15 personnel system is carried out in a manner
16 consistent with the final plan for the dem-
17 onstration project published in the Federal Reg-
18 ister on December 21, 2007 (72 Fed. Reg.
19 72776);

20 “(B) ensure that significant changes in the
21 system not take effect until revisions to the
22 plan for the demonstration project are approved
23 by the Office of Personnel Management and
24 published in the Federal Register;

1 “(C) ensure that procedural modifications
2 or clarifications to the final plan for the dem-
3 onstration project be made through local notifi-
4 cation processes;

5 “(D) authorize, and establish incentives
6 for, employees of the Administration to have ro-
7 tational assignments among different programs
8 of the Administration, the headquarters and
9 field offices of the Administration, and the
10 management and operating contractors of the
11 Administration; and

12 “(E) establish requirements for employees
13 of the Administration who are in the permanent
14 alternative personnel system described in sub-
15 section (a) to be promoted to senior-level posi-
16 tions in the Administration, including require-
17 ments with respect to—

18 “(i) professional training and con-
19 tinuing education; and

20 “(ii) a certain number and types of
21 rotational assignments under subpara-
22 graph (D), as determined by the Adminis-
23 trator.

24 “(c) APPLICATION TO NAVAL NUCLEAR PROPULSION
25 PROGRAM.—The Director of the Naval Nuclear Propul-

1 sion Program established pursuant to section 4101 of the
 2 Atomic Energy Defense Act (50 U.S.C. 2511) and section
 3 3216 of this Act may, with the concurrence of the Sec-
 4 retary of the Navy, apply the alternative personnel system
 5 under subsection (a) to—

6 “(1) all employees of the Naval Nuclear Propul-
 7 sion Program in the competitive service (as defined
 8 in section 2102 of title 5, United States Code); and

9 “(2) all employees of the Department of Navy
 10 who are assigned to the Naval Nuclear Propulsion
 11 Program and are in the excepted service (as defined
 12 in section 2103 of title 5, United States Code)
 13 (other than such employees in statutory excepted
 14 service systems).”.

15 (b) BRIEFING.—

16 (1) IN GENERAL.—Not later than 180 days
 17 after the date of the enactment of this Act, the Ad-
 18 ministrator for Nuclear Security shall provide a
 19 briefing to the appropriate congressional committees
 20 on the implementation of section 3248 of the Na-
 21 tional Nuclear Security Administration Act, as
 22 added by subsection (a).

23 (2) APPROPRIATE CONGRESSIONAL COMMIT-
 24 TEES DEFINED.—In this subsection, the term “ap-
 25 propriate congressional committees” means—

1 (A) the congressional defense committees;

2 (B) the Committee on Energy and Natural
3 Resources of the Senate and the Committee on
4 Energy and Commerce of the House of Rep-
5 resentatives; and

6 (C) the Committee on Homeland Security
7 and Governmental Affairs of the Senate and the
8 Committee on Oversight and Government Re-
9 form of the House of Representatives.

10 (c) CONFORMING AMENDMENTS.—Section 3116 of
11 the National Defense Authorization Act for Fiscal Year
12 2018 (Public Law 115–91; 131 Stat. 1888; 50 U.S.C.
13 2441 note prec) is amended—

14 (1) by striking subsections (a) and (d); and

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

17 (d) CLERICAL AMENDMENT.—The table of contents
18 for the National Nuclear Security Administration Act is
19 amended by inserting after the item relating to section
20 3247 the following new item:

“Sec. 3248. Alternative personnel system.”.

1 **SEC. 3113. CONTRACTING, PROGRAM MANAGEMENT, SCI-**
2 **ENTIFIC, ENGINEERING, AND TECHNICAL PO-**
3 **SITIONS AT NATIONAL NUCLEAR SECURITY**
4 **ADMINISTRATION.**

5 (a) IN GENERAL.—Section 3241 of the National Nu-
6 clear Security Administration Act (50 U.S.C. 2441) is
7 amended in the first sentence—

8 (1) by striking “may” and inserting “shall”;
9 and

10 (2) by striking “not more than 600”.

11 (b) CONFORMING AMENDMENTS.—Such section is
12 further amended—

13 (1) in the section heading, by striking “**AU-**
14 **THORITY TO ESTABLISH**” and inserting “**ESTAB-**
15 **LISHMENT OF**”; and

16 (2) in the second sentence, by striking “Subject
17 to the limitations in the preceding sentence, the au-
18 thority” and inserting “The authority”.

19 (c) CLERICAL AMENDMENT.—The table of contents
20 for the National Nuclear Security Administration Act is
21 amended by striking the item relating to section 3241 and
22 inserting the following new item:

“Sec. 3241. Establishment of contracting, program management, scientific, en-
gineering, and technical positions.”.

1 **SEC. 3114. PROHIBITION ON USE OF LABORATORY-DI-**
2 **RECTED RESEARCH AND DEVELOPMENT**
3 **FUNDS FOR GENERAL AND ADMINISTRATIVE**
4 **OVERHEAD COSTS.**

5 Section 4811 of the Atomic Energy Defense Act (50
6 U.S.C. 2791) is amended—

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

9 (2) by inserting after subsection (c) the fol-
10 lowing new subsection (d):

11 “(d) Funds provided to a national security laboratory
12 or nuclear weapons production facility for laboratory-di-
13 rected research and development may not be used to cover
14 the costs of general and administrative overhead for the
15 laboratory or facility.”.

16 **SEC. 3115. PROHIBITION ON USE OF FUNDS FOR ADVANCED**
17 **NAVAL NUCLEAR FUEL SYSTEM BASED ON**
18 **LOW-ENRICHED URANIUM.**

19 None of the funds authorized to be appropriated for
20 the National Nuclear Security Administration for fiscal
21 year 2020 or any fiscal year thereafter may be obligated
22 or expended to conduct research and development of an
23 advanced naval nuclear fuel system based on low-enriched
24 uranium until the following certifications are submitted to
25 the congressional defense committees:

1 (1) A joint certification of the Secretary of En-
 2 ergy and the Secretary of Defense that the deter-
 3 mination made by the Secretary of Energy and the
 4 Secretary of the Navy pursuant to section
 5 3118(c)(1) of the National Defense Authorization
 6 Act for Fiscal Year 2016 (Public Law 114–92; 129
 7 Stat. 1196) and submitted to the congressional de-
 8 fense committees on March 25, 2018, that the
 9 United States should not pursue such research and
 10 development, no longer reflects the policy of the
 11 United States.

12 (2) A certification of the Secretary of the Navy
 13 that an advanced naval nuclear fuel system based on
 14 low-enriched uranium would not reduce vessel capa-
 15 bility, increase expense, or reduce operational avail-
 16 ability as a result of refueling requirements.

17 **Subtitle C—Plans and Reports**

18 **SEC. 3121. ESTIMATION OF COSTS OF MEETING DEFENSE** 19 **ENVIRONMENTAL CLEANUP MILESTONES RE-** 20 **QUIRED BY CONSENT ORDERS.**

21 (a) IN GENERAL.—Subtitle A of title XLIV of the
 22 Atomic Energy Defense Act (50 U.S.C. 2581 et seq.) is
 23 amended by adding at the end the following section:

1 **“SEC. 4409. ESTIMATION OF COSTS OF MEETING DEFENSE**
2 **ENVIRONMENTAL CLEANUP MILESTONES RE-**
3 **QUIRED BY CONSENT ORDERS.**

4 “The Secretary of Energy shall include in the budget
5 justification materials submitted to Congress in support
6 of the Department of Energy budget for each fiscal year
7 (as submitted with the budget of the President under sec-
8 tion 1105(a) of title 31, United States Code) a report on
9 the cost of meeting milestones required by a consent order
10 at each defense nuclear facility at which defense environ-
11 mental cleanup activities are occurring. The report shall
12 include, for each such facility—

13 “(1) a specification of the cost of meeting such
14 milestones during that fiscal year; and

15 “(2) an estimate of the cost of meeting such
16 milestones during the four fiscal years following that
17 fiscal year.”.

18 (b) CLERICAL AMENDMENT.—The table of contents
19 for the Atomic Energy Defense Act is amended by insert-
20 ing after the item relating to section 4408 the following
21 new item:

“Sec. 4409. Estimation of costs of meeting defense environmental cleanup mile-
stones required by consent orders.”.

1 **SEC. 3122. EXTENSION OF SUSPENSION OF CERTAIN AS-**
2 **SESSMENTS RELATING TO NUCLEAR WEAP-**
3 **ONS STOCKPILE.**

4 Section 3255(b) of the National Nuclear Security Ad-
5 ministration Act (50 U.S.C. 2455(b)) is amended by strik-
6 ing “fiscal year 2018 or 2019” and inserting “any of fiscal
7 years 2018 through 2023”.

8 **SEC. 3123. REPEAL OF REQUIREMENT FOR REVIEW RELAT-**
9 **ING TO ENHANCED PROCUREMENT AUTHOR-**
10 **ITY.**

11 Section 4806 of the Atomic Energy Defense Act (50
12 U.S.C. 2786) is amended—

- 13 (1) by striking subsection (e); and
14 (2) by redesignating subsections (f) and (g) as
15 subsections (e) and (f), respectively.

16 **SEC. 3124. DETERMINATION OF EFFECT OF TREATY OBLI-**
17 **GATIONS WITH RESPECT TO PRODUCING**
18 **TRITIUM.**

19 Not later than February 15, 2020, the Secretary of
20 Energy shall—

- 21 (1) determine whether the Agreement for Co-
22 operation on the Uses of Atomic Energy for Mutual
23 Defense Purposes, signed at Washington July 3,
24 1958 (9 UST 1028), between the United States and
25 the United Kingdom, permits the United States to

1 obtain low-enriched uranium for the purposes of pro-
2 ducing tritium in the United States; and

3 (2) submit to the congressional defense commit-
4 tees a report on that determination.

5 **SEC. 3125. ASSESSMENT OF HIGH ENERGY DENSITY PHYS-**
6 **ICS.**

7 (a) IN GENERAL.—Not later than 90 days after the
8 date of the enactment of this Act, the Administrator for
9 Nuclear Security shall enter into an arrangement with the
10 National Academies of Sciences, Engineering, and Medi-
11 cine to conduct an assessment of recent advances and the
12 current status of research in the field of high energy den-
13 sity physics.

14 (b) ELEMENTS.—The assessment conducted under
15 subsection (a) shall include the following:

16 (1) Theoretical and computational modeling of
17 high energy density material phases, radiation-mat-
18 ter interactions, plasmas atypical of astrophysical
19 conditions, and conditions unique to the National
20 Nuclear Security Administration.

21 (2) The simulation of such phases, interactions,
22 plasmas, and conditions.

23 (3) Instrumentation and target fabrication.

24 (4) Workforce training.

1 (5) An assessment of advancements made by
2 other countries in high energy density physics.

3 (6) Such others items as are agreed upon by
4 the Administrator and the National Academies.

5 (c) APPLICABILITY OF INTERNAL CONTROLS.—The
6 assessment under subsection (a) shall be conducted in ac-
7 cordance with the internal controls of the National Acad-
8 emies.

9 (d) REPORT TO CONGRESS.—Not later than 18
10 months after entering into the arrangement under sub-
11 section (a), the National Academy of Sciences, Engineer-
12 ing, and Medicine shall submit to the congressional de-
13 fense committees a report on the assessment conducted
14 under that subsection.

15 (e) HIGH ENERGY DENSITY PHYSICS DEFINED.—In
16 this section, the term “high energy density physics” means
17 the physics of matter and radiation at—

18 (1) energy densities exceeding 100,000,000,000
19 joules per cubic meter; and

20 (2) other temperature and pressure ranges
21 within the warm dense matter regime.

1 **TITLE XXXII—DEFENSE NU-**
 2 **CLEAR FACILITIES SAFETY**
 3 **BOARD**

4 **SEC. 3201. AUTHORIZATION.**

5 There are authorized to be appropriated for fiscal
 6 year 2020, \$29,450,000 for the operation of the Defense
 7 Nuclear Facilities Safety Board under chapter 21 of the
 8 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

9 **SEC. 3202. IMPROVEMENT OF MANAGEMENT AND ORGANI-**
 10 **ZATION OF DEFENSE NUCLEAR FACILITIES**
 11 **SAFETY BOARD.**

12 (a) PROVISION OF INFORMATION TO BOARD.—Sub-
 13 section (c) of section 311 of the Atomic Energy Act of
 14 1954 (42 U.S.C. 2286) is amended—

15 (1) in paragraph (2), by striking “paragraphs
 16 (5), (6), and (7)” and inserting “paragraphs (5) and
 17 (6)”;

18 (2) by striking paragraph (6); and

19 (3) by redesignating paragraph (7) as para-
 20 graph (6).

21 (b) EXECUTIVE DIRECTOR FOR OPERATIONS.—Para-
 22 graph (6) of such subsection, as redesignated by sub-
 23 section (a)(3), is further amended in subparagraph (C)—

24 (1) by redesignating clauses (i), (ii), and (iii) as
 25 clauses (ii), (iii), and (iv), respectively; and

1 (2) by inserting before clause (ii), as redesign-
 2 nated by paragraph (1), the following new clause (i):

3 “(i) The executive director for operations, who
 4 shall report directly to the Chairman.”.

5 (c) ORGANIZATION OF STAFF OF BOARD.—Section
 6 313(b) of such Act (42 U.S.C. 2286b(b)) is amended—

7 (1) in paragraph (1)(A), by striking “section
 8 311(c)(7)” and inserting “section 311(c)(6)”; and

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

11 “(3) Subject to the approval of the Board, the Chair-
 12 man may organize the staff of the Board as the Chairman
 13 considers appropriate to best accomplish the mission of
 14 the Board described in section 312(a).”.

15 **SEC. 3203. MEMBERSHIP OF DEFENSE NUCLEAR FACILI-**
 16 **TIES SAFETY BOARD.**

17 (a) LIST OF CANDIDATES FOR NOMINATION.—Sub-
 18 section (b) of section 311 of the Atomic Energy Act of
 19 1954 (42 U.S.C. 2286) is amended by adding at the end
 20 the following new paragraph:

21 “(4) The President shall enter into an arrangement
 22 with the National Academy of Sciences under which the
 23 National Academy shall maintain a list of individuals who
 24 meet the qualifications described in paragraph (1) to as-

1 sist the President in selecting individuals to nominate for
2 positions as members of the Board.”.

3 (b) TERMS OF MEMBERS.—

4 (1) IN GENERAL.—Subsection (d) of such sec-
5 tion is amended—

6 (A) in paragraph (1), by striking the sec-
7 ond sentence and inserting the following new
8 sentence: “A member of the Board may not
9 serve for two consecutive terms.”; and

10 (B) in paragraph (3), by striking the sec-
11 ond sentence and inserting the following new
12 sentence: “A member may not serve after the
13 expiration of the member’s term.”.

14 (2) EFFECTIVE DATE.—The amendments made
15 by paragraph (1) shall take effect on April 1, 2020.

16 (c) FILLING VACANCIES.—Such subsection is further
17 amended by adding at the end the following new para-
18 graph:

19 “(4)(A) Not later than 180 days after the expiration
20 of the term of a member of the Board, the President
21 shall—

22 “(i) submit to the Senate the nomination of an
23 individual to fill the vacancy; or

24 “(ii) submit to the Committee on Armed Serv-
25 ices of the Senate a report that includes—

1 “(I) a description of the reasons the Presi-
2 dent did not submit such a nomination; and

3 “(II) a plan for submitting such a nomina-
4 tion during the 90-day period following the sub-
5 mission of the report.

6 “(B) If the President does not submit to the Senate
7 the nomination of an individual to fill a vacancy during
8 the 90-day period described in subclause (II) of subpara-
9 graph (A)(ii), the President shall submit to the Committee
10 on Armed Services a report described in that subpara-
11 graph not less frequently than every 90 days until the
12 President submits such a nomination.”.

13 **TITLE XXXV—MARITIME** 14 **ADMINISTRATION**

15 **SEC. 3501. MARITIME ADMINISTRATION.**

16 Section 109 of title 49, United States Code, is
17 amended to read as follows:

18 **“§ 109. Maritime Administration**

19 “(a) ORGANIZATION AND MISSION.—The Maritime
20 Administration is an administration in the Department of
21 Transportation. The mission of the Maritime Administra-
22 tion is to foster, promote, and develop the merchant mari-
23 time industry of the United States.

24 “(b) MARITIME ADMINISTRATOR.—The head of the
25 Maritime Administration is the Maritime Administrator,

1 who is appointed by the President by and with the advice
2 and consent of the Senate. The Administrator shall report
3 directly to the Secretary of Transportation and carry out
4 the duties prescribed by the Secretary.

5 “(c) DEPUTY MARITIME ADMINISTRATOR.—The
6 Maritime Administration shall have a Deputy Maritime
7 Administrator, who is appointed in the competitive service
8 by the Secretary, after consultation with the Adminis-
9 trator. The Deputy Administrator shall carry out the du-
10 ties prescribed by the Administrator. The Deputy Admin-
11 istrator shall be Acting Administrator during the absence
12 or disability of the Administrator and, unless the Sec-
13 retary designates another individual, during a vacancy in
14 the office of Administrator.

15 “(d) DUTIES AND POWERS VESTED IN SEC-
16 RETARY.—All duties and powers of the Maritime Adminis-
17 tration are vested in the Secretary.

18 “(e) REGIONAL OFFICES.—The Maritime Adminis-
19 tration shall have regional offices for the Atlantic, Gulf,
20 Great Lakes, and Pacific port ranges, and may have other
21 regional offices as necessary. The Secretary shall appoint
22 a qualified individual as Director of each regional office.
23 The Secretary shall carry out appropriate activities and
24 programs of the Maritime Administration through the re-
25 gional offices.

1 “(f) INTERAGENCY AND INDUSTRY RELATIONS.—

2 The Secretary shall establish and maintain liaison with
3 other agencies, and with representative trade organiza-
4 tions throughout the United States, concerned with the
5 transportation of commodities by water in the export and
6 import foreign commerce of the United States, for the pur-
7 pose of securing preference to vessels of the United States
8 for the transportation of those commodities.

9 “(g) DETAILING OFFICERS FROM ARMED FORCES.—

10 To assist the Secretary in carrying out duties and powers
11 relating to the Maritime Administration, not more than
12 five officers of the Armed Forces may be detailed to the
13 Secretary at any one time, in addition to details author-
14 ized by any other law. During the period of a detail, the
15 Secretary shall pay the officer an amount that, when
16 added to the officer’s pay and allowances as an officer in
17 the Armed Forces, makes the officer’s total pay and allow-
18 ances equal to the amount that would be paid to an indi-
19 vidual performing work the Secretary considers to be of
20 similar importance, difficulty, and responsibility as that
21 performed by the officer during the detail.

22 “(h) CONTRACTS, COOPERATIVE AGREEMENTS, AND
23 AUDITS.—

24 “(1) CONTRACTS AND COOPERATIVE AGREE-
25 MENTS.—In the same manner that a private cor-

1 poration may make a contract within the scope of its
2 authority under its charter, the Secretary may make
3 contracts and cooperative agreements for the United
4 States Government and disburse amounts to—

5 “(A) carry out the Secretary’s duties and
6 powers under this section, subtitle V of title 46,
7 and all other Maritime Administration pro-
8 grams; and

9 “(B) protect, preserve, and improve collat-
10 eral held by the Secretary to secure indebted-
11 ness.

12 “(2) AUDITS.—The financial transactions of
13 the Secretary under paragraph (1) shall be audited
14 by the Comptroller General. The Comptroller Gen-
15 eral shall allow credit for an expenditure shown to
16 be necessary because of the nature of the business
17 activities authorized by this section or subtitle V of
18 title 46. At least once a year, the Comptroller Gen-
19 eral shall report to Congress any departure by the
20 Secretary from this section or subtitle V of title 46.

21 “(i) GRANT ADMINISTRATIVE EXPENSES.—Except as
22 otherwise provided by law, the administrative and related
23 expenses for the administration of any grant programs by
24 the Maritime Administrator may not exceed 3 percent.

25 “(j) AUTHORIZATION OF APPROPRIATIONS.—

1 “(1) IN GENERAL.—Except as otherwise pro-
2 vided in this subsection, there are authorized to be
3 appropriated such amounts as may be necessary to
4 carry out the duties and powers of the Secretary re-
5 lating to the Maritime Administration.

6 “(2) LIMITATIONS.—Only those amounts spe-
7 cifically authorized by law may be appropriated for
8 the use of the Maritime Administration for—

9 “(A) acquisition, construction, or recon-
10 struction of vessels;

11 “(B) construction-differential subsidies in-
12 cident to the construction, reconstruction, or re-
13 conditioning of vessels;

14 “(C) costs of national defense features;

15 “(D) payments of obligations incurred for
16 operating-differential subsidies;

17 “(E) expenses necessary for research and
18 development activities, including reimbursement
19 of the Vessel Operations Revolving Fund for
20 losses resulting from expenses of experimental
21 vessel operations;

22 “(F) the Vessel Operations Revolving
23 Fund;

24 “(G) National Defense Reserve Fleet ex-
25 penses;

1 “(H) expenses necessary to carry out part
2 B of subtitle V of title 46; and

3 “(I) other operations and training expenses
4 related to the development of waterborne trans-
5 portation systems, the use of waterborne trans-
6 portation systems, and general administra-
7 tion.”.

8 **DIVISION D—FUNDING TABLES**

9 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-** 10 **BLES.**

11 (a) IN GENERAL.—Whenever a funding table in this
12 division specifies a dollar amount authorized for a project,
13 program, or activity, the obligation and expenditure of the
14 specified dollar amount for the project, program, or activ-
15 ity is hereby authorized, subject to the availability of ap-
16 propriations.

17 (b) MERIT-BASED DECISIONS.—A decision to com-
18 mit, obligate, or expend funds with or to a specific entity
19 on the basis of a dollar amount authorized pursuant to
20 subsection (a) shall—

21 (1) be based on merit-based selection proce-
22 dures in accordance with the requirements of sec-
23 tions 2304(k) and 2374 of title 10, United States
24 Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
2	UTILITY F/W AIRCRAFT	16,000	0
	Program zeroed out in FYDP		[-16,000]
4	RQ-11 (RAVEN)	23,510	23,510
ROTARY			
5	TACTICAL UNMANNED AIRCRAFT SYSTEM (TUAS)	12,100	12,100

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
8	AH-64 APACHE BLOCK IIIA REMAN	806,849	806,849
9	AH-64 APACHE BLOCK IIIA REMAN AP	190,870	190,870
10	AH-64 APACHE BLOCK IIIB NEW BUILD	0	105,000
	Increase fielding for Active and ARNG units		[105,000]
12	UH-60 BLACKHAWK M MODEL (MYP)	1,411,540	1,271,540
	Funding ahead of acquisition strategy		[−140,000]
13	UH-60 BLACKHAWK M MODEL (MYP) AP	79,572	79,572
14	UH-60 BLACK HAWK L AND V MODELS	169,290	204,290
	Increase fielding for ARNG units		[35,000]
15	CH-47 HELICOPTER	140,290	140,290
16	CH-47 HELICOPTER AP	18,186	18,186
MODIFICATION OF AIRCRAFT			
19	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS)	2,090	2,090
20	GRAY EAGLE MODS2	14,699	14,699
21	MULTI SENSOR ABN RECON (MIP)	35,189	35,189
22	AH-64 MODS	58,172	58,172
23	CH-47 CARGO HELICOPTER MODS (MYP)	11,785	11,785
24	GRCS SEMA MODS (MIP)	5,677	5,677
25	ARL SEMA MODS (MIP)	6,566	6,566
26	EMARSS SEMA MODS (MIP)	3,859	3,859
27	UTILITY/CARGO AIRPLANE MODS	15,476	15,476
28	UTILITY HELICOPTER MODS	6,744	6,744
29	NETWORK AND MISSION PLAN	105,442	105,442
30	COMMS, NAV SURVEILLANCE	164,315	164,315
32	GATM ROLLUP	30,966	30,966
33	RQ-7 UAV MODS	8,983	8,983
34	UAS MODS	10,205	10,205
GROUND SUPPORT AVIONICS			
35	AIRCRAFT SURVIVABILITY EQUIPMENT	52,297	52,297
36	SURVIVABILITY CM	8,388	8,388
37	CMWS	13,999	13,999
38	COMMON INFRARED COUNTERMEASURES (CIRCM)	168,784	168,784
OTHER SUPPORT			
39	AVIONICS SUPPORT EQUIPMENT	1,777	1,777
40	COMMON GROUND EQUIPMENT	18,624	18,624
41	AIRCREW INTEGRATED SYSTEMS	48,255	48,255
42	AIR TRAFFIC CONTROL	32,738	32,738
44	LAUNCHER, 2.75 ROCKET	2,201	2,201
45	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2	991	991
TOTAL AIRCRAFT PROCUREMENT, ARMY		3,696,429	3,680,429
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
1	SYSTEM INTEGRATION AND TEST PROCUREMENT	0	113,857
	Transfer back to base funding		[113,857]
2	M-SHORAD—PROCUREMENT	0	103,800
	Transfer back to base funding		[103,800]
3	MSE MISSILE	0	698,603
	Transfer back to base funding		[698,603]
4	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	0	239,237
	Full funding of Iron Dome battery		[229,900]
	Transfer back to base funding		[9,337]
5	THAAD	0	425,900
	THAAD program transfer from MDA		[425,900]
AIR-TO-SURFACE MISSILE SYSTEM			
6	HELLFIRE SYS SUMMARY	0	193,284
	Transfer back to base funding		[193,284]
7	JOINT AIR-TO-GROUND MSLS (JAGM)	0	233,353
	Transfer back to base funding		[233,353]
ANTI-TANK/ASSAULT MISSILE SYS			
8	JAVELIN (AAWS-M) SYSTEM SUMMARY	0	138,405
	Transfer back to base funding		[138,405]
9	TOW 2 SYSTEM SUMMARY	0	114,340
	Transfer back to base funding		[114,340]
10	TOW 2 SYSTEM SUMMARY AP	0	10,500
	Transfer back to base funding		[10,500]
11	GUIDED MLRS ROCKET (GMLRS)	0	797,213
	Transfer back to base funding		[797,213]
12	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	0	27,555
	Transfer back to base funding		[27,555]
14	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM	0	209,842
	Transfer back to base funding		[209,842]
MODIFICATIONS			
16	PATRIOT MODS	0	279,464
	Transfer back to base funding		[279,464]
17	ATACMS MODS	0	85,320
	Transfer back to base funding		[85,320]
18	GMLRS MOD	0	5,094

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	Transfer back to base funding		[5,094]
19	STINGER MODS	0	81,615
	Transfer back to base funding		[81,615]
20	AVENGER MODS	0	14,107
	Transfer back to base funding		[14,107]
21	ITAS/TOW MODS	0	3,469
	Transfer back to base funding		[3,469]
22	MLRS MODS	0	39,019
	Transfer back to base funding		[39,019]
23	HIMARS MODIFICATIONS	0	12,483
	Transfer back to base funding		[12,483]
	SPARES AND REPAIR PARTS		
24	SPARES AND REPAIR PARTS	0	26,444
	Transfer back to base funding		[26,444]
	SUPPORT EQUIPMENT & FACILITIES		
25	AIR DEFENSE TARGETS	0	10,593
	Transfer back to base funding		[10,593]
	TOTAL MISSILE PROCUREMENT, ARMY	0	3,863,497
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
2	ARMORED MULTI PURPOSE VEHICLE (AMPV)	264,040	264,040
	MODIFICATION OF TRACKED COMBAT VEHICLES		
3	STRYKER (MOD)	144,387	393,587
	UPL Stryker lethality 30 mm cannon		[249,200]
4	STRYKER UPGRADE	550,000	550,000
5	BRADLEY PROGRAM (MOD)	638,781	598,781
	Excess to need due to termination of subprogram		[−40,000]
6	M109 FOV MODIFICATIONS	25,756	25,756
7	PALADIN INTEGRATED MANAGEMENT (PIM)	553,425	553,425
9	ASSAULT BRIDGE (MOD)	2,821	2,821
10	ASSAULT BREACHER VEHICLE	31,697	31,697
11	M88 FOV MODS	4,500	4,500
12	JOINT ASSAULT BRIDGE	205,517	205,517
13	M1 ABRAMS TANK (MOD)	348,800	348,800
14	ABRAMS UPGRADE PROGRAM	1,752,784	1,717,784
	Early to need		[−35,000]
	WEAPONS & OTHER COMBAT VEHICLES		
16	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	19,420	19,420
17	GUN AUTOMATIC 30MM M230	20,000	20,000
19	MORTAR SYSTEMS	14,907	14,907
20	XM320 GRENADE LAUNCHER MODULE (GLM)	191	191
21	PRECISION SNIPER RIFLE	7,977	7,977
22	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	9,860	9,860
23	CARBINE	30,331	30,331
24	SMALL ARMS—FIRE CONTROL	8,060	8,060
25	COMMON REMOTELY OPERATED WEAPONS STATION	24,007	24,007
26	HANDGUN	6,174	6,174
	MOD OF WEAPONS AND OTHER COMBAT VEH		
28	MK−19 GRENADE MACHINE GUN MODS	3,737	3,737
29	M777 MODS	2,367	2,367
30	M4 CARBINE MODS	17,595	17,595
33	M240 MEDIUM MACHINE GUN MODS	8,000	8,000
34	SNIPER RIFLES MODIFICATIONS	2,426	2,426
35	M119 MODIFICATIONS	6,269	6,269
36	MORTAR MODIFICATION	1,693	1,693
37	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	4,327	4,327
	SUPPORT EQUIPMENT & FACILITIES		
38	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	3,066	3,066
39	PRODUCTION BASE SUPPORT (WOCV-WTCV)	2,651	2,651
	TOTAL PROCUREMENT OF W&TCV, ARMY	4,715,566	4,889,766
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	0	68,949
	Transfer back to base funding		[68,949]
2	CTG, 7.62MM, ALL TYPES	0	114,228
	Transfer back to base funding		[114,228]
3	CTG, HANDGUN, ALL TYPES	0	17,807
	Transfer back to base funding		[17,807]
4	CTG, .50 CAL, ALL TYPES	0	63,966
	Transfer back to base funding		[63,966]
5	CTG, 20MM, ALL TYPES	0	35,920
	Transfer back to base funding		[35,920]
6	CTG, 25MM, ALL TYPES	0	8,990
	Transfer back to base funding		[8,990]
7	CTG, 30MM, ALL TYPES	0	68,813
	Transfer back to base funding		[68,813]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
8	CTG, 40MM, ALL TYPES	0	103,952
	Transfer back to base funding		[103,952]
	MORTAR AMMUNITION		
9	60MM MORTAR, ALL TYPES	0	50,580
	Transfer back to base funding		[50,580]
10	81MM MORTAR, ALL TYPES	0	59,373
	Transfer back to base funding		[59,373]
11	120MM MORTAR, ALL TYPES	0	125,452
	Transfer back to base funding		[125,452]
	TANK AMMUNITION		
12	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	0	171,284
	Transfer back to base funding		[171,284]
	ARTILLERY AMMUNITION		
13	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	0	44,675
	Transfer back to base funding		[44,675]
14	ARTILLERY PROJECTILE, 155MM, ALL TYPES	0	266,037
	Transfer back to base funding		[266,037]
15	PROJ 155MM EXTENDED RANGE M982	0	57,434
	Transfer back to base funding		[57,434]
16	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	0	271,602
	Transfer back to base funding		[271,602]
	MINES		
17	MINES & CLEARING CHARGES, ALL TYPES	0	55,433
	Transfer back to base funding		[55,433]
	ROCKETS		
18	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	0	74,878
	Transfer back to base funding		[74,878]
19	ROCKET, HYDRA 70, ALL TYPES	0	175,994
	Transfer back to base funding		[175,994]
	OTHER AMMUNITION		
20	CAD/PAD, ALL TYPES	0	7,595
	Transfer back to base funding		[7,595]
21	DEMOLITION MUNITIONS, ALL TYPES	0	51,651
	Transfer back to base funding		[51,651]
22	GRENADES, ALL TYPES	0	40,592
	Transfer back to base funding		[40,592]
23	SIGNALS, ALL TYPES	0	18,609
	Transfer back to base funding		[18,609]
24	SIMULATORS, ALL TYPES	0	16,054
	Transfer back to base funding		[16,054]
	MISCELLANEOUS		
25	AMMO COMPONENTS, ALL TYPES	0	5,261
	Transfer back to base funding		[5,261]
26	NON-LETHAL AMMUNITION, ALL TYPES	0	715
	Transfer back to base funding		[715]
27	ITEMS LESS THAN \$5 MILLION (AMMO)	0	9,213
	Transfer back to base funding		[9,213]
28	AMMUNITION PECULIAR EQUIPMENT	0	10,044
	Transfer back to base funding		[10,044]
29	FIRST DESTINATION TRANSPORTATION (AMMO)	0	18,492
	Transfer back to base funding		[18,492]
30	CLOSEOUT LIABILITIES	0	99
	Transfer back to base funding		[99]
	PRODUCTION BASE SUPPORT		
31	INDUSTRIAL FACILITIES	0	474,511
	Transfer back to base funding		[474,511]
32	CONVENTIONAL MUNITIONS DEMILITARIZATION	0	202,512
	Transfer back to base funding		[202,512]
33	ARMS INITIATIVE	0	3,833
	Transfer back to base funding		[3,833]
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	0	2,694,548
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
1	TACTICAL TRAILERS/DOLLY SETS	12,993	12,993
2	SEMITRAILERS, FLATBED:	102,386	102,386
3	AMBULANCE, 4 LITTER, 5/4 TON, 4X4	127,271	127,271
4	GROUND MOBILITY VEHICLES (GMV)	37,038	37,038
6	JOINT LIGHT TACTICAL VEHICLE	996,007	956,507
	Army requested realignment		[—4,500]
	Early to need		[—35,000]
7	TRUCK, DUMP, 20T (CCE)	10,838	10,838
8	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	72,057	72,057
9	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	28,048	28,048
10	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	9,969	9,969
11	PLS ESP	6,280	6,280
12	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	30,841	30,841
13	HMMWV RECAPITALIZATION PROGRAM	5,734	5,734

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
14	TACTICAL WHEELED VEHICLE PROTECTION KITS	45,113	45,113
15	MODIFICATION OF IN SVC EQUIP	58,946	58,946
	NON-TACTICAL VEHICLES		
17	HEAVY ARMORED VEHICLE	791	791
18	PASSENGER CARRYING VEHICLES	1,416	1,416
19	NONTACTICAL VEHICLES, OTHER	29,891	29,891
	COMM—JOINT COMMUNICATIONS		
21	SIGNAL MODERNIZATION PROGRAM	153,933	153,933
22	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	387,439	387,439
23	SITUATION INFORMATION TRANSPORT	46,693	46,693
25	JCSE EQUIPMENT (USRDECOM)	5,075	5,075
	COMM—SATELLITE COMMUNICATIONS		
28	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	101,189	101,189
29	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	77,141	77,141
30	SHF TERM	16,054	16,054
31	ASSURED POSITIONING, NAVIGATION AND TIMING	41,074	41,074
32	SMART-T (SPACE)	10,515	10,515
33	GLOBAL BRDCST SVC—GBS	11,800	11,800
34	ENROUTE MISSION COMMAND (EMC)	8,609	8,609
	COMM—C3 SYSTEM		
38	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	77,533	77,533
	COMM—COMBAT COMMUNICATIONS		
39	HANDHELD MANPACK SMALL FORM FIT (HMS)	468,026	468,026
40	RADIO TERMINAL SET, MIDS LVT(2)	23,778	23,778
44	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	10,930	10,930
46	UNIFIED COMMAND SUITE	9,291	9,291
47	COTS COMMUNICATIONS EQUIPMENT	55,630	55,630
48	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	16,590	16,590
49	ARMY COMMUNICATIONS & ELECTRONICS	43,457	43,457
	COMM—INTELLIGENCE COMM		
51	CI AUTOMATION ARCHITECTURE (MIP)	10,470	10,470
52	DEFENSE MILITARY DECEPTION INITIATIVE	3,704	3,704
	INFORMATION SECURITY		
53	FAMILY OF BIOMETRICS	1,000	1,000
54	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	3,600	3,600
55	COMMUNICATIONS SECURITY (COMSEC)	160,899	160,899
56	DEFENSIVE CYBER OPERATIONS	61,962	61,962
57	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	756	756
58	PERSISTENT CYBER TRAINING ENVIRONMENT	3,000	3,000
	COMM—LONG HAUL COMMUNICATIONS		
59	BASE SUPPORT COMMUNICATIONS	31,770	31,770
	COMM—BASE COMMUNICATIONS		
60	INFORMATION SYSTEMS	159,009	159,009
61	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,854	4,854
62	HOME STATION MISSION COMMAND CENTERS (HSMCC)	47,174	47,174
63	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	297,994	297,994
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
66	JTT/CIBS-M (MIP)	7,686	7,686
68	DCGS-A (MIP)	180,350	180,350
70	TROJAN (MIP)	17,368	17,368
71	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	59,052	59,052
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
77	LIGHTWEIGHT COUNTER MORTAR RADAR	5,400	5,400
78	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	7,568	7,568
79	AIR VIGILANCE (AV) (MIP)	8,953	8,953
81	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	6,420	6,420
83	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	501	501
84	CI MODERNIZATION (MIP)	121	121
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
85	SENTINEL MODS	115,210	115,210
86	NIGHT VISION DEVICES	236,604	236,604
88	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	22,623	22,623
90	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	29,127	29,127
91	FAMILY OF WEAPON SIGHTS (FWS)	120,883	120,883
94	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	265,667	265,667
95	JOINT EFFECTS TARGETING SYSTEM (JETS)	69,720	69,720
96	MOD OF IN-SVC EQUIP (LLDR)	6,044	6,044
97	COMPUTER BALLISTICS: LHMBX XM32	3,268	3,268
98	MORTAR FIRE CONTROL SYSTEM	13,199	13,199
99	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	10,000	10,000
100	COUNTERFIRE RADARS	16,416	78,916
	UPL Retrofits systems with GaN tech for ER		[62,500]
	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	IAMD 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

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
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	0
	Poor business process reengineering		[-18,674]
110	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	11,000	11,000
111	MOD OF IN-SVC EQUIPMENT (ENFIRE)	7,317	7,317
	ELECT EQUIP—AUTOMATION		
112	ARMY TRAINING MODERNIZATION	14,578	14,578
113	AUTOMATED DATA PROCESSING EQUIP	139,342	147,342
	JIOCEUR at RAF Molesworth		[8,000]
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	0
	Program duplication		[-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		
999	CLASSIFIED PROGRAMS	3,710	11,910
	Transfer back to base funding		[8,200]
	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	59,821
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	83,082
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	113,856
	Army requested realignment		[12,800]
140	RENDER SAFE SETS KITS OUTFITS	18,684	18,684
142	FAMILY OF BOATS AND MOTORS	8,245	8,245
	COMBAT SERVICE SUPPORT EQUIPMENT		
143	HEATERS AND ECU'S	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	31,364
149	FIELD FEEDING EQUIPMENT	1,673	1,673
150	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	43,622	43,622
151	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	11,451	11,451
152	ITEMS LESS THAN \$5M (ENG SPT)	5,167	5,167
	PETROLEUM EQUIPMENT		
154	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	74,867	74,867
	MEDICAL EQUIPMENT		
155	COMBAT SUPPORT MEDICAL	68,225	68,225
	MAINTENANCE EQUIPMENT		
156	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	55,053	55,053
157	ITEMS LESS THAN \$5.0M (MAINT EQ)	5,608	5,608
	CONSTRUCTION EQUIPMENT		
161	HYDRAULIC EXCAVATOR	500	500
162	TRACTOR, FULL TRACKED	4,835	4,835
163	ALL TERRAIN CRANES	23,936	23,936
164	HIGH MOBILITY ENGINEER EXCAVATOR (HME)	27,188	27,188
166	CONST EQUIP ESP	34,790	34,790
167	ITEMS LESS THAN \$5.0M (CONST EQUIP)	4,381	4,381
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
168	ARMY WATERCRAFT ESP	35,194	35,194
169	MANEUVER SUPPORT VESSEL (MSV)	14,185	14,185
170	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	6,920	6,920
	GENERATORS		
171	GENERATORS AND ASSOCIATED EQUIP	58,566	58,566
172	TACTICAL ELECTRIC POWER RECAPITALIZATION	14,814	14,814
	MATERIAL HANDLING EQUIPMENT		
173	FAMILY OF FORKLIFTS	14,864	14,864
	TRAINING EQUIPMENT		
174	COMBAT TRAINING CENTERS SUPPORT	123,411	123,411
175	TRAINING DEVICES, NONSYSTEM	220,707	220,707
176	SYNTHETIC TRAINING ENVIRONMENT (STE)	20,749	20,749
178	AVIATION COMBINED ARMS TACTICAL TRAINER	4,840	4,840

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
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	16,415
	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	7,443,101	7,461,427
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
1	F/A-18E/F (FIGHTER) HORNET	1,748,934	1,748,934
2	F/A-18E/F (FIGHTER) HORNET AP	55,128	55,128
3	JOINT STRIKE FIGHTER CV	2,272,301	2,487,301
	UPL USMC additional quantities		[215,000]
4	JOINT STRIKE FIGHTER CV AP	339,053	339,053
5	JSF STOVL	1,342,035	1,591,135
	UPL USMC additional quantities		[249,100]
6	JSF STOVL AP	291,804	291,804
7	CH-53K (HEAVY LIFT)	807,876	807,876
8	CH-53K (HEAVY LIFT) AP	215,014	215,014
9	V-22 (MEDIUM LIFT)	966,666	966,666
10	V-22 (MEDIUM LIFT) AP	27,104	27,104
11	H-1 UPGRADES (UH-1Y/AH-1Z)	62,003	62,003
13	MH-60R (MYP)	894	894
14	P-8A POSEIDON	1,206,701	1,206,701
16	E-2D ADV HAWKEYE	744,484	744,484
17	E-2D ADV HAWKEYE AP	190,204	190,204
	TRAINER AIRCRAFT		
19	ADVANCED HELICOPTER TRAINING SYSTEM	261,160	261,160
	OTHER AIRCRAFT		
20	KC-130J	240,840	240,840
21	KC-130J AP	66,061	66,061
22	F-5	39,676	0
	Program cancellation		[-39,676]
23	MQ-4 TRITON	473,134	473,134
24	MQ-4 TRITON AP	20,139	20,139
25	MQ-8 UAV	44,957	44,957
26	STUASLO UAV	43,819	43,819
28	VH-92A EXECUTIVE HELO	658,067	658,067
	MODIFICATION OF AIRCRAFT		
29	AEA SYSTEMS	44,470	44,470
30	AV-8 SERIES	39,472	39,472
31	ADVERSARY	3,415	3,415
32	F-18 SERIES	1,207,089	1,207,089
33	H-53 SERIES	68,385	68,385
34	MH-60 SERIES	149,797	149,797
35	H-1 SERIES	114,059	114,059
36	EP-3 SERIES	8,655	8,655
38	E-2 SERIES	117,059	117,059
39	TRAINER A/C SERIES	5,616	5,616
40	C-2A	15,747	15,747
41	C-130 SERIES	122,671	122,671
42	FEWSG	509	509
43	CARGO/TRANSPORT A/C SERIES	8,767	8,767
44	E-6 SERIES	169,827	169,827
45	EXECUTIVE HELICOPTERS SERIES	8,933	8,933
47	T-45 SERIES	186,022	186,022
48	POWER PLANT CHANGES	16,136	16,136
49	JPATS SERIES	21,824	21,824
50	AVIATION LIFE SUPPORT MODS	39,762	39,762
51	COMMON ECM EQUIPMENT	162,839	162,839
52	COMMON AVIONICS CHANGES	102,107	102,107
53	COMMON DEFENSIVE WEAPON SYSTEM	2,100	2,100
54	ID SYSTEMS	41,437	41,437
55	P-8 SERIES	107,539	107,539
56	MAGTF EW FOR AVIATION	26,536	26,536
57	MQ-8 SERIES	34,686	34,686
58	V-22 (TILT/ROTOR ACFT) OSPREY	325,367	325,367
59	NEXT GENERATION JAMMER (NGJ)	6,223	6,223
60	F-35 STOVL SERIES	65,585	65,585

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
61	F-35 CV SERIES	15,358	15,358
62	QRC	165,016	165,016
63	MQ-4 SERIES	27,994	27,994
64	RQ-21 SERIES	66,282	66,282
	AIRCRAFT SPARES AND REPAIR PARTS		
67	SPARES AND REPAIR PARTS	2,166,788	2,235,088
	F-35B spares		[14,900]
	F-35C spares		[24,600]
	UPL F-35B engine		[28,800]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
68	COMMON GROUND EQUIPMENT	491,025	491,025
69	AIRCRAFT INDUSTRIAL FACILITIES	71,335	71,335
70	WAR CONSUMABLES	41,086	41,086
72	SPECIAL SUPPORT EQUIPMENT	135,740	135,740
73	FIRST DESTINATION TRANSPORTATION	892	892
	TOTAL AIRCRAFT PROCUREMENT, NAVY	18,522,204	19,014,928
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
1	TRIDENT II MODS	0	1,177,251
	Transfer back to base funding		[1,177,251]
	SUPPORT EQUIPMENT & FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	0	7,142
	Transfer back to base funding		[7,142]
	STRATEGIC MISSILES		
3	TOMAHAWK	0	330,430
	Transfer back to base funding		[386,730]
	Unjustified tooling and facilitization costs		[-56,300]
	TACTICAL MISSILES		
4	AMRAAM	0	224,502
	Transfer back to base funding		[224,502]
5	SIDEWINDER	0	119,456
	Transfer back to base funding		[119,456]
7	STANDARD MISSILE	0	404,523
	Transfer back to base funding		[404,523]
8	STANDARD MISSILE AP	0	96,085
	Transfer back to base funding		[96,085]
9	SMALL DIAMETER BOMB II	0	118,466
	Transfer back to base funding		[118,466]
10	RAM	0	106,765
	Transfer back to base funding		[106,765]
12	HELLFIRE	0	1,525
	Transfer back to base funding		[1,525]
15	AERIAL TARGETS	0	145,880
	Transfer back to base funding		[145,880]
16	DRONES AND DECOYS	0	20,000
	Transfer back to base funding		[20,000]
17	OTHER MISSILE SUPPORT	0	3,388
	Transfer back to base funding		[3,388]
18	LRASM	0	143,200
	Transfer back to base funding		[143,200]
19	LCS OTH MISSILE	0	18,137
	Transfer back to base funding		[38,137]
	Unjustified accelerated acquisition strategy		[-20,000]
	MODIFICATION OF MISSILES		
20	ESSM	0	128,059
	Transfer back to base funding		[128,059]
21	HARPOON MODS	0	25,447
	Transfer back to base funding		[25,447]
22	HARM MODS	0	183,740
	Transfer back to base funding		[183,740]
23	STANDARD MISSILES MODS	0	22,500
	Transfer back to base funding		[22,500]
	SUPPORT EQUIPMENT & FACILITIES		
24	WEAPONS INDUSTRIAL FACILITIES	0	1,958
	Transfer back to base funding		[1,958]
25	FLEET SATELLITE COMM FOLLOW-ON	0	67,380
	Transfer back to base funding		[67,380]
	ORDNANCE SUPPORT EQUIPMENT		
27	ORDNANCE SUPPORT EQUIPMENT	0	109,427
	Transfer back to base funding		[109,427]
	TORPEDOES AND RELATED EQUIP		
28	SSTD	0	5,561
	Transfer back to base funding		[5,561]
29	MK-48 TORPEDO	0	130,000
	Transfer back to base funding		[114,000]
	UPL additional quantites		[16,000]
30	ASW TARGETS	0	15,095

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	Transfer back to base funding		[15,095]
	MOD OF TORPEDOES AND RELATED EQUIP		
31	MK-54 TORPEDO MODS	0	119,453
	Transfer back to base funding		[119,453]
32	MK-48 TORPEDO ADCAP MODS	0	39,508
	Transfer back to base funding		[39,508]
33	QUICKSTRIKE MINE	0	5,183
	Transfer back to base funding		[5,183]
	SUPPORT EQUIPMENT		
34	TORPEDO SUPPORT EQUIPMENT	0	79,028
	Transfer back to base funding		[79,028]
35	ASW RANGE SUPPORT	0	3,890
	Transfer back to base funding		[3,890]
	DESTINATION TRANSPORTATION		
36	FIRST DESTINATION TRANSPORTATION	0	3,803
	Transfer back to base funding		[3,803]
	GUNS AND GUN MOUNTS		
37	SMALL ARMS AND WEAPONS	0	14,797
	Transfer back to base funding		[14,797]
	MODIFICATION OF GUNS AND GUN MOUNTS		
38	CIWS MODS	0	44,126
	Transfer back to base funding		[44,126]
39	COAST GUARD WEAPONS	0	44,980
	Transfer back to base funding		[44,980]
40	GUN MOUNT MODS	0	66,376
	Transfer back to base funding		[66,376]
41	LCS MODULE WEAPONS	0	14,585
	Transfer back to base funding		[14,585]
43	AIRBORNE MINE NEUTRALIZATION SYSTEMS	0	7,160
	Transfer back to base funding		[7,160]
	SPARES AND REPAIR PARTS		
45	SPARES AND REPAIR PARTS	0	126,138
	Transfer back to base funding		[126,138]
	TOTAL WEAPONS PROCUREMENT, NAVY	0	4,174,944
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	0	36,028
	Transfer back to base funding		[36,028]
2	JDAM	0	70,413
	Transfer back to base funding		[70,413]
3	AIRBORNE ROCKETS, ALL TYPES	0	31,756
	Transfer back to base funding		[31,756]
4	MACHINE GUN AMMUNITION	0	4,793
	Transfer back to base funding		[4,793]
5	PRACTICE BOMBS	0	34,708
	Transfer back to base funding		[34,708]
6	CARTRIDGES & CART ACTUATED DEVICES	0	45,738
	Transfer back to base funding		[45,738]
7	AIR EXPENDABLE COUNTERMEASURES	0	77,301
	Transfer back to base funding		[77,301]
8	JATOS	0	7,262
	Transfer back to base funding		[7,262]
9	5 INCH/54 GUN AMMUNITION	0	22,594
	Transfer back to base funding		[22,594]
10	INTERMEDIATE CALIBER GUN AMMUNITION	0	37,193
	Transfer back to base funding		[37,193]
11	OTHER SHIP GUN AMMUNITION	0	39,491
	Transfer back to base funding		[39,491]
12	SMALL ARMS & LANDING PARTY AMMO	0	47,896
	Transfer back to base funding		[47,896]
13	PYROTECHNIC AND DEMOLITION	0	10,621
	Transfer back to base funding		[10,621]
15	AMMUNITION LESS THAN \$5 MILLION	0	2,386
	Transfer back to base funding		[2,386]
	MARINE CORPS AMMUNITION		
16	MORTARS	0	55,543
	Transfer back to base funding		[55,543]
17	DIRECT SUPPORT MUNITIONS	0	131,765
	Transfer back to base funding		[131,765]
18	INFANTRY WEAPONS AMMUNITION	0	78,056
	Transfer back to base funding		[78,056]
19	COMBAT SUPPORT MUNITIONS	0	40,048
	Transfer back to base funding		[40,048]
20	AMMO MODERNIZATION	0	14,325
	Transfer back to base funding		[14,325]
21	ARTILLERY MUNITIONS	0	188,876
	Transfer back to base funding		[188,876]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
22	ITEMS LESS THAN \$5 MILLION	0	4,521
	Transfer back to base funding		[4,521]
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	0	981,314
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
1	OHIO REPLACEMENT SUBMARINE AP	1,698,907	1,823,907
	Submarine industrial base expansion		[125,000]
	OTHER WARSHIPS		
2	CARRIER REPLACEMENT PROGRAM	2,347,000	2,347,000
3	VIRGINIA CLASS SUBMARINE	7,155,946	4,691,946
	Restore VPM on SSN-804		[522,100]
	SSN-812 full funding early to need		[-2,986,100]
4	VIRGINIA CLASS SUBMARINE AP	2,769,552	4,269,552
	Future Virginia-class submarine(s) with VPM		[1,500,000]
5	CVN REFUELING OVERHAULS	647,926	597,926
	CVN-74 RCOH unjustified cost growth		[-50,000]
6	CVN REFUELING OVERHAULS AP	0	16,900
	Restore CVN-75 RCOH		[16,900]
7	DDG 1000	155,944	155,944
8	DDG-51	5,099,295	5,079,295
	Available prior year funds		[-20,000]
9	DDG-51 AP	224,028	484,028
	Accelerate LLTM for FY21 Flight III destroyers		[260,000]
11	FFG-FRIGATE	1,281,177	1,281,177
	AMPHIBIOUS SHIPS		
12	LPD FLIGHT II	0	525,000
	LPD-31 program increase		[277,900]
	Transfer from SCN line 13		[247,100]
13	LPD FLIGHT II AP	247,100	0
	Transfer to SCN line 12		[-247,100]
15	LHA REPLACEMENT	0	650,000
	LHA-9 program increase		[650,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
18	TAO FLEET OILER	981,215	981,215
19	TAO FLEET OILER AP	73,000	73,000
20	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	150,282	150,282
22	LCU 1700	85,670	85,670
23	OUTFITTING	754,679	704,679
	Early to need and unjustified cost growth		[-50,000]
25	SERVICE CRAFT	56,289	81,789
	Accelerate YP-703 Flight II		[25,500]
28	COMPLETION OF PY SHIPBUILDING PROGRAMS	55,700	104,700
	UPL EPF-14 conversion		[49,000]
29	SHIP TO SHORE CONNECTOR AP	0	40,400
	Program increase		[40,400]
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	23,783,710	24,144,410
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
1	SURFACE POWER EQUIPMENT	14,490	14,490
	GENERATORS		
2	SURFACE COMBATANT HM&E	31,583	50,583
	UPL DDG-51 class HM&E upgrades		[19,000]
	NAVIGATION EQUIPMENT		
3	OTHER NAVIGATION EQUIPMENT	77,404	77,404
	OTHER SHIPBOARD EQUIPMENT		
4	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	160,803	160,803
5	DDG MOD	566,140	566,140
6	FIREFIGHTING EQUIPMENT	18,223	18,223
7	COMMAND AND CONTROL SWITCHBOARD	2,086	2,086
8	LHA/LHD MIDLIFE	95,651	95,651
9	POLLUTION CONTROL EQUIPMENT	23,910	23,910
10	SUBMARINE SUPPORT EQUIPMENT	44,895	44,895
11	VIRGINIA CLASS SUPPORT EQUIPMENT	28,465	28,465
12	LCS CLASS SUPPORT EQUIPMENT	19,426	19,426
13	SUBMARINE BATTERIES	26,290	26,290
14	LPD CLASS SUPPORT EQUIPMENT	46,945	46,945
15	DDG 1000 CLASS SUPPORT EQUIPMENT	9,930	9,930
16	STRATEGIC PLATFORM SUPPORT EQUIP	14,331	14,331
17	DSSP EQUIPMENT	2,909	2,909
18	CG MODERNIZATION	193,990	193,990
19	LCAC	3,392	3,392
20	UNDERWATER EOD PROGRAMS	71,240	82,240
	Program increase for four ExMCM companies		[11,000]
21	ITEMS LESS THAN \$5 MILLION	102,543	102,543
22	CHEMICAL WARFARE DETECTORS	2,961	2,961
23	SUBMARINE LIFE SUPPORT SYSTEM	6,635	6,635

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	REACTOR PLANT EQUIPMENT		
24	REACTOR POWER UNITS	5,340	5,340
25	REACTOR COMPONENTS	465,726	465,726
	OCEAN ENGINEERING		
26	DIVING AND SALVAGE EQUIPMENT	11,854	11,854
	SMALL BOATS		
27	STANDARD BOATS	79,102	79,102
	PRODUCTION FACILITIES EQUIPMENT		
28	OPERATING FORCES IPE	202,238	202,238
	OTHER SHIP SUPPORT		
29	LCS COMMON MISSION MODULES EQUIPMENT	51,553	51,553
30	LCS MCM MISSION MODULES	197,129	67,329
	Procurement ahead of satisfactory testing		[-129,800]
31	LCS ASW MISSION MODULES	27,754	27,754
32	LCS SUW MISSION MODULES	26,566	26,566
33	LCS IN-SERVICE MODERNIZATION	84,972	84,972
34	SMALL & MEDIUM UUV	40,547	10,647
	Knifefish procurement ahead of satisfactory testing		[-29,900]
	LOGISTIC SUPPORT		
35	LSD MIDLIFE & MODERNIZATION	40,269	40,269
	SHIP SONARS		
36	SPQ-9B RADAR	26,195	26,195
37	AN/SQQ-89 SURF ASW COMBAT SYSTEM	125,237	125,237
38	SSN ACOUSTIC EQUIPMENT	366,968	366,968
39	UNDERSEA WARFARE SUPPORT EQUIPMENT	8,967	8,967
	ASW ELECTRONIC EQUIPMENT		
40	SUBMARINE ACOUSTIC WARFARE SYSTEM	23,545	23,545
41	SSTD	12,439	12,439
42	FIXED SURVEILLANCE SYSTEM	128,441	128,441
43	SURTASS	21,923	21,923
	ELECTRONIC WARFARE EQUIPMENT		
44	AN/SLQ-32	420,154	358,154
	Early to need		[-62,000]
	RECONNAISSANCE EQUIPMENT		
45	SHIPBOARD IW EXPLOIT	194,758	202,758
	UPL SSEE expansion on Flight I DDGs		[8,000]
46	AUTOMATED IDENTIFICATION SYSTEM (AIS)	5,368	5,368
	OTHER SHIP ELECTRONIC EQUIPMENT		
47	COOPERATIVE ENGAGEMENT CAPABILITY	35,128	35,128
48	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,154	15,154
49	ATDLS	52,753	52,753
50	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,390	3,390
51	MINESWEEPING SYSTEM REPLACEMENT	19,448	19,448
52	SHALLOW WATER MCM	8,730	8,730
53	NAVSTAR GPS RECEIVERS (SPACE)	32,674	32,674
54	AMERICAN FORCES RADIO AND TV SERVICE	2,617	2,617
55	STRATEGIC PLATFORM SUPPORT EQUIP	7,973	7,973
	AVIATION ELECTRONIC EQUIPMENT		
56	ASHORE ATC EQUIPMENT	72,406	72,406
57	AFLOAT ATC EQUIPMENT	67,410	67,410
58	ID SYSTEMS	26,059	26,059
59	JOINT PRECISION APPROACH AND LANDING SYSTEM (.....	92,695	92,695
60	NAVAL MISSION PLANNING SYSTEMS	15,296	15,296
	OTHER SHORE ELECTRONIC EQUIPMENT		
61	TACTICAL/MOBILE C4I SYSTEMS	36,226	36,226
62	DCGS-N	21,788	21,788
63	CANES	426,654	426,654
64	RADIAC	6,450	6,450
65	CANES-INTELL	52,713	52,713
66	GPETE	13,028	13,028
67	MASF	5,193	5,193
68	INTEG COMBAT SYSTEM TEST FACILITY	6,028	6,028
69	EMI CONTROL INSTRUMENTATION	4,209	4,209
70	ITEMS LESS THAN \$5 MILLION	168,436	144,636
	NGSSR early to need		[-23,800]
	SHIPBOARD COMMUNICATIONS		
71	SHIPBOARD TACTICAL COMMUNICATIONS	55,853	55,853
72	SHIP COMMUNICATIONS AUTOMATION	137,861	137,861
73	COMMUNICATIONS ITEMS UNDER \$5M	35,093	35,093
	SUBMARINE COMMUNICATIONS		
74	SUBMARINE BROADCAST SUPPORT	50,833	50,833
75	SUBMARINE COMMUNICATION EQUIPMENT	69,643	69,643
	SATELLITE COMMUNICATIONS		
76	SATELLITE COMMUNICATIONS SYSTEMS	45,841	45,841
77	NAVY MULTIBAND TERMINAL (NMT)	88,021	88,021
	SHORE COMMUNICATIONS		
78	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,293	4,293
	CRYPTOGRAPHIC EQUIPMENT		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
79	INFO SYSTEMS SECURITY PROGRAM (ISSP)	166,540	166,540
80	MIO INTEL EXPLOITATION TEAM	968	968
	CRYPTOLOGIC EQUIPMENT		
81	CRYPTOLOGIC COMMUNICATIONS EQUIP	13,090	13,090
	OTHER ELECTRONIC SUPPORT		
83	COAST GUARD EQUIPMENT	61,370	61,370
	SONOBUOYS		
85	SONOBUOYS—ALL TYPES	260,644	310,644
	UPL Sonobuoy increase		[50,000]
	AIRCRAFT SUPPORT EQUIPMENT		
86	MINOTAUR	5,000	5,000
87	WEAPONS RANGE SUPPORT EQUIPMENT	101,843	101,843
88	AIRCRAFT SUPPORT EQUIPMENT	145,601	145,601
89	ADVANCED ARRESTING GEAR (AAG)	4,725	4,725
90	METEOROLOGICAL EQUIPMENT	14,687	14,687
92	LEGACY AIRBORNE MCM	19,250	19,250
93	LAMPS EQUIPMENT	792	792
94	AVIATION SUPPORT EQUIPMENT	55,415	55,415
95	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	32,668	32,668
	SHIP GUN SYSTEM EQUIPMENT		
96	SHIP GUN SYSTEMS EQUIPMENT	5,451	5,451
	SHIP MISSILE SYSTEMS EQUIPMENT		
97	HARPOON SUPPORT EQUIPMENT	1,100	1,100
98	SHIP MISSILE SUPPORT EQUIPMENT	228,104	228,104
99	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	148,547
102	ASW SUPPORT EQUIPMENT	21,130	21,130
	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	233,175
	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	21,142
112	TACTICAL VEHICLES	33,432	33,432
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	97,636
	COMMAND SUPPORT EQUIPMENT		
122	COMMAND SUPPORT EQUIPMENT	66,102	59,779
	Program duplication		[-6,323]
123	MEDICAL SUPPORT EQUIPMENT	3,633	3,633
125	NAVAL MIP SUPPORT EQUIPMENT	6,097	6,097
126	OPERATING FORCES SUPPORT EQUIPMENT	16,905	16,905
127	C4ISR EQUIPMENT	30,146	30,146
128	ENVIRONMENTAL SUPPORT EQUIPMENT	21,986	21,986
129	PHYSICAL SECURITY EQUIPMENT	160,046	160,046
130	ENTERPRISE INFORMATION TECHNOLOGY	56,899	56,899
	OTHER		
133	NEXT GENERATION ENTERPRISE SERVICE	122,832	122,832
	CLASSIFIED PROGRAMS		
999	CLASSIFIED PROGRAMS	16,346	16,346
	SPARES AND REPAIR PARTS		
134	SPARES AND REPAIR PARTS	375,608	375,608
	TOTAL OTHER PROCUREMENT, NAVY	9,652,956	9,489,133
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	39,495	39,495
2	AMPHIBIOUS COMBAT VEHICLE 1.1	317,935	317,935
3	LAV PIP	60,734	60,734
	ARTILLERY AND OTHER WEAPONS		
4	155MM LIGHTWEIGHT TOWED HOWITZER	25,065	25,065

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
5	ARTILLERY WEAPONS SYSTEM	100,002	100,002
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	31,945	31,945
	OTHER SUPPORT		
7	MODIFICATION KITS	22,760	22,760
	GUIDED MISSILES		
8	GROUND BASED AIR DEFENSE	175,998	175,998
9	ANTI-ARMOR MISSILE-JAVELIN	20,207	20,207
10	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	21,913	21,913
11	ANTI-ARMOR MISSILE-TOW	60,501	60,501
12	GUIDED MLRS ROCKET (GMLRS)	29,062	29,062
	COMMAND AND CONTROL SYSTEMS		
13	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C)	37,203	37,203
	REPAIR AND TEST EQUIPMENT		
14	REPAIR AND TEST EQUIPMENT	55,156	55,156
	OTHER SUPPORT (TEL)		
15	MODIFICATION KITS	4,945	4,945
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
16	ITEMS UNDER \$5 MILLION (COMM & ELEC)	112,124	112,124
17	AIR OPERATIONS C2 SYSTEMS	17,408	17,408
	RADAR + EQUIPMENT (NON-TEL)		
18	RADAR SYSTEMS	329	329
19	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	273,022	273,022
	INTELL/COMM EQUIPMENT (NON-TEL)		
21	GCSS-MC	4,484	4,484
22	FIRE SUPPORT SYSTEM	35,488	35,488
23	INTELLIGENCE SUPPORT EQUIPMENT	56,896	56,896
25	UNMANNED AIR SYSTEMS (INTEL)	34,711	34,711
26	DCGS-MC	32,562	32,562
	OTHER SUPPORT (NON-TEL)		
30	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	114,901	114,901
31	COMMON COMPUTER RESOURCES	51,094	51,094
32	COMMAND POST SYSTEMS	108,897	108,897
33	RADIO SYSTEMS	227,320	227,320
34	COMM SWITCHING & CONTROL SYSTEMS	31,685	31,685
35	COMM & ELEC INFRASTRUCTURE SUPPORT	21,140	21,140
36	CYBERSPACE ACTIVITIES	27,632	27,632
	CLASSIFIED PROGRAMS		
999	CLASSIFIED PROGRAMS	5,535	5,535
	ADMINISTRATIVE VEHICLES		
37	COMMERCIAL CARGO VEHICLES	28,913	28,913
	TACTICAL VEHICLES		
38	MOTOR TRANSPORT MODIFICATIONS	19,234	19,234
39	JOINT LIGHT TACTICAL VEHICLE	558,107	558,107
40	FAMILY OF TACTICAL TRAILERS	2,693	2,693
	ENGINEER AND OTHER EQUIPMENT		
41	ENVIRONMENTAL CONTROL EQUIP ASSORT	495	495
42	TACTICAL FUEL SYSTEMS	52	52
43	POWER EQUIPMENT ASSORTED	22,441	22,441
44	AMPHIBIOUS SUPPORT EQUIPMENT	7,101	7,101
45	EOD SYSTEMS	44,700	44,700
	MATERIALS HANDLING EQUIPMENT		
46	PHYSICAL SECURITY EQUIPMENT	15,404	15,404
	GENERAL PROPERTY		
47	FIELD MEDICAL EQUIPMENT	2,898	2,898
48	TRAINING DEVICES	149,567	149,567
49	FAMILY OF CONSTRUCTION EQUIPMENT	35,622	35,622
50	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	647	647
	OTHER SUPPORT		
51	ITEMS LESS THAN \$5 MILLION	10,956	10,956
	SPARES AND REPAIR PARTS		
52	SPARES AND REPAIR PARTS	33,470	33,470
	TOTAL PROCUREMENT, MARINE CORPS	3,090,449	3,090,449
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
1	F-35	4,274,359	5,364,359
	UPL additional quantities		[1,090,000]
2	F-35 AP	655,500	811,500
	UPL increase		[156,000]
3	F-15E	1,050,000	888,000
	NRE cost on a non-developmental A/C		[-162,000]
	TACTICAL AIRLIFT		
5	KC-46A MDAP	2,234,529	2,705,529
	UPL additional quantities		[471,000]
	OTHER AIRLIFT		
6	C-130J	12,156	12,156
8	MC-130J	871,207	871,207
9	MC-130J AP	40,000	40,000

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	HELICOPTERS		
10	COMBAT RESCUE HELICOPTER	884,235	884,235
	MISSION SUPPORT AIRCRAFT		
11	C-37A	161,000	161,000
12	CIVIL AIR PATROL A/C	2,767	2,767
	OTHER AIRCRAFT		
14	TARGET DRONES	130,837	130,837
15	COMPASS CALL	114,095	114,095
17	MQ-9	189,205	189,205
	STRATEGIC AIRCRAFT		
19	B-2A	9,582	9,582
20	B-1B	22,111	22,111
21	B-52	69,648	69,648
22	LARGE AIRCRAFT INFRARED COUNTERMEASURES	43,758	43,758
	TACTICAL AIRCRAFT		
23	A-10	132,069	132,069
24	E-11 BACN/HAG	70,027	70,027
25	F-15	481,073	328,073
	ADCP unnecessary due to F-15X		[-75,100]
	IFF unnecessary due to F-15X		[-29,600]
	Longerons unnecessary due to F-15X		[-24,600]
	Radar unnecessary due to F-15X		[-23,700]
26	F-16	234,782	309,782
	Additional radars		[75,000]
28	F-22A	323,597	323,597
30	F-35 MODIFICATIONS	343,590	343,590
31	F-15 EPAW	149,047	81,847
	Not required because of F-15X		[-67,200]
32	INCREMENT 3.2B	20,213	20,213
33	KC-46A MDAP	10,213	10,213
	AIRLIFT AIRCRAFT		
34	C-5	73,550	73,550
36	C-17A	60,244	60,244
37	C-21	216	216
38	C-32A	11,511	11,511
39	C-37A	435	435
	TRAINER AIRCRAFT		
40	GLIDER MODS	138	138
41	T-6	11,826	11,826
42	T-1	26,787	26,787
43	T-38	37,341	37,341
	OTHER AIRCRAFT		
44	U-2 MODS	86,896	86,896
45	KC-10A (ATCA)	2,108	2,108
46	C-12	3,021	3,021
47	VC-25A MOD	48,624	48,624
48	C-40	256	256
49	C-130	52,066	52,066
50	C-130J MODS	141,686	141,686
51	C-135	124,491	124,491
53	COMPASS CALL	110,754	110,754
54	COMBAT FLIGHT INSPECTION—CFIN	508	508
55	RC-135	227,673	227,673
56	E-3	216,299	216,299
57	E-4	58,477	58,477
58	E-8	28,778	58,778
	SATCOM radios		[30,000]
59	AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45	36,000	36,000
60	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	7,910	7,910
61	H-1	3,817	3,817
62	H-60	20,879	20,879
63	RQ-4 MODS	1,704	1,704
64	HC/MC-130 MODIFICATIONS	51,482	51,482
65	OTHER AIRCRAFT	50,098	50,098
66	MQ-9 MODS	383,594	383,594
68	CV-22 MODS	65,348	65,348
	AIRCRAFT SPARES AND REPAIR PARTS		
69	INITIAL SPARES/REPAIR PARTS	708,230	970,230
	F-35 spares		[96,000]
	KC-46 spares		[141,000]
	RQ-4		[25,000]
	COMMON SUPPORT EQUIPMENT		
72	AIRCRAFT REPLACEMENT SUPPORT EQUIP	84,938	84,938
	POST PRODUCTION SUPPORT		
73	B-2A	1,403	1,403
74	B-2B	42,234	42,234
75	B-52	4,641	4,641
76	C-17A	124,805	124,805

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
79	F-15	2,589	2,589
81	F-16	15,348	15,348
84	RQ-4 POST PRODUCTION CHARGES	47,246	47,246
	INDUSTRIAL PREPAREDNESS		
86	INDUSTRIAL RESPONSIVENESS	17,705	17,705
	WAR CONSUMABLES		
87	WAR CONSUMABLES	32,102	32,102
	OTHER PRODUCTION CHARGES		
88	OTHER PRODUCTION CHARGES	1,194,728	1,194,728
	CLASSIFIED PROGRAMS		
999	CLASSIFIED PROGRAMS	34,193	34,193
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	16,784,279	18,486,079
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
1	MISSILE REPLACEMENT EQ-BALLISTIC	55,888	55,888
	TACTICAL		
2	REPLAC EQUIP & WAR CONSUMABLES	9,100	9,100
3	JOINT AIR-TO-GROUND MUNITION	15,000	15,000
4	JOINT AIR-SURFACE STANDOFF MISSILE	482,525	482,525
6	SIDEWINDER (AIM-9X)	160,408	160,408
7	AMRAAM	332,250	332,250
8	PREDATOR HELLFIRE MISSILE	118,860	118,860
9	SMALL DIAMETER BOMB	275,438	275,438
10	SMALL DIAMETER BOMB II	212,434	212,434
	INDUSTRIAL FACILITIES		
11	INDUSTRIAL PREPAREDNESS/POL PREVENTION	801	801
	CLASS IV		
12	ICBM FUZE MOD	5,000	5,000
13	ICBM FUZE MOD AP	14,497	14,497
14	MM III MODIFICATIONS	50,831	59,731
	Air Force requested transfer		[8,900]
15	AGM-65D MAVERICK	294	294
16	AIR LAUNCH CRUISE MISSILE (ALCM)	77,387	68,487
	Air Force requested transfer		[-8,900]
	MISSILE SPARES AND REPAIR PARTS		
18	MSL SPRS/REPAIR PARTS (INITIAL)	1,910	1,910
19	REPLEN SPARES/REPAIR PARTS	82,490	82,490
	SPECIAL PROGRAMS		
23	SPECIAL UPDATE PROGRAMS	144,553	144,553
	CLASSIFIED PROGRAMS		
999	CLASSIFIED PROGRAMS	849,521	849,521
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,889,187	2,889,187
	SPACE PROCUREMENT, AIR FORCE		
	SPACE PROGRAMS		
1	ADVANCED EHF	31,894	31,894
2	AF SATELLITE COMM SYSTEM	56,298	56,298
4	COUNTERSPACE SYSTEMS	5,700	5,700
5	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	34,020	34,020
7	GENERAL INFORMATION TECH—SPACE	3,244	3,244
8	GPSIII FOLLOW ON	414,625	414,625
9	GPS III SPACE SEGMENT	31,466	31,466
12	SPACEBORNE EQUIP (COMSEC)	32,031	32,031
13	MILSATCOM	11,096	11,096
15	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	1,237,635	1,237,635
16	SBIR HIGH (SPACE)	233,952	233,952
17	NUDET DETECTION SYSTEM	7,432	7,432
18	ROCKET SYSTEMS LAUNCH PROGRAM	11,473	11,473
19	SPACE FENCE	71,784	71,784
20	SPACE MODS	106,330	106,330
21	SPACELIFT RANGE SYSTEM SPACE	118,140	118,140
	SPARES		
22	SPARES AND REPAIR PARTS	7,263	7,263
	TOTAL SPACE PROCUREMENT, AIR FORCE	2,414,383	2,414,383
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	0	133,268
	Transfer back to base funding		[133,268]
	CARTRIDGES		
2	CARTRIDGES	0	140,449
	Transfer back to base funding		[140,449]
	BOMBS		
3	PRACTICE BOMBS	0	29,313
	Transfer back to base funding		[29,313]
4	GENERAL PURPOSE BOMBS	0	85,885
	Transfer back to base funding		[85,885]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
6	JOINT DIRECT ATTACK MUNITION	0	1,066,224
	Transfer back to base funding		[1,066,224]
7	B61	0	80,773
	Transfer back to base funding		[80,773]
	OTHER ITEMS		
9	CAD/PAD	0	47,069
	Transfer back to base funding		[47,069]
10	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	0	6,133
	Transfer back to base funding		[6,133]
11	SPARES AND REPAIR PARTS	0	533
	Transfer back to base funding		[533]
12	MODIFICATIONS	0	1,291
	Transfer back to base funding		[1,291]
13	ITEMS LESS THAN \$5,000,000	0	1,677
	Transfer back to base funding		[1,677]
	FLARES		
15	FLARES	0	36,116
	Transfer back to base funding		[36,116]
	FUZES		
16	FUZES	0	1,734
	Transfer back to base funding		[1,734]
	SMALL ARMS		
17	SMALL ARMS	0	37,496
	Transfer back to base funding		[37,496]
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	0	1,667,961
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	15,238	15,238
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	34,616	34,616
3	CAP VEHICLES	1,040	1,040
4	CARGO AND UTILITY VEHICLES	23,133	23,133
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	32,027	32,027
6	SECURITY AND TACTICAL VEHICLES	1,315	1,315
7	SPECIAL PURPOSE VEHICLES	14,593	14,593
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	28,604	28,604
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	21,848	21,848
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	2,925	2,925
11	BASE MAINTENANCE SUPPORT VEHICLES	55,776	55,776
	COMM SECURITY EQUIPMENT(COMSEC)		
13	COMSEC EQUIPMENT	91,461	91,461
	INTELLIGENCE PROGRAMS		
14	INTERNATIONAL INTEL TECH & ARCHITECTURES	11,386	11,386
15	INTELLIGENCE TRAINING EQUIPMENT	7,619	7,619
16	INTELLIGENCE COMM EQUIPMENT	35,558	35,558
	ELECTRONICS PROGRAMS		
17	AIR TRAFFIC CONTROL & LANDING SYS	17,939	17,939
19	BATTLE CONTROL SYSTEM—FIXED	3,063	3,063
21	WEATHER OBSERVATION FORECAST	31,447	31,447
22	STRATEGIC COMMAND AND CONTROL	5,090	5,090
23	CHEYENNE MOUNTAIN COMPLEX	10,145	10,145
24	MISSION PLANNING SYSTEMS	14,508	14,508
26	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,901	9,901
	SPCL COMM-ELECTRONICS PROJECTS		
27	GENERAL INFORMATION TECHNOLOGY	26,933	26,933
28	AF GLOBAL COMMAND & CONTROL SYS	2,756	2,756
29	BATTLEFIELD AIRBORNE CONTROL NODE (BACN)	48,478	48,478
30	MOBILITY COMMAND AND CONTROL	21,186	21,186
31	AIR FORCE PHYSICAL SECURITY SYSTEM	178,361	178,361
32	COMBAT TRAINING RANGES	233,993	261,993
	Joint threat emitters		[28,000]
33	MINIMUM ESSENTIAL EMERGENCY COMM N	132,648	132,648
34	WIDE AREA SURVEILLANCE (WAS)	80,818	80,818
35	C3 COUNTERMEASURES	25,036	25,036
36	INTEGRATED PERSONNEL AND PAY SYSTEM	20,900	0
	Poor agile implementation		[–20,900]
37	GCSS-AF FOS	11,226	11,226
38	DEFENSE ENTERPRISE ACCOUNTING & MGT SYS	1,905	1,905
39	MAINTENANCE REPAIR & OVERHAUL INITIATIVE	1,912	1,912
40	THEATER BATTLE MGT C2 SYSTEM	6,337	6,337
41	AIR & SPACE OPERATIONS CENTER (AOC)	33,243	33,243
	AIR FORCE COMMUNICATIONS		
43	BASE INFORMATION TRANSPRT INFRAST (BITI) WIRED	69,530	69,530

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
44	AFNET	147,063	147,063
45	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	6,505	6,505
46	USCENTCOM	20,190	20,190
47	USSTRATCOM	11,244	11,244
	ORGANIZATION AND BASE		
48	TACTICAL C-E EQUIPMENT	143,757	143,757
50	RADIO EQUIPMENT	15,402	15,402
51	CCTV/AUDIOVISUAL EQUIPMENT	3,211	3,211
52	BASE COMM INFRASTRUCTURE	43,123	43,123
	MODIFICATIONS		
53	COMM ELECT MODS	14,500	14,500
	PERSONAL SAFETY & RESCUE EQUIP		
54	PERSONAL SAFETY AND RESCUE EQUIPMENT	50,634	50,634
	DEPOT PLANT+MTRLS HANDLING EQ		
55	POWER CONDITIONING EQUIPMENT	11,000	11,000
56	MECHANIZED MATERIAL HANDLING EQUIP	11,901	11,901
	BASE SUPPORT EQUIPMENT		
57	BASE PROCURED EQUIPMENT	23,963	23,963
58	ENGINEERING AND EOD EQUIPMENT	34,124	34,124
59	MOBILITY EQUIPMENT	26,439	26,439
60	FUELS SUPPORT EQUIPMENT (FSE)	24,255	24,255
61	BASE MAINTENANCE AND SUPPORT EQUIPMENT	38,986	38,986
	SPECIAL SUPPORT PROJECTS		
63	DARP RC135	26,716	26,716
64	DCGS-AF	116,055	116,055
66	SPECIAL UPDATE PROGRAM	835,148	835,148
	CLASSIFIED PROGRAMS		
999	CLASSIFIED PROGRAMS	17,637,807	18,292,807
	Transfer back to base funding		[655,000]
	SPARES AND REPAIR PARTS		
67	SPARES AND REPAIR PARTS	81,340	81,340
	TOTAL OTHER PROCUREMENT, AIR FORCE	20,687,857	21,349,957
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCMA		
2	MAJOR EQUIPMENT	2,432	2,432
	MAJOR EQUIPMENT, DHRA		
3	PERSONNEL ADMINISTRATION	5,030	5,030
	MAJOR EQUIPMENT, DISA		
8	INFORMATION SYSTEMS SECURITY	3,318	4,718
	Sharksceer transfer		[1,400]
9	TELEPORT PROGRAM	25,103	25,103
10	ITEMS LESS THAN \$5 MILLION	26,416	26,416
12	DEFENSE INFORMATION SYSTEM NETWORK	17,574	17,574
14	WHITE HOUSE COMMUNICATION AGENCY	45,079	45,079
15	SENIOR LEADERSHIP ENTERPRISE	78,669	78,669
16	JOINT REGIONAL SECURITY STACKS (JRSS)	88,000	88,000
17	JOINT SERVICE PROVIDER	107,907	107,907
	MAJOR EQUIPMENT, DLA		
19	MAJOR EQUIPMENT	8,122	8,122
	MAJOR EQUIPMENT, DMACT		
20	MAJOR EQUIPMENT	10,961	10,961
	MAJOR EQUIPMENT, DODEA		
21	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,320	1,320
	MAJOR EQUIPMENT, DPAA		
22	MAJOR EQUIPMENT, DPAA	1,504	1,504
	MAJOR EQUIPMENT, DSS		
23	MAJOR EQUIPMENT	496	496
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
25	VEHICLES	211	211
26	OTHER MAJOR EQUIPMENT	11,521	11,521
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
28	THAAD	425,863	0
	THAAD program transfer to Army		[-425,863]
29	GROUND BASED MIDCOURSE	9,471	9,471
31	AEGIS BMD	600,773	600,773
32	AEGIS BMD AP	96,995	96,995
33	BMDS AN/TPY-2 RADARS	10,046	10,046
34	ARROW 3 UPPER TIER SYSTEMS	55,000	55,000
35	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	50,000	50,000
36	AEGIS ASHORE PHASE III	25,659	25,659
37	IRON DOME	95,000	95,000
38	AEGIS BMD HARDWARE AND SOFTWARE	124,986	124,986
	MAJOR EQUIPMENT, NSA		
44	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	1,533	133
	Sharksceer transfer		[-1,400]
	MAJOR EQUIPMENT, OSD		
45	MAJOR EQUIPMENT, OSD	43,705	43,705

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	MAJOR EQUIPMENT, TJS		
46	MAJOR EQUIPMENT, TJS	6,905	6,905
47	MAJOR EQUIPMENT—TJS CYBER	1,458	1,458
	MAJOR EQUIPMENT, WHS		
49	MAJOR EQUIPMENT, WHS	507	507
	CLASSIFIED PROGRAMS		
999	CLASSIFIED PROGRAMS	584,366	589,366
	Transfer back to base funding		[5,000]
	AVIATION PROGRAMS		
53	ROTARY WING UPGRADES AND SUSTAINMENT	172,020	172,020
54	UNMANNED ISR	15,208	15,208
55	NON-STANDARD AVIATION	32,310	32,310
56	U-28	10,898	10,898
57	MH-47 CHINOOK	173,812	173,812
58	CV-22 MODIFICATION	17,256	17,256
59	MQ-9 UNMANNED AERIAL VEHICLE	5,338	5,338
60	PRECISION STRIKE PACKAGE	232,930	232,930
61	AC/MC-130J	173,419	164,619
	RFCM schedule delay		[-8,800]
62	C-130 MODIFICATIONS	15,582	15,582
	SHIPBUILDING		
63	UNDERWATER SYSTEMS	58,991	58,991
	AMMUNITION PROGRAMS		
64	ORDNANCE ITEMS <\$5M	279,992	279,992
	OTHER PROCUREMENT PROGRAMS		
65	INTELLIGENCE SYSTEMS	100,641	100,641
66	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	12,522	12,522
67	OTHER ITEMS <\$5M	103,910	103,910
68	COMBATANT CRAFT SYSTEMS	33,088	33,088
69	SPECIAL PROGRAMS	63,467	63,467
70	TACTICAL VEHICLES	77,832	77,832
71	WARRIOR SYSTEMS <\$5M	298,480	298,480
72	COMBAT MISSION REQUIREMENTS	19,702	19,702
73	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	4,787	4,787
74	OPERATIONAL ENHANCEMENTS INTELLIGENCE	8,175	8,175
75	OPERATIONAL ENHANCEMENTS	282,532	282,532
	CBDP		
76	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	162,406	162,406
77	CB PROTECTION & HAZARD MITIGATION	188,188	188,188
	TOTAL PROCUREMENT, DEFENSE-WIDE	5,109,416	4,679,753
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
1	JOINT URGENT OPERATIONAL NEEDS FUND	99,200	99,200
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	99,200	99,200
	TOTAL PROCUREMENT	118,888,737	135,071,365

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	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
3	MQ-1 UAV	54,000	54,000
	ROTARY		
15	CH-47 HELICOPTER	25,000	25,000
	MODIFICATION OF AIRCRAFT		
21	MULTI SENSOR ABN RECON (MIP)	80,260	80,260
24	GRCS SEMA MODS (MIP)	750	750
26	EMARSS SEMA MODS (MIP)	22,180	22,180
27	UTILITY/CARGO AIRPLANE MODS	8,362	8,362
29	NETWORK AND MISSION PLAN	10	10
31	DEGRADED VISUAL ENVIRONMENT	49,450	49,450
	GROUND SUPPORT AVIONICS		
37	CMWS	130,219	130,219
38	COMMON INFRARED COUNTERMEASURES (CIRCM)	9,310	9,310
	OTHER SUPPORT		
45	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2	2,000	2,000
	TOTAL AIRCRAFT PROCUREMENT, ARMY	381,541	381,541

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2020 Request	Senate Authorized
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
1	SYSTEM INTEGRATION AND TEST PROCUREMENT	113,857	0
	Transfer back to base funding		[-113,857]
2	M-SHORAD—PROCUREMENT	262,100	158,300
	Transfer back to base funding		[-103,800]
3	MSE MISSILE	736,541	37,938
	Transfer back to base funding		[-698,603]
4	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	9,337	0
	Transfer back to base funding		[-9,337]
AIR-TO-SURFACE MISSILE SYSTEM			
6	HELLFIRE SYS SUMMARY	429,549	236,265
	Transfer back to base funding		[-193,284]
7	JOINT AIR-TO-GROUND MSLS (JAGM)	233,353	0
	Transfer back to base funding		[-233,353]
ANTI-TANK/ASSAULT MISSILE SYS			
8	JAVELIN (AAWS-M) SYSTEM SUMMARY	142,794	4,389
	Transfer back to base funding		[-138,405]
9	TOW 2 SYSTEM SUMMARY	114,340	0
	Transfer back to base funding		[-114,340]
10	TOW 2 SYSTEM SUMMARY AP	10,500	0
	Transfer back to base funding		[-10,500]
11	GUIDED MLRS ROCKET (GMLRS)	1,228,809	431,596
	Transfer back to base funding		[-797,213]
12	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	27,555	0
	Transfer back to base funding		[-27,555]
14	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM	340,612	130,770
	Transfer back to base funding		[-209,842]
15	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS)	83,300	83,300
MODIFICATIONS			
16	PATRIOT MODS	279,464	0
	Transfer back to base funding		[-279,464]
17	ATACMS MODS	85,320	0
	Transfer back to base funding		[-85,320]
18	GMLRS MOD	5,094	0
	Transfer back to base funding		[-5,094]
19	STINGER MODS	89,115	7,500
	Transfer back to base funding		[-81,615]
20	AVENGER MODS	14,107	0
	Transfer back to base funding		[-14,107]
21	ITAS/TOW MODS	3,469	0
	Transfer back to base funding		[-3,469]
22	MLRS MODS	387,019	348,000
	Transfer back to base funding		[-39,019]
23	HIMARS MODIFICATIONS	12,483	0
	Transfer back to base funding		[-12,483]
SPARES AND REPAIR PARTS			
24	SPARES AND REPAIR PARTS	26,444	0
	Transfer back to base funding		[-26,444]
SUPPORT EQUIPMENT & FACILITIES			
25	AIR DEFENSE TARGETS	10,593	0
	Transfer back to base funding		[-10,593]
	TOTAL MISSILE PROCUREMENT, ARMY	4,645,755	1,438,058
PROCUREMENT OF W&TCV, ARMY			
TRACKED COMBAT VEHICLES			
2	ARMORED MULTI PURPOSE VEHICLE (AMPV)	221,638	221,638
MODIFICATION OF TRACKED COMBAT VEHICLES			
3	STRYKER (MOD)	4,100	4,100
8	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	80,146	80,146
13	M1 ABRAMS TANK (MOD)	13,100	13,100
WEAPONS & OTHER COMBAT VEHICLES			
15	M240 MEDIUM MACHINE GUN (7.62MM)	900	900
16	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	2,400	2,400
19	MORTAR SYSTEMS	18,941	18,941
20	XM320 GRENADE LAUNCHER MODULE (GLM)	526	526
23	CARBINE	1,183	1,183
25	COMMON REMOTELY OPERATED WEAPONS STATION	4,182	4,182
26	HANDGUN	248	248
MOD OF WEAPONS AND OTHER COMBAT VEH			
31	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			
1	CTG, 5.56MM, ALL TYPES	69,516	567
	Transfer back to base funding		[-68,949]

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
2	CTG, 7.62MM, ALL TYPES	114,268	40
	Transfer back to base funding		[-114,228]
3	CTG, HANDGUN, ALL TYPES	17,824	17
	Transfer back to base funding		[-17,807]
4	CTG, .50 CAL, ALL TYPES	64,155	189
	Transfer back to base funding		[-63,966]
5	CTG, 20MM, ALL TYPES	35,920	0
	Transfer back to base funding		[-35,920]
6	CTG, 25MM, ALL TYPES	8,990	0
	Transfer back to base funding		[-8,990]
7	CTG, 30MM, ALL TYPES	93,713	24,900
	Transfer back to base funding		[-68,813]
8	CTG, 40MM, ALL TYPES	103,952	0
	Transfer back to base funding		[-103,952]
	MORTAR AMMUNITION		
9	60MM MORTAR, ALL TYPES	50,580	0
	Transfer back to base funding		[-50,580]
10	81MM MORTAR, ALL TYPES	59,373	0
	Transfer back to base funding		[-59,373]
11	120MM MORTAR, ALL TYPES	125,452	0
	Transfer back to base funding		[-125,452]
	TANK AMMUNITION		
12	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	171,284	0
	Transfer back to base funding		[-171,284]
	ARTILLERY AMMUNITION		
13	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	44,675	0
	Transfer back to base funding		[-44,675]
14	ARTILLERY PROJECTILE, 155MM, ALL TYPES	266,037	0
	Transfer back to base funding		[-266,037]
15	PROJ 155MM EXTENDED RANGE M982	93,486	36,052
	Transfer back to base funding		[-57,434]
16	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	278,873	7,271
	Transfer back to base funding		[-271,602]
	MINES		
17	MINES & CLEARING CHARGES, ALL TYPES	55,433	0
	Transfer back to base funding		[-55,433]
	ROCKETS		
18	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	75,054	176
	Transfer back to base funding		[-74,878]
19	ROCKET, HYDRA 70, ALL TYPES	255,453	79,459
	Transfer back to base funding		[-175,994]
	OTHER AMMUNITION		
20	CAD/PAD, ALL TYPES	7,595	0
	Transfer back to base funding		[-7,595]
21	DEMOLITION MUNITIONS, ALL TYPES	51,651	0
	Transfer back to base funding		[-51,651]
22	GRENADES, ALL TYPES	40,592	0
	Transfer back to base funding		[-40,592]
23	SIGNALS, ALL TYPES	18,609	0
	Transfer back to base funding		[-18,609]
24	SIMULATORS, ALL TYPES	16,054	0
	Transfer back to base funding		[-16,054]
	MISCELLANEOUS		
25	AMMO COMPONENTS, ALL TYPES	5,261	0
	Transfer back to base funding		[-5,261]
26	NON-LETHAL AMMUNITION, ALL TYPES	715	0
	Transfer back to base funding		[-715]
27	ITEMS LESS THAN \$5 MILLION (AMMO)	9,224	11
	Transfer back to base funding		[-9,213]
28	AMMUNITION PECULIAR EQUIPMENT	10,044	0
	Transfer back to base funding		[-10,044]
29	FIRST DESTINATION TRANSPORTATION (AMMO)	18,492	0
	Transfer back to base funding		[-18,492]
30	CLOSEOUT LIABILITIES	99	0
	Transfer back to base funding		[-99]
	PRODUCTION BASE SUPPORT		
31	INDUSTRIAL FACILITIES	474,511	0
	Transfer back to base funding		[-474,511]
32	CONVENTIONAL MUNITIONS DEMILITARIZATION	202,512	0
	Transfer back to base funding		[-202,512]
33	ARMS INITIATIVE	3,833	0
	Transfer back to base funding		[-3,833]
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,843,230	148,682
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
10	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	26,917	26,917
11	PLS ESP	16,941	16,941

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2020 Request	Senate Authorized
12	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	62,734	62,734
14	TACTICAL WHEELED VEHICLE PROTECTION KITS	50,000	50,000
15	MODIFICATION OF IN SVC EQUIP	28,000	28,000
	COMM—JOINT COMMUNICATIONS		
22	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	40,000	40,000
	COMM—SATELLITE COMMUNICATIONS		
29	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	6,930	6,930
31	ASSURED POSITIONING, NAVIGATION AND TIMING	11,778	11,778
32	SMART-T (SPACE)	825	825
	COMM—COMBAT COMMUNICATIONS		
40	RADIO TERMINAL SET, MIDS LVT(2)	350	350
47	COTS COMMUNICATIONS EQUIPMENT	20,400	20,400
48	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	1,231	1,231
	COMM—INTELLIGENCE COMM		
51	CI AUTOMATION ARCHITECTURE (MIP)	6,200	6,200
	COMM—LONG HAUL COMMUNICATIONS		
59	BASE SUPPORT COMMUNICATIONS	20,482	20,482
	COMM—BASE COMMUNICATIONS		
60	INFORMATION SYSTEMS	55,800	55,800
63	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	75,820	75,820
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
68	DCGS-A (MIP)	38,613	38,613
70	TROJAN (MIP)	1,337	1,337
71	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	2,051	2,051
75	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	1,800	1,800
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
82	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP)	71,493	71,493
83	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	6,917	6,917
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
85	SENTINEL MODS	20,000	20,000
86	NIGHT VISION DEVICES	3,676	3,676
94	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	25,568	25,568
97	COMPUTER BALLISTICS: LHMCB XM32	570	570
98	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
	CLASSIFIED PROGRAMS		
	CLASSIFIED PROGRAMS	8,200	0
	Transfer back to base funding		[-8,200]
	CHEMICAL DEFENSIVE EQUIPMENT		
124	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	25,480	25,480
125	BASE DEFENSE SYSTEMS (BDS)	47,110	47,110
126	CBRN DEFENSE	18,711	18,711
	BRIDGING EQUIPMENT		
128	TACTICAL BRIDGING	4,884	4,884
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
133	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	4,500	4,500
135	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	34,253	34,253
136	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	3,300	3,300
140	RENDER SAFE SETS KITS OUTFITS	84,000	84,000
	COMBAT SERVICE SUPPORT EQUIPMENT		
143	HEATERS AND ECU'S	8	8
145	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	5,101	5,101
146	GROUND SOLDIER SYSTEM	1,760	1,760
148	FORCE PROVIDER	56,400	56,400
150	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	2,040	2,040
	PETROLEUM EQUIPMENT		
154	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	13,986	13,986
	MEDICAL EQUIPMENT		
155	COMBAT SUPPORT MEDICAL	2,735	2,735
	CONSTRUCTION EQUIPMENT		
159	SCRAPERS, EARTHMOVING	4,669	4,669
160	LOADERS	380	380
162	TRACTOR, FULL TRACKED	8,225	8,225
164	HIGH MOBILITY ENGINEER EXCAVATOR (HME)	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

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
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	1,139,650	1,131,450
AIRCRAFT PROCUREMENT, NAVY			
OTHER AIRCRAFT			
26	STUASL0 UAV	7,921	7,921
27	MQ-9A REAPER	77,000	77,000
MODIFICATION OF AIRCRAFT			
36	EP-3 SERIES	5,488	5,488
46	SPECIAL PROJECT AIRCRAFT	3,498	3,498
51	COMMON ECM EQUIPMENT	3,406	3,406
53	COMMON DEFENSIVE WEAPON SYSTEM	3,274	3,274
62	QRC	18,458	18,458
	TOTAL AIRCRAFT PROCUREMENT, NAVY	119,045	119,045
WEAPONS PROCUREMENT, NAVY			
MODIFICATION OF MISSILES			
1	TRIDENT II MODS	1,177,251	0
	Transfer back to base funding		[-1,177,251]
SUPPORT EQUIPMENT & FACILITIES			
2	MISSILE INDUSTRIAL FACILITIES	7,142	0
	Transfer back to base funding		[-7,142]
STRATEGIC MISSILES			
3	TOMAHAWK	386,730	0
	Transfer back to base funding		[-386,730]
TACTICAL MISSILES			
4	AMRAAM	224,502	0
	Transfer back to base funding		[-224,502]
5	SIDEWINDER	119,456	0
	Transfer back to base funding		[-119,456]
7	STANDARD MISSILE	404,523	0
	Transfer back to base funding		[-404,523]
8	STANDARD MISSILE AP	96,085	0
	Transfer back to base funding		[-96,085]
9	SMALL DIAMETER BOMB II	118,466	0
	Transfer back to base funding		[-118,466]
10	RAM	106,765	0
	Transfer back to base funding		[-106,765]
11	JOINT AIR GROUND MISSILE (JAGM)	90,966	90,966
12	HELLFIRE	1,525	0
	Transfer back to base funding		[-1,525]
15	AERIAL TARGETS	152,380	6,500
	Transfer back to base funding		[-145,880]
16	DRONES AND DECOYS	20,000	0
	Transfer back to base funding		[-20,000]
17	OTHER MISSILE SUPPORT	3,388	0
	Transfer back to base funding		[-3,388]
18	LRASM	143,200	0
	Transfer back to base funding		[-143,200]
19	LCS OTH MISSILE	38,137	0
	Transfer back to base funding		[-38,137]
MODIFICATION OF MISSILES			
20	ESSM	128,059	0
	Transfer back to base funding		[-128,059]
21	HARPOON MODS	25,447	0
	Transfer back to base funding		[-25,447]
22	HARM MODS	183,740	0
	Transfer back to base funding		[-183,740]
23	STANDARD MISSILES MODS	22,500	0
	Transfer back to base funding		[-22,500]
SUPPORT EQUIPMENT & FACILITIES			
24	WEAPONS INDUSTRIAL FACILITIES	1,958	0
	Transfer back to base funding		[-1,958]
25	FLEET SATELLITE COMM FOLLOW-ON	67,380	0
	Transfer back to base funding		[-67,380]
ORDNANCE SUPPORT EQUIPMENT			
27	ORDNANCE SUPPORT EQUIPMENT	109,427	0
	Transfer back to base funding		[-109,427]
TORPEDOES AND RELATED EQUIP			
28	SSTD	5,561	0
	Transfer back to base funding		[-5,561]
29	MK-48 TORPEDO	114,000	0
	Transfer back to base funding		[-114,000]
30	ASW TARGETS	15,095	0

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2020 Request	Senate Authorized
	Transfer back to base funding		[-15,095]
	MOD OF TORPEDOES AND RELATED EQUIP		
31	MK-54 TORPEDO MODS	119,453	0
	Transfer back to base funding		[-119,453]
32	MK-48 TORPEDO ADCAP MODS	39,508	0
	Transfer back to base funding		[-39,508]
33	QUICKSTRIKE MINE	5,183	0
	Transfer back to base funding		[-5,183]
	SUPPORT EQUIPMENT		
34	TORPEDO SUPPORT EQUIPMENT	79,028	0
	Transfer back to base funding		[-79,028]
35	ASW RANGE SUPPORT	3,890	0
	Transfer back to base funding		[-3,890]
	DESTINATION TRANSPORTATION		
36	FIRST DESTINATION TRANSPORTATION	3,803	0
	Transfer back to base funding		[-3,803]
	GUNS AND GUN MOUNTS		
37	SMALL ARMS AND WEAPONS	14,797	0
	Transfer back to base funding		[-14,797]
	MODIFICATION OF GUNS AND GUN MOUNTS		
38	CIWS MODS	44,126	0
	Transfer back to base funding		[-44,126]
39	COAST GUARD WEAPONS	44,980	0
	Transfer back to base funding		[-44,980]
40	GUN MOUNT MODS	66,376	0
	Transfer back to base funding		[-66,376]
41	LCS MODULE WEAPONS	14,585	0
	Transfer back to base funding		[-14,585]
43	AIRBORNE MINE NEUTRALIZATION SYSTEMS	7,160	0
	Transfer back to base funding		[-7,160]
	SPARES AND REPAIR PARTS		
45	SPARES AND REPAIR PARTS	126,138	0
	Transfer back to base funding		[-126,138]
	TOTAL WEAPONS PROCUREMENT, NAVY	4,332,710	97,466
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	63,006	26,978
	Transfer back to base funding		[-36,028]
2	JDAM	82,676	12,263
	Transfer back to base funding		[-70,413]
3	AIRBORNE ROCKETS, ALL TYPES	76,776	45,020
	Transfer back to base funding		[-31,756]
4	MACHINE GUN AMMUNITION	38,370	33,577
	Transfer back to base funding		[-4,793]
5	PRACTICE BOMBS	46,611	11,903
	Transfer back to base funding		[-34,708]
6	CARTRIDGES & CART ACTUATED DEVICES	60,819	15,081
	Transfer back to base funding		[-45,738]
7	AIR EXPENDABLE COUNTERMEASURES	94,212	16,911
	Transfer back to base funding		[-77,301]
8	JATOS	7,262	0
	Transfer back to base funding		[-7,262]
9	5 INCH/54 GUN AMMUNITION	22,594	0
	Transfer back to base funding		[-22,594]
10	INTERMEDIATE CALIBER GUN AMMUNITION	37,193	0
	Transfer back to base funding		[-37,193]
11	OTHER SHIP GUN AMMUNITION	42,753	3,262
	Transfer back to base funding		[-39,491]
12	SMALL ARMS & LANDING PARTY AMMO	48,906	1,010
	Transfer back to base funding		[-47,896]
13	PYROTECHNIC AND DEMOLITION	11,158	537
	Transfer back to base funding		[-10,621]
15	AMMUNITION LESS THAN \$5 MILLION	2,386	0
	Transfer back to base funding		[-2,386]
	MARINE CORPS AMMUNITION		
16	MORTARS	57,473	1,930
	Transfer back to base funding		[-55,543]
17	DIRECT SUPPORT MUNITIONS	132,937	1,172
	Transfer back to base funding		[-131,765]
18	INFANTRY WEAPONS AMMUNITION	80,214	2,158
	Transfer back to base funding		[-78,056]
19	COMBAT SUPPORT MUNITIONS	41,013	965
	Transfer back to base funding		[-40,048]
20	AMMO MODERNIZATION	14,325	0
	Transfer back to base funding		[-14,325]
21	ARTILLERY MUNITIONS	220,923	32,047
	Transfer back to base funding		[-188,876]

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
22	ITEMS LESS THAN \$5 MILLION	4,521	0
	Transfer back to base funding		[-4,521]
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	1,186,128	204,814
	OTHER PROCUREMENT, NAVY		
	OTHER SHIPBOARD EQUIPMENT		
20	UNDERWATER EOD PROGRAMS	5,800	5,800
	ASW ELECTRONIC EQUIPMENT		
42	FIXED SURVEILLANCE SYSTEM	310,503	310,503
	SONOBUOYS		
85	SONOBUOYS—ALL TYPES	2,910	2,910
	AIRCRAFT SUPPORT EQUIPMENT		
88	AIRCRAFT SUPPORT EQUIPMENT	13,420	13,420
94	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		
12	GUIDED MLRS ROCKET (GMLRS)	16,919	16,919
	ENGINEER AND OTHER EQUIPMENT		
45	EOD SYSTEMS	3,670	3,670
	TOTAL PROCUREMENT, MARINE CORPS	20,589	20,589
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRCRAFT		
17	MQ-9	172,240	172,240
18	RQ-20B PUMA	12,150	12,150
	STRATEGIC AIRCRAFT		
22	LARGE AIRCRAFT INFRARED COUNTERMEASURES	53,335	53,335
	OTHER AIRCRAFT		
67	MQ-9 UAS PAYLOADS	19,800	19,800
	AIRCRAFT SPARES AND REPAIR PARTS		
69	INITIAL SPARES/REPAIR PARTS	44,560	44,560
	COMMON SUPPORT EQUIPMENT		
72	AIRCRAFT REPLACEMENT SUPPORT EQUIP	7,025	7,025
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	309,110	309,110
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
4	JOINT AIR-SURFACE STANDOFF MISSILE	20,900	20,900
8	PREDATOR HELLFIRE MISSILE	180,771	180,771
	TOTAL MISSILE PROCUREMENT, AIR FORCE	201,671	201,671
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	218,228	84,960
	Transfer back to base funding		[-133,268]
	CARTRIDGES		
2	CARTRIDGES	193,091	52,642
	Transfer back to base funding		[-140,449]
	BOMBS		
3	PRACTICE BOMBS	29,313	0
	Transfer back to base funding		[-29,313]
4	GENERAL PURPOSE BOMBS	631,194	545,309
	Transfer back to base funding		[-85,885]
6	JOINT DIRECT ATTACK MUNITION	1,066,224	0
	Transfer back to base funding		[-1,066,224]
7	B61	80,773	0
	Transfer back to base funding		[-80,773]
	OTHER ITEMS		
9	CAD/PAD	47,069	0
	Transfer back to base funding		[-47,069]
10	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,133	0

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	Transfer back to base funding		[-6,133]
11	SPARES AND REPAIR PARTS	533	0
	Transfer back to base funding		[-533]
12	MODIFICATIONS	1,291	0
	Transfer back to base funding		[-1,291]
13	ITEMS LESS THAN \$5,000,000	1,677	0
	Transfer back to base funding		[-1,677]
	FLARES		
15	FLARES	129,388	93,272
	Transfer back to base funding		[-36,116]
	FUZES		
16	FUZES	158,889	157,155
	Transfer back to base funding		[-1,734]
	SMALL ARMS		
17	SMALL ARMS	43,591	6,095
	Transfer back to base funding		[-37,496]
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	2,607,394	939,433
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	1,276	1,276
	CARGO AND UTILITY VEHICLES		
4	CARGO AND UTILITY VEHICLES	9,702	9,702
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	40,999	40,999
7	SPECIAL PURPOSE VEHICLES	52,502	52,502
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	16,652	16,652
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	2,944	2,944
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	3,753	3,753
11	BASE MAINTENANCE SUPPORT VEHICLES	11,837	11,837
	SPCL COMM-ELECTRONICS PROJECTS		
27	GENERAL INFORMATION TECHNOLOGY	5,000	5,000
31	AIR FORCE PHYSICAL SECURITY SYSTEM	106,919	106,919
	ORGANIZATION AND BASE		
48	TACTICAL C-E EQUIPMENT	306	306
52	BASE COMM INFRASTRUCTURE	4,300	4,300
	PERSONAL SAFETY & RESCUE EQUIP		
54	PERSONAL SAFETY AND RESCUE EQUIPMENT	22,200	22,200
	BASE SUPPORT EQUIPMENT		
59	MOBILITY EQUIPMENT	26,535	26,535
60	FUELS SUPPORT EQUIPMENT (FSE)	4,040	4,040
61	BASE MAINTENANCE AND SUPPORT EQUIPMENT	20,067	20,067
	CLASSIFIED PROGRAMS		
	CLASSIFIED PROGRAMS	3,864,066	3,209,066
	Transfer back to base funding		[-655,000]
	TOTAL OTHER PROCUREMENT, AIR FORCE	4,193,098	3,538,098
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
9	TELEPORT PROGRAM	3,800	3,800
12	DEFENSE INFORMATION SYSTEM NETWORK	12,000	12,000
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
27	COUNTER IED & IMPROVISED THREAT TECHNOLOGIES	4,590	4,590
	CLASSIFIED PROGRAMS		
	CLASSIFIED PROGRAMS	56,380	51,380
	Transfer back to base funding		[-5,000]
	AVIATION PROGRAMS		
50	MANNED ISR	5,000	5,000
51	MC-12	5,000	5,000
52	MH-60 BLACKHAWK	28,100	28,100
54	UNMANNED ISR	8,207	8,207
56	U-28	31,500	31,500
57	MH-47 CHINOOK	37,500	37,500
59	MQ-9 UNMANNED AERIAL VEHICLE	1,900	1,900
	AMMUNITION PROGRAMS		
64	ORDNANCE ITEMS <\$5M	138,252	138,252
	OTHER PROCUREMENT PROGRAMS		
65	INTELLIGENCE SYSTEMS	16,500	16,500
67	OTHER ITEMS <\$5M	28	28
70	TACTICAL VEHICLES	2,990	2,990
71	WARRIOR SYSTEMS <\$5M	37,512	37,512
72	COMBAT MISSION REQUIREMENTS	10,000	10,000
74	OPERATIONAL ENHANCEMENTS INTELLIGENCE	7,594	7,594
75	OPERATIONAL ENHANCEMENTS	45,194	45,194
	TOTAL PROCUREMENT, DEFENSE-WIDE	452,047	447,047

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2020 Request	Senate Authorized
	TOTAL PROCUREMENT	23,143,022	9,688,058

1 **TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
2 **TION**
3
4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
2	0601102A	DEFENSE RESEARCH SCIENCES	297,976	302,976
		Counter UAS University Research		[5,000]
3	0601103A	UNIVERSITY RESEARCH INITIATIVES	65,858	65,858
4	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	86,164	88,164
		3D printing		[2,000]
5	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	4,982	9,982
		Cyber basic research		[5,000]
		SUBTOTAL BASIC RESEARCH	454,980	466,980
		APPLIED RESEARCH		
10	0602141A	LETHALITY TECHNOLOGY	26,961	26,961
11	0602142A	ARMY APPLIED RESEARCH	25,319	25,319
12	0602143A	SOLDIER LETHALITY TECHNOLOGY	115,274	118,274
		UPL MDTF for INDOPACOM		[3,000]
13	0602144A	GROUND TECHNOLOGY	35,199	41,699
		Advanced materials manufacturing process		[2,000]
		Biopolymer structural materials		[2,000]
		Cellulose structural materials		[2,500]
14	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	219,047	234,047
		Support operational energy development and testing		[15,000]
15	0602146A	NETWORK C3I TECHNOLOGY	114,516	114,516
16	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	74,327	86,327
		Composite tube and propulsion technology		[10,000]
		Novel printed armament components		[2,000]
17	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	93,601	93,601
18	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	50,771	50,771
20	0602213A	C3I APPLIED CYBER	18,947	23,947
		Cyber research		[5,000]
38	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	20,873	20,873
40	0602787A	MEDICAL TECHNOLOGY	99,155	102,155
		Female warfighter performance research		[3,000]
		SUBTOTAL APPLIED RESEARCH	893,990	938,490
		ADVANCED TECHNOLOGY DEVELOPMENT		
42	0603002A	MEDICAL ADVANCED TECHNOLOGY	42,030	42,030
47	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECH- NOLOGY.	11,038	11,038
50	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	63,338	63,338
51	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	118,468	118,468
52	0603119A	GROUND ADVANCED TECHNOLOGY	12,593	32,593
		100 hour battery		[10,000]
		Computational manufacturing engineering		[2,000]
		Lightweight protective and hardening materials		[3,000]
		Robotic construction research		[5,000]
59	0603457A	C3I CYBER ADVANCED DEVELOPMENT	13,769	13,769
60	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PRO- GRAM.	184,755	184,755
61	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECH- NOLOGY.	160,035	185,035
		Ground vehicle sustainment research		[5,000]
		Hydrogen fuel cell propulsion & autonomous driving controls		[20,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	Senate Authorized
62	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	106,899	106,899
63	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	174,386	178,386
		Hypersonics research		[4,000]
64	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	151,640	151,640
65	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	60,613	60,613
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	1,099,564	1,148,564
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
73	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	10,987	10,987
74	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	15,148	15,148
75	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	92,915	92,915
77	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	82,146	82,146
78	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	157,656	157,656
79	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	6,514	6,514
80	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	34,890	34,890
81	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	251,011	251,011
82	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	15,132	15,132
83	0603790A	NATO RESEARCH AND DEVELOPMENT	5,406	5,406
84	0603801A	AVIATION—ADV DEV	459,290	534,890
		UPL FVL CS3 program increase		[75,600]
85	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	6,254	6,254
86	0603807A	MEDICAL SYSTEMS—ADV DEV	31,175	31,175
87	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	22,113	22,113
88	0604017A	ROBOTICS DEVELOPMENT	115,222	115,222
90	0604021A	ELECTRONIC WARFARE TECHNOLOGY MATURATION (MIP)	18,043	18,043
91	0604100A	ANALYSIS OF ALTERNATIVES	10,023	10,023
92	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	40,745	40,745
93	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	427,772	427,772
94	0604115A	TECHNOLOGY MATURATION INITIATIVES	196,676	196,676
95	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	33,100	33,100
97	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING	115,116	115,116
99	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	136,761	136,761
100	0604182A	HYPERSONICS	228,000	358,610
		UPL accelerate Hypersonic Weapons System		[130,610]
102	0604403A	FUTURE INTERCEPTOR	8,000	8,000
103	0604541A	UNIFIED NETWORK TRANSPORT	39,600	39,600
104	0604644A	MOBILE MEDIUM RANGE MISSILE	20,000	20,000
106	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	52,102	52,102
107	1206120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	192,562	192,562
108	1206308A	ARMY SPACE SYSTEMS INTEGRATION	104,996	104,996
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	2,929,355	3,135,565
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	126,021
		UPL Next Generation Squad Weapon—Automatic Rifle		[19,900]
114	0604604A	MEDIUM TACTICAL VEHICLES	2,152	2,152
115	0604611A	JAVELIN	17,897	17,897
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	310,152
120	0604710A	NIGHT VISION SYSTEMS—ENG DEV	181,732	181,732
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	43,502
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	BRIGHT ANTI-ARMOR SUBMUNITION (BAT)	25,000	25,000
128	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	9,241	9,241
129	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	42,634	42,634
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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	Senate Authorized
135	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	140,637	140,637
136	0604820A	RADAR DEVELOPMENT	105,243	105,243
137	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	46,683	46,683
138	0604823A	FIREFINDER	17,294	17,294
139	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	5,803	5,803
140	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	98,698	98,698
141	0604854A	ARTILLERY SYSTEMS—EMD	15,832	15,832
142	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	126,537	126,537
143	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	142,773	0
		Poor business process reengineering		[-142,773]
144	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	96,730	96,730
145	0605029A	INTEGRATED GROUND SECURITY SURVEILLANCE RESPONSE CAPABILITY (IGSSR-C).	6,699	6,699
146	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	15,882	15,882
147	0605031A	JOINT TACTICAL NETWORK (JTN)	40,808	40,808
149	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E).	3,847	3,847
150	0605034A	TACTICAL SECURITY SYSTEM (TSS)	6,928	6,928
151	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	34,488	34,488
152	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD)	10,000	10,000
154	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE.	6,054	6,054
155	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	62,262	62,262
156	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	35,654	35,654
157	0605047A	CONTRACT WRITING SYSTEM	19,682	0
		Program duplication		[-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	149,628
		EMAM development ahead of need		[-124,200]
		Iron Dome testing and delivery		[20,600]
		UPL Multi-Domain Artillery		[10,000]
161	0605053A	GROUND ROBOTICS	41,308	28,508
		Army requested realignment		[-12,800]
162	0605054A	EMERGING TECHNOLOGY INITIATIVES	45,896	45,896
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 (ALAMD)	208,938	208,938
167	0605625A	MANNED GROUND VEHICLE	378,400	418,400
		UPL NGCV 50mm gun		[40,000]
168	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	7,835	7,835
169	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	2,732	7,232
		Army requested realignment		[4,500]
170	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,664	1,664
172	0303032A	TROJAN—RH12	3,936	3,936
174	0304270A	ELECTRONIC WARFARE DEVELOPMENT	19,675	19,675
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	3,549,431	3,344,976
		RDT&E MANAGEMENT SUPPORT		
176	0604256A	THREAT SIMULATOR DEVELOPMENT	14,117	16,117
		Cybersecurity threat simulation		[2,000]
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	238,691
181	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	42,922	42,922
183	0605601A	ARMY TEST RANGES AND FACILITIES	334,468	349,468
		Directed energy test capabilities		[15,000]
184	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	46,974	46,974
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	58,175
194	0605803A	TECHNICAL INFORMATION ACTIVITIES	25,060	25,060
195	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	44,458	44,458
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

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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	1,303,625
		OPERATIONAL SYSTEMS DEVELOPMENT		
204	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	22,877	22,877
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	24,221
217	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	32,016	32,016
218	0607145A	APACHE FUTURE DEVELOPMENT	5,448	5,448
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	334,463
225	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	214,246	214,246
226	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS.	16,486	16,486
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
230	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	0	24,100
		UPL CD ATACMS		[24,100]
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	138,594
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	68,976
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
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	62,848
		Nanoscale materials manufacturing		[3,000]
254	1203142A	SATCOM GROUND ENVIRONMENT (SPACE)	34,169	34,169
255	1208053A	JOINT TACTICAL GROUND SYSTEM	10,275	10,275
999	9999999999	CLASSIFIED PROGRAMS	7,273	7,273
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,978,826	2,005,926
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	12,192,771	12,344,126
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,850	126,850
		Cyber basic research		[10,000]
2	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,121	19,121
3	0601153N	DEFENSE RESEARCH SCIENCES	470,007	470,007
		SUBTOTAL BASIC RESEARCH	605,978	615,978
		APPLIED RESEARCH		
4	0602114N	POWER PROJECTION APPLIED RESEARCH	18,546	18,546
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	119,517	136,017
		Carbon capture		[8,000]
		Electric propulsion research		[2,500]
		Energy resilience research		[3,000]
		Program reduction		[–5,000]
		Test bed for autonomous ship systems		[8,000]
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	56,604	59,604
		Interdisciplinary cybersecurity		[3,000]
7	0602235N	COMMON PICTURE APPLIED RESEARCH	49,297	44,297
		Coordinate space activities		[–5,000]

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8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	63,825	65,825
		Warfighter safety and performance research		[2,000]
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	83,497	78,497
		Coordinate EW activities		[-5,000]
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	63,894	63,894
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,346	6,346
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	57,075	64,575
		Undersea vehicle technology research		[7,500]
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	154,755	154,755
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	36,074	36,074
15	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH.	153,062	153,062
16	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	73,961	73,961
		SUBTOTAL APPLIED RESEARCH	936,453	955,453
		ADVANCED TECHNOLOGY DEVELOPMENT		
17	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	35,286	35,286
18	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	9,499	9,499
19	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	172,847	176,847
		Consolidate efforts in AI/ML with Joint Force		[-5,000]
		UPL MUDLAN program increase		[9,000]
20	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	13,307	13,307
21	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	231,907	231,907
22	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	60,138	60,138
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,849	4,849
25	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	67,739	67,739
26	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	13,335	13,335
27	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	133,303	128,303
		Reduce electronic maneuver		[-5,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	742,210	741,210
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
28	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	32,643	38,643
		Program increase for 1 REMUS 600 vehicle		[6,000]
29	0603216N	AVIATION SURVIVABILITY	11,919	11,919
30	0603251N	AIRCRAFT SYSTEMS	1,473	1,473
31	0603254N	ASW SYSTEMS DEVELOPMENT	7,172	7,172
32	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,419	3,419
33	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	64,694	64,694
34	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.	507,000	134,500
		Excess procurement ahead of satisfactory testing		[-372,500]
35	0603506N	SURFACE SHIP TORPEDO DEFENSE	15,800	15,800
36	0603512N	CARRIER SYSTEMS DEVELOPMENT	4,997	4,997
37	0603525N	PILOT FISH	291,148	291,148
38	0603527N	RETRACT LARCH	11,980	11,980
39	0603536N	RETRACT JUNIPER	129,163	129,163
40	0603542N	RADIOLOGICAL CONTROL	689	689
41	0603553N	SURFACE ASW	1,137	1,137
42	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	148,756	153,756
		Project 2033: Test site emergent repairs		[5,000]
43	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	11,192	11,192
44	0603563N	SHIP CONCEPT ADVANCED DESIGN	81,846	57,846
		Early to need		[-24,000]
45	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	69,084	22,484
		Early to need		[-46,600]
46	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	181,652	181,652
47	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	25,408	150,408
		Surface combatant component-level prototyping		[125,000]
48	0603576N	CHALK EAGLE	64,877	64,877
49	0603581N	LITTORAL COMBAT SHIP (LCS)	9,934	9,934
50	0603582N	COMBAT SYSTEM INTEGRATION	17,251	17,251
51	0603595N	OHIO REPLACEMENT	419,051	434,051
		Accelerate advanced propulsor development		[15,000]
52	0603596N	LCS MISSION MODULES	108,505	103,505
		Availabe prior year funds due to SUW MP testing delay		[-5,000]
53	0603597N	AUTOMATED TEST AND ANALYSIS	7,653	7,653
54	0603599N	FRIGATE DEVELOPMENT	59,007	59,007
55	0603609N	CONVENTIONAL MUNITIONS	9,988	9,988
56	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	86,464	86,464

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57	0603634N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	33,478	33,478
58	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	5,619	5,619
59	0603721N	ENVIRONMENTAL PROTECTION	20,564	20,564
60	0603724N	NAVY ENERGY PROGRAM	26,514	26,514
61	0603725N	FACILITIES IMPROVEMENT	3,440	3,440
62	0603734N	CHALK CORAL	346,800	346,800
63	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,857	3,857
64	0603746N	RETRACT MAPLE	258,519	258,519
65	0603748N	LINK PLUMERIA	403,909	403,909
66	0603751N	RETRACT ELM	63,434	63,434
67	0603764N	LINK EVERGREEN	184,110	184,110
68	0603790N	NATO RESEARCH AND DEVELOPMENT	7,697	7,697
69	0603795N	LAND ATTACK TECHNOLOGY	9,086	9,086
70	0603851M	JOINT NON-LETHAL WEAPONS TESTING	28,466	28,466
71	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS— DEM/VAL	51,341	51,341
72	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	118,169	118,169
73	0604014N	F/A —18 INFRARED SEARCH AND TRACK (IRST)	113,456	113,456
74	0604027N	DIGITAL WARFARE OFFICE	50,120	50,120
75	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	32,527	32,527
76	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	54,376	54,376
77	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEM- ONSTRATION.. ..	36,197	36,197
78	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	68,310	68,310
79	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	121,310	121,310
80	0604126N	LITTORAL AIRBORNE MCM	17,248	17,248
81	0604127N	SURFACE MINE COUNTERMEASURES	18,735	18,735
82	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTER- MEASURES (TADIRCM).	68,346	68,346
84	0604289M	NEXT GENERATION LOGISTICS	4,420	13,420
		Additive manufacturing logistics software pilot		[9,000]
85	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	4,558	4,558
86	0604454N	LX (R)	12,500	12,500
87	0604536N	ADVANCED UNDERSEA PROTOTYPING	181,967	181,967
88	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	5,500	5,500
89	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	718,148	723,148
		Increase for SLCM-N AOA		[5,000]
90	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ ENGINEERING SUPPORT.	5,263	5,263
91	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOP- MENT.	65,419	65,419
92	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,991	9,991
93	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	21,157	21,157
95	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	609	609
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	5,559,062	5,275,962
		SYSTEM DEVELOPMENT & DEMONSTRATION		
96	0603208N	TRAINING SYSTEM AIRCRAFT	15,514	15,514
97	0604212N	OTHER HELO DEVELOPMENT	28,835	28,835
98	0604214M	AV—8B AIRCRAFT—ENG DEV	27,441	27,441
100	0604215N	STANDARDS DEVELOPMENT	3,642	3,642
101	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	19,196	19,196
104	0604230N	WARFARE SUPPORT SYSTEM	8,601	8,601
105	0604231N	TACTICAL COMMAND SYSTEM	77,232	77,232
106	0604234N	ADVANCED HAWKEYE	232,752	232,752
107	0604245M	H-1 UPGRADES	65,359	65,359
109	0604261N	ACOUSTIC SEARCH SENSORS	47,013	47,013
110	0604262N	V-22A	185,105	190,605
		Increase reliability and reduce vibrations of V-22 Nacelles		[5,500]
111	0604264N	AIR CREW SYSTEMS DEVELOPMENT	21,172	21,172
112	0604269N	EA-18	143,585	143,585
113	0604270N	ELECTRONIC WARFARE DEVELOPMENT	116,811	116,811
114	0604273M	EXECUTIVE HELO DEVELOPMENT	187,436	187,436
116	0604274N	NEXT GENERATION JAMMER (NGJ)	524,261	524,261
117	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	192,345	192,345
118	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	111,068	111,068
119	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	415,625	415,625
120	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	640	640
121	0604329N	SMALL DIAMETER BOMB (SDB)	50,096	50,096
122	0604366N	STANDARD MISSILE IMPROVEMENTS	232,391	232,391
123	0604373N	AIRBORNE MCM	10,916	10,916
124	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYS- TEMS ENGINEERING.	33,379	33,379
125	0604501N	ADVANCED ABOVE WATER SENSORS	34,554	34,554
126	0604503N	SSN-688 AND TRIDENT MODERNIZATION	84,663	84,663
127	0604504N	AIR CONTROL	44,923	44,923

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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	46,809
135	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,692	3,692
137	0604601N	MINE DEVELOPMENT	28,964	100,264
		UPL Quickstrike JDAM ER		[71,300]
138	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	148,349	148,349
139	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,237	8,237
140	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS— ENG DEV.	22,000	22,000
141	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FAC- TORS.	5,500	5,500
142	0604727N	JOINT STANDOFF WEAPON SYSTEMS	18,725	18,725
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	8,181
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	328,722
		eProcurement program duplication		[–55,440]
155	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	4,882	4,882
156	0605212M	CH–53K RDTE	516,955	506,955
		Early to need		[–10,000]
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	19,909
		Expand development and use of composite materials		[15,000]
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	18,393
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 DEVELOP- MENT & DEMONSTRATION.	77,322	77,322
168	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVEL- OPMENT & 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	6,358,393
		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	37,265
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 SUP- PORT ACTIVITIES).	1,460	1,460
		SUBTOTAL MANAGEMENT SUPPORT	990,464	990,464
		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

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Line	Program Element	Item	FY 2020 Request	Senate Authorized
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	213,715
213	0204228N	SURFACE SUPPORT	36,389	36,389
214	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC).	320,134	320,134
215	0204311N	INTEGRATED SURVEILLANCE SYSTEM	88,382	103,382
		Additional TRAPS units		[15,000]
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	82,325
222	0205601N	HARM IMPROVEMENT	138,431	138,431
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	143,317
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	42,761
		Airborne Power Generation Tech Development		[5,000]
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	39,029
239	0303109N	SATELLITE COMMUNICATIONS (SPACE)	34,344	34,344
240	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES).	22,873	22,873
241	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	41,853	41,853
243	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	8,913	8,913
244	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	9,451	9,451
245	0305205N	UAS INTEGRATION AND INTEROPERABILITY	42,315	42,315
246	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	22,042	22,042
248	0305220N	MQ-4C TRITON	11,784	11,784
249	0305231N	MQ-8 UAV	29,618	29,618
250	0305232M	RQ-11 UAV	509	509
251	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	11,545	11,545
252	0305239M	RQ-21A	10,914	10,914
253	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	70,612	70,612
254	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	3,704	3,704
255	0305421N	RQ-4 MODERNIZATION	202,346	202,346
256	0308601N	MODELING AND SIMULATION SUPPORT	7,119	7,119
257	0702207N	DEPOT MAINTENANCE (NON-IF)	38,182	38,182
258	0708730N	MARITIME TECHNOLOGY (MARITECH)	6,779	6,779
259	1203109N	SATELLITE COMMUNICATIONS (SPACE)	15,868	15,868
999	9999999999	CLASSIFIED PROGRAMS	1,613,137	1,613,137
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	5,104,299	5,124,299
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	20,270,499	20,061,759
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	356,107	356,107
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	158,859	158,859
3	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	14,795	14,795
		SUBTOTAL BASIC RESEARCH	529,761	529,761
		APPLIED RESEARCH		
4	0602102F	MATERIALS	128,851	122,851
		Advanced materials high energy x-ray		[4,000]
		Duplicative material research		[-10,000]
5	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	147,724	137,724
		Reduce program growth		[-10,000]
6	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	131,795	131,795
7	0602203F	AEROSPACE PROPULSION	198,775	198,775
8	0602204F	AEROSPACE SENSORS	202,912	202,912
10	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES.	7,968	7,968
12	0602602F	CONVENTIONAL MUNITIONS	142,772	142,772

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13	0602605F	DIRECTED ENERGY TECHNOLOGY	124,379	124,379
14	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	181,562	199,062
		Counter UAS cyber		[2,500]
		Cyberspace dominance technology research		[10,000]
		Quantum science		[5,000]
15	0602890F	HIGH ENERGY LASER RESEARCH	44,221	49,221
		High power microwave research		[5,000]
16	1206601F	SPACE TECHNOLOGY	124,667	124,667
		SUBTOTAL APPLIED RESEARCH	1,435,626	1,442,126
ADVANCED TECHNOLOGY DEVELOPMENT				
17	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	36,586	38,586
		Metals affordability research		[2,000]
18	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	16,249	16,249
19	0603203F	ADVANCED AEROSPACE SENSORS	38,292	38,292
20	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	102,949	307,949
		Accelerate air breathing hypersonic program		[75,000]
		Active winglets development		[5,000]
		Advanced Personnel Recovery		[25,000]
		LCAAT		[100,000]
21	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	113,973	123,973
		Advanced turbine engine gas generator		[10,000]
22	0603270F	ELECTRONIC COMBAT TECHNOLOGY	48,408	38,408
		Duplicative EW & PNT research		[-10,000]
23	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	70,525	73,525
		Strategic radiation hardened microelectronic processors		[3,000]
24	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	11,878	11,878
25	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	37,542	37,542
26	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	225,817	225,817
27	0603605F	ADVANCED WEAPONS TECHNOLOGY	37,404	37,404
28	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	43,116	50,116
		Advanced materials and materials manufacturing		[7,000]
29	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	56,414	66,414
		Cyber applied research		[10,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	839,153	1,066,153
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
31	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,672	5,672
32	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	27,085	27,085
33	0603790F	NATO RESEARCH AND DEVELOPMENT	4,955	4,955
34	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	44,109	44,109
36	0604002F	AIR FORCE WEATHER SERVICES RESEARCH	772	772
37	0604004F	ADVANCED ENGINE DEVELOPMENT	878,442	878,442
38	0604015F	LONG RANGE STRIKE—BOMBER	3,003,899	3,003,899
39	0604032F	DIRECTED ENERGY PROTOTYPING	10,000	10,000
40	0604033F	HYPERSONICS PROTOTYPING	576,000	576,000
41	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	92,600	124,600
		UPL M-CODE acceleration		[32,000]
42	0604257F	ADVANCED TECHNOLOGY AND SENSORS	23,145	23,145
43	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP	16,669	16,669
44	0604317F	TECHNOLOGY TRANSFER	23,614	23,614
45	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	113,121	113,121
46	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	56,325	56,325
47	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	28,034	28,034
48	0604858F	TECH TRANSITION PROGRAM	128,476	134,476
		Rapid repair		[6,000]
49	0605230F	GROUND BASED STRATEGIC DETERRENT	570,373	592,373
		Program consolidation		[22,000]
50	0207100F	LIGHT ATTACK ARMED RECONNAISSANCE (LAAR) SQUADRONS	35,000	85,000
		Light attack experiment		[50,000]
51	0207110F	NEXT GENERATION AIR DOMINANCE	1,000,000	1,000,000
52	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	37,290	37,290
53	0208099F	UNIFIED PLATFORM (UP)	10,000	10,000
54	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	36,910	36,910
55	0305251F	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	35,000	35,000
56	0305601F	MISSION PARTNER ENVIRONMENTS	8,550	8,550
57	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	198,864	240,064
		Accelerate development of Cyber National Mission Force capabilities		[13,600]
		ETERNALDARKNESS		[7,100]
		Joint Common Access Platform		[20,500]
58	0306415F	ENABLED CYBER ACTIVITIES	16,632	16,632

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60	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	20,830	20,830
61	1203164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	329,948	329,948
62	1203710F	EO/IR WEATHER SYSTEMS	101,222	101,222
63	1206422F	WEATHER SYSTEM FOLLOW-ON	225,660	225,660
64	1206425F	SPACE SITUATION AWARENESS SYSTEMS	29,776	29,776
65	1206427F	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	142,045	142,045
67	1206438F	SPACE CONTROL TECHNOLOGY	64,231	64,231
68	1206730F	SPACE SECURITY AND DEFENSE PROGRAM	56,385	56,385
69	1206760F	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	105,003	95,003
		Unjustified growth		[-10,000]
70	1206761F	PROTECTED TACTICAL SERVICE (PTS)	173,694	163,694
		Unjustified growth		[-10,000]
71	1206855F	EVOLVED STRATEGIC SATCOM (ESS)	172,206	172,206
72	1206857F	SPACE RAPID CAPABILITIES OFFICE	33,742	33,742
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	8,436,279	8,567,479
		SYSTEM DEVELOPMENT & DEMONSTRATION		
73	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	246,200	97,120
		ERWn contract delay		[-149,080]
74	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	67,782	148,782
		UPL M-Code Acceleration		[81,000]
75	0604222F	NUCLEAR WEAPONS SUPPORT	4,406	4,406
76	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,066	2,066
77	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	229,631	229,631
78	0604287F	PHYSICAL SECURITY EQUIPMENT	9,700	9,700
79	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	31,241	31,241
80	0604429F	AIRBORNE ELECTRONIC ATTACK	2	2
81	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	28,043	28,043
82	0604604F	SUBMUNITIONS	3,045	3,045
83	0604617F	AGILE COMBAT SUPPORT	19,944	19,944
84	0604706F	LIFE SUPPORT SYSTEMS	8,624	8,624
85	0604735F	COMBAT TRAINING RANGES	37,365	37,365
86	0604800F	F-35—EMD	7,628	7,628
87	0604932F	LONG RANGE STANDOFF WEAPON	712,539	712,539
88	0604933F	ICBM FUZE MODERNIZATION	161,199	161,199
89	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	2,414	2,414
91	0605056F	OPEN ARCHITECTURE MANAGEMENT	30,000	30,000
93	0605221F	KC-46	59,561	59,561
94	0605223F	ADVANCED PILOT TRAINING	348,473	348,473
95	0605229F	COMBAT RESCUE HELICOPTER	247,047	247,047
98	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM	294,400	294,400
99	0101125F	NUCLEAR WEAPONS MODERNIZATION	27,564	27,564
100	0101213F	MINUTEMAN SQUADRONS	1	1
101	0207171F	F-15 EPWSS	47,322	47,322
102	0207328F	STAND IN ATTACK WEAPON	162,840	162,840
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	462,875
111	1203940F	SPACE SITUATION AWARENESS OPERATIONS	76,829	76,829
112	1206421F	COUNTERSPACE SYSTEMS	29,037	29,037
113	1206422F	WEATHER SYSTEM FOLLOW-ON	2,237	2,237
114	1206425F	SPACE SITUATION AWARENESS SYSTEMS	412,894	412,894
115	1206426F	SPACE FENCE	0	20,000
		Space Fence		[20,000]
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	1,395,278
122	1206853F	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD	432,009	432,009
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	6,929,244	6,881,164
		MANAGEMENT SUPPORT		
123	0604256F	THREAT SIMULATOR DEVELOPMENT	59,693	59,693
124	0604759F	MAJOR T&E INVESTMENT	181,663	232,663
		UPL M-Code Acceleration		[36,000]
		Utah training range instrumentation		[15,000]
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	771,895
		Accelerate prototype program		[5,000]

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		Facilitates 5G test and evaluation		[49,000]
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	ENTERPRISE 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	19,942
148	1206392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	167,810	167,810
149	1206398F	SPACE & MISSILE SYSTEMS CENTER—MHA	10,170	10,170
150	1206860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	13,192	13,192
151	1206864F	SPACE TEST PROGRAM (STP)	26,097	26,097
		SUBTOTAL MANAGEMENT SUPPORT	2,916,571	3,021,571
		OPERATIONAL SYSTEMS DEVELOPMENT		
152	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	35,611	84,611
		Accelerates 5G military use		[49,000]
154	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	2,584	2,584
156	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	903	903
157	0604840F	F-35 C2D2	694,455	694,455
158	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) ..	40,567	0
		Poor agile development		[-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	4,818
		program delay		[-12,400]
162	0606018F	NC3 INTEGRATION	25,917	25,917
164	0101113F	B-52 SQUADRONS	325,974	325,974
165	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	10,217	10,217
166	0101126F	B-1B SQUADRONS	1,000	1,000
167	0101127F	B-2 SQUADRONS	97,276	97,276
168	0101213F	MINUTEMAN SQUADRONS	128,961	106,961
		Program consolidation		[-22,000]
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	336,079
181	0207136F	MANNED DESTRUCTIVE SUPPRESSION	15,521	15,521
182	0207138F	F-22A SQUADRONS	496,298	496,298
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	112,505
191	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	78,498	78,498
192	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	114,864	114,864
193	0207412F	CONTROL AND REPORTING CENTER (CRC)	8,109	8,109
194	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	67,996	67,996
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

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Line	Program Element	Item	FY 2020 Request	Senate Authorized
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
218	0301004F	ADVANCED DATA TRANSPORT FLIGHT TEST	0	21,000
		Accelerate prototype test of 5G		[21,000]
219	0301025F	GEOBASE	2,723	2,723
220	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES)	44,190	44,190
226	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS.	3,575	3,575
227	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) ...	70,173	70,173
228	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	13,543	13,543
229	0303133F	HIGH FREQUENCY RADIO SYSTEMS	15,881	15,881
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	150,880
235	0304260F	AIRBORNE SIGINT ENTERPRISE	102,667	102,667
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	0
		Not mature plan		[-19,000]
242	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,544	4,544
243	0305111F	WEATHER SERVICE	25,461	25,461
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	122,909
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	191,733
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 ARCHITECTURES.	13,515	13,515
263	0305881F	RAPID CYBER ACQUISITION	4,383	4,383
264	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,133	2,133
265	0307577F	INTELLIGENCE MISSION DATA (IMD)	8,614	8,614
266	0401115F	C-130 AIRLIFT SQUADRON	140,425	140,425
267	0401119F	C-5 AIRLIFT SQUADRONS (IF)	10,223	10,223
268	0401130F	C-17 AIRCRAFT (IF)	25,101	25,101
269	0401132F	C-130J PROGRAM	8,640	8,640
270	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,424	5,424
272	0401219F	KC-10S	20	20
274	0401318F	CV-22	17,906	17,906
276	0408011F	SPECIAL TACTICS / COMBAT CONTROL	3,629	3,629
277	0702207F	DEPOT MAINTENANCE (NON-IF)	1,890	1,890
278	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	10,311	10,311
279	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	16,065	16,065
280	0708611F	SUPPORT SYSTEMS DEVELOPMENT	539	539
281	0804743F	OTHER FLIGHT TRAINING	2,057	2,057
282	0808716F	OTHER PERSONNEL ACTIVITIES	10	10
283	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,060	2,060
284	0901218F	CIVILIAN COMPENSATION PROGRAM	3,809	3,809
285	0901220F	PERSONNEL ADMINISTRATION	6,476	6,476
286	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,443	1,443
287	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	9,323	9,323
288	0901554F	DEFENSE ENTERPRISE ACNTNG AND MGT SYS (DEAMS)	46,789	46,789
289	1201017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	3,647	3,647
290	1201921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	988	988
291	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	11,863	11,863
293	1203001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	197,388	197,388
294	1203110F	SATELLITE CONTROL NETWORK (SPACE)	61,891	61,891
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

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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	72,762
304	1203620F	NATIONAL SPACE DEFENSE CENTER	2,653	2,653
306	1203873F	BALLISTIC MISSILE DEFENSE RADARS	15,881	15,881
308	1203913F	NUDET DETECTION SYSTEM (SPACE)	49,300	49,300
309	1203940F	SPACE SITUATION AWARENESS OPERATIONS	17,834	17,834
310	1206423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CON- TROL SEGMENT.	445,302	445,302
311	1206770F	ENTERPRISE GROUND SERVICES	138,870	138,870
999	999999999	CLASSIFIED PROGRAMS	18,029,506	18,351,506
		Transfer back to base funding		[322,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	24,529,488	24,827,521
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	45,616,122	46,335,775
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH	26,000	26,000
2	0601101E	DEFENSE RESEARCH SCIENCES	432,284	432,284
3	0601110D8Z	BASIC RESEARCH INITIATIVES	48,874	58,874
		DEPSCOR		[10,000]
4	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	54,122	54,122
5	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	92,074	102,074
		Submarine industrial base workforce training and education		[10,000]
6	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MI- NORITY INSTITUTIONS.	30,708	32,708
		Aerospace research and education		[2,000]
7	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	45,238	45,238
		SUBTOTAL BASIC RESEARCH	729,300	751,300
		APPLIED RESEARCH		
8	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,306	19,306
9	0602115E	BIOMEDICAL TECHNOLOGY	97,771	97,771
11	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	52,317	52,317
12	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRI- ORITIES.	62,200	64,200
		Computer modeling of PFAS		[2,000]
13	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	442,556	442,556
14	0602383E	BIOLOGICAL WARFARE DEFENSE	34,588	34,588
15	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	202,587	202,587
16	0602668D8Z	CYBER SECURITY RESEARCH	15,118	25,118
		Academic cyber institutes		[10,000]
17	0602702E	TACTICAL TECHNOLOGY	337,602	337,602
18	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	223,976	223,976
19	0602716E	ELECTRONICS TECHNOLOGY	332,192	332,192
20	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RE- SEARCH.	179,096	179,096
21	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RE- SEARCH.	9,580	9,580
22	1160401BB	SOF TECHNOLOGY DEVELOPMENT	40,569	40,569
		SUBTOTAL APPLIED RESEARCH	2,049,458	2,061,458
		ADVANCED TECHNOLOGY DEVELOPMENT		
23	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,779	25,779
24	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	5,000	5,000
25	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	70,517	70,517
26	0603133D8Z	FOREIGN COMPARATIVE TESTING	24,970	24,970
28	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	340,065	340,065
29	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT ...	14,208	14,208
30	0603178C	WEAPONS TECHNOLOGY	10,000	10,000
31	0603180C	ADVANCED RESEARCH	20,674	20,674
32	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,773	18,773
33	0603286E	ADVANCED AEROSPACE SYSTEMS	279,741	279,741
34	0603287E	SPACE PROGRAMS AND TECHNOLOGY	202,606	202,606
35	0603288D8Z	ANALYTIC ASSESSMENTS	19,429	19,429
36	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	37,645	37,645
37	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA ..	14,668	14,668
38	0603294C	COMMON KILL VEHICLE TECHNOLOGY	13,600	13,600
40	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	29,398	36,898
		Accelerate Artificial Intelligence solutions		[7,500]
41	0603375D8Z	TECHNOLOGY INNOVATION	60,000	60,000
42	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—AD- VANCED DEVELOPMENT.	172,486	172,486
43	0603527D8Z	RETRACT LARCH	159,688	159,688
44	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	12,063	12,063

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45	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	107,359	89,859
		Program reduction		[-17,500]
46	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	2,858	2,858
47	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	96,397	96,397
48	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	42,834	42,834
49	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	80,911	70,911
		Program reduction		[-10,000]
50	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	10,817	10,817
51	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	66,157	76,157
		SERDP		[10,000]
52	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	171,771	171,771
53	0603727D8Z	JOINT WARFIGHTING PROGRAM	4,846	4,846
54	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	128,616	128,616
55	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	232,134	232,134
56	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	512,424	512,424
57	0603767E	SENSOR TECHNOLOGY	163,903	163,903
58	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	13,723	13,723
59	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	15,111	15,111
60	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	47,147	47,147
61	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY	19,376	19,376
62	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	85,223	85,223
63	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	175,574	185,574
		Program increase to support NDS technologies		[10,000]
64	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK	25,000	25,000
65	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	70,536	70,536
66	0303310D8Z	CWMD SYSTEMS	28,907	28,907
68	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	89,154	89,154
69	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	20,000	20,000
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	3,742,088	3,742,088
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
70	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	42,695	42,695
71	0603600D8Z	WALKOFF	92,791	92,791
72	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES.	5,659	5,659
73	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	66,572	76,572
		ESTCP		[10,000]
74	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	302,761	302,761
75	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	1,156,506	1,156,506
76	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL.	83,662	83,662
77	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	283,487	283,487
78	0603890C	BMD ENABLING PROGRAMS	571,507	571,507
79	0603891C	SPECIAL PROGRAMS—MDA	377,098	502,098
		Classified		[125,000]
80	0603892C	AEGIS BMD	727,479	727,479
81	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATIONS.	564,206	564,206
82	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT.	51,532	51,532
83	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	56,161	56,161
84	0603906C	REGARDING TRENCH	22,424	22,424
85	0603907C	SEA BASED X-BAND RADAR (SBX)	128,156	128,156
86	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
87	0603914C	BALLISTIC MISSILE DEFENSE TEST	395,924	395,924
88	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	554,171	554,171
89	0603920D8Z	HUMANITARIAN DEMINING	10,820	10,820
90	0603923D8Z	COALITION WARFARE	11,316	11,316
91	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,365	3,365
92	0604115C	TECHNOLOGY MATURATION INITIATIVES	303,458	269,458
		Neutral particle beam		[-34,000]
93	0604132D8Z	MISSILE DEFEAT PROJECT	17,816	17,816
95	0604181C	HYPERSONIC DEFENSE	157,425	157,425
96	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	1,312,735	1,343,735
		Hypervelocity Gun Weapon System		[81,000]
		Unjustified growth to SCO		[-50,000]
97	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	542,421	547,421

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		Trusted and assured microelectronics research		[5,000]
98	0604331D8Z	RAPID PROTOTYPING PROGRAM	100,957	50,957
		Uncoordinated prototyping efforts		[-50,000]
99	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	92,000	92,000
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	412,363
110	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEG- MENT TEST.	25,137	25,137
111	0604878C	AEGIS BMD TEST	169,822	169,822
112	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	105,530	105,530
113	0604880C	LAND-BASED SM-3 (LBSM3)	38,352	38,352
115	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	98,139	98,139
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	55,000
		Missile defense studies realignment		[-30,000]
121	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	35,849	35,849
122	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS ..	27,565	135,565
		HBTSS unfunded requirement		[108,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES.	9,797,493	9,962,493
		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	107,000
125	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	384,047	384,047
126	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	40,102	40,102
127	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DE- VELOPMENT.	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	17,615
131	0605027D8Z	OUSDC IT DEVELOPMENT INITIATIVES	15,653	15,653
132	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEM- ONSTRATION.	2,378	2,378
133	0605075D8Z	CMO POLICY AND INTEGRATION	1,618	1,618
134	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	27,944	27,944
135	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	6,609	6,609
136	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILI- TIES.	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 DEM- ONSTRATION.	12,854	12,854
		SUBTOTAL SYSTEM DEVELOPMENT AND DEM- ONSTRATION.	841,588	841,588
		MANAGEMENT SUPPORT		
142	0603829J	JOINT CAPABILITY EXPERIMENTATION	13,000	13,000
143	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	9,724	9,724
144	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	9,593	9,593
145	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOP- MENT (CTEIP).	260,267	260,267
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	89,091
		Cyber range development		[6,000]
149	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	18,079	13,079
		Program reduction		[-5,000]
150	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANI- ZATION (JIAMDO).	70,038	70,038
152	0605142D8Z	SYSTEMS ENGINEERING	37,140	32,140
		Program reduction		[-5,000]

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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	16,875
169	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	57,716	57,716
170	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	34,448	34,448
171	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	22,203	22,203
172	0605898E	MANAGEMENT HQ—R&D	13,208	13,208
173	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	3,027	3,027
174	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	8,017	8,017
175	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	3,194	3,194
176	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT.	1,000	6,000
		Increase		[5,000]
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	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI).	100	100
193	0901598C	MANAGEMENT HQ—MDA	27,065	27,065
194	0903235K	JOINT SERVICE PROVIDER (JSP)	3,090	3,090
999	9999999999	CLASSIFIED PROGRAMS	51,471	51,471
		SUBTOTAL MANAGEMENT SUPPORT	1,354,628	1,355,628
		OPERATIONAL SYSTEM DEVELOPMENT		
195	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	7,945	7,945
196	0604532K	JOINT ARTIFICIAL INTELLIGENCE	208,834	208,834
197	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	1,947	1,947
198	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHAIS).	310	310
199	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	10,051	48,551
		Advanced systems manufacturing		[5,000]
		Composite manufacturing technologies		[15,000]
		Printed circuit boards		[15,000]
		Rare earth element production		[3,500]
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	67,631
216	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	289,080	287,198
		Sharkseer transfer		[-1,882]
217	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	42,796	44,678
		Sharkseer transfer		[1,882]
218	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	25,218	25,218
219	0303153K	DEFENSE SPECTRUM ORGANIZATION	21,698	21,698
220	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	18,077	18,077
222	0303430K	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY.	44,001	44,001
228	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	2,400	17,400
		Local criminal records access		[15,000]
232	0305186D8Z	POLICY R&D PROGRAMS	6,301	6,301

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	Senate Authorized
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	254,595
		UPL Future vertical lift		[8,800]
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
300	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G).	0	25,000
		DOD Spectrum Sharing program		[25,000]
999	9999999999	CLASSIFIED PROGRAMS	4,116,640	4,542,640
		Transfer back to base funding		[426,000]
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT ...	5,832,398	6,345,698
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	24,346,953	25,060,253
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
1	06051180TE	OPERATIONAL TEST AND EVALUATION	93,291	93,291
2	06051310TE	LIVE FIRE TEST AND EVALUATION	69,172	69,172
3	06058140TE	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	102,647,545	104,023,113

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 OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2020 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
74	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	500	500
79	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	3,000	3,000
85	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	1,085	1,085
95	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	6,000	6,000
97	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING.	4,529	4,529
105	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,000	2,000
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	17,114	17,114
		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

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)**

Line	Program Element	Item	FY 2020 Request	Senate Authorized
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	204,124
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
28	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	2,400	2,400
38	0603527N	RETRACT LARCH	22,000	22,000
57	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT ...	14,178	14,178
69	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
999	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				
48	0604858F	TECH TRANSITION PROGRAM	26,450	26,450
72	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
999	9999999999	CLASSIFIED PROGRAMS	400,713	78,713
		Transfer back to base funding		[-322,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	405,913	83,913
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.			450,248	128,248
RESEARCH, DEVELOPMENT, TEST & EVAL, DW APPLIED RESEARCH				
10	0602134BR	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	1,677	1,677
		SUBTOTAL APPLIED RESEARCH	1,677	1,677
ADVANCED TECHNOLOGY DEVELOPMENT				
25	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	25,230	25,230
27	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION	49,528	49,528
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	74,758	74,758
ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES				
94	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	113,590	113,590
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES.	113,590	113,590
OPERATIONAL SYSTEM DEVELOPMENT				

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)**

Line	Program Element	Item	FY 2020 Request	Senate Authorized
258	1160408BB	OPERATIONAL ENHANCEMENTS	726	726
259	1160431BB	WARRIOR SYSTEMS	6,000	6,000
261	1160434BB	UNMANNED ISR	5,000	5,000
999	9999999999	CLASSIFIED PROGRAMS	626,199	200,199
		Transfer back to base funding		[-426,000]
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	637,925	211,925
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	827,950	401,950
		TOTAL RDT&E	1,646,732	898,732

1 TITLE XLIII—OPERATION AND

2 MAINTENANCE

3 SEC. 4301. OPERATION AND MAINTENANCE.

**SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)**

Line	Item	FY 2020 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY OPERATING FORCES		
010	MANEUVER UNITS	0	1,735,922
	Transfer back to base funding		[1,735,922]
020	MODULAR SUPPORT BRIGADES	0	127,815
	Transfer back to base funding		[127,815]
030	ECHELONS ABOVE BRIGADE	0	716,356
	Transfer back to base funding		[716,356]
040	THEATER LEVEL ASSETS	0	890,891
	Transfer back to base funding		[890,891]
050	LAND FORCES OPERATIONS SUPPORT	0	1,232,477
	Transfer back to base funding		[1,232,477]
060	AVIATION ASSETS	0	1,355,606
	Transfer back to base funding		[1,355,606]
070	FORCE READINESS OPERATIONS SUPPORT	408,031	3,882,315
	Transfer back to base funding		[3,474,284]
080	LAND FORCES SYSTEMS READINESS	417,069	446,269
	UPL MDTF INDOPACOM		[29,200]
090	LAND FORCES DEPOT MAINTENANCE	0	1,633,327
	Transfer back to base funding		[1,633,327]
100	BASE OPERATIONS SUPPORT	0	7,951,473
	Historical underexecution		[-46,000]
	Revised MHPI cost share		[-50,460]
	Transfer back to base funding		[8,047,933]
110	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	4,326,840	4,326,840
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	405,612	405,612
160	US AFRICA COMMAND	251,511	251,511
170	US EUROPEAN COMMAND	146,358	154,158
	JIOCEUR JAC Molesworth		[7,800]
180	US SOUTHERN COMMAND	191,840	191,840
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	7,179,205	26,334,356
	MOBILIZATION		
220	STRATEGIC MOBILITY	380,577	380,577
230	ARMY PREPOSITIONED STOCKS	362,942	362,942
240	INDUSTRIAL PREPAREDNESS	4,637	4,637
	SUBTOTAL MOBILIZATION	748,156	748,156
	TRAINING AND RECRUITING		
250	OFFICER ACQUISITION	157,175	157,175

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2020 Request	Senate Authorized
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	1,234,049
310	PROFESSIONAL DEVELOPMENT EDUCATION	218,338	218,338
320	TRAINING SUPPORT	554,659	554,659
330	RECRUITING AND ADVERTISING	716,056	636,056
	Unjustified growth for advertising		[-70,000]
	Unjustified growth for recruiting		[-10,000]
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	5,147,254
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	559,229	559,229
400	CENTRAL SUPPLY ACTIVITIES	929,944	929,944
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	363,869
	Historical underexecution		[-28,000]
470	OTHER SERVICE SUPPORT	1,901,165	1,901,165
480	ARMY CLAIMS ACTIVITIES	198,765	183,765
	Historical underexecution		[-15,000]
490	REAL ESTATE MANAGEMENT	226,248	226,248
500	FINANCIAL MANAGEMENT AND AUDIT READINESS	315,489	315,489
510	INTERNATIONAL MILITARY HEADQUARTERS	427,254	427,254
520	MISC. SUPPORT OF OTHER NATIONS	43,248	43,248
9999	CLASSIFIED PROGRAMS	1,347,053	1,347,053
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	9,643,258	9,600,258
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	103,800
	Cyber operations-peculiar capability development projects		[3,000]
	Single family home pilot program		[1,000]
	THAAD sustainment program transfer from MDA		[99,800]
	SUBTOTAL UNDISTRIBUTED	0	103,800
	TOTAL OPERATION & MAINTENANCE, ARMY	22,797,873	41,933,824
	OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	0	11,927
	Transfer back to base funding		[11,927]
020	ECHELONS ABOVE BRIGADE	0	533,015
	Transfer back to base funding		[533,015]
030	THEATER LEVEL ASSETS	0	119,517
	Transfer back to base funding		[119,517]
040	LAND FORCES OPERATIONS SUPPORT	0	550,468
	Transfer back to base funding		[550,468]
050	AVIATION ASSETS	0	86,670
	Transfer back to base funding		[86,670]
060	FORCE READINESS OPERATIONS SUPPORT	390,061	390,061
070	LAND FORCES SYSTEMS READINESS	101,890	101,890
080	LAND FORCES DEPOT MAINTENANCE	0	48,503
	Transfer back to base funding		[48,503]
090	BASE OPERATIONS SUPPORT	0	598,907
	Transfer back to base funding		[598,907]
100	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	444,376	444,376
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	22,095	22,095
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS ..	3,288	3,288
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,655	7,655
	SUBTOTAL OPERATING FORCES	969,365	2,918,372

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2020 Request	Senate Authorized
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	1,080,103	3,029,110
OPERATION & MAINTENANCE, ARNG			
OPERATING FORCES			
010	MANEUVER UNITS	0	805,671
	Transfer back to base funding		[805,671]
020	MODULAR SUPPORT BRIGADES	0	195,334
	Transfer back to base funding		[195,334]
030	ECHELONS ABOVE BRIGADE	0	771,048
	Transfer back to base funding		[771,048]
040	THEATER LEVEL ASSETS	0	94,726
	Transfer back to base funding		[94,726]
050	LAND FORCES OPERATIONS SUPPORT	0	33,696
	Transfer back to base funding		[33,696]
060	AVIATION ASSETS	0	981,819
	Transfer back to base funding		[981,819]
070	FORCE READINESS OPERATIONS SUPPORT	743,206	743,206
080	LAND FORCES SYSTEMS READINESS	50,963	50,963
090	LAND FORCES DEPOT MAINTENANCE	0	258,278
	Transfer back to base funding		[258,278]
100	BASE OPERATIONS SUPPORT	0	1,153,076
	Transfer back to base funding		[1,153,076]
110	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	1,113,475	1,120,675
	Damage assessment		[7,200]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,001,042	1,001,042
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS ..	8,448	8,448
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,768	7,768
	SUBTOTAL OPERATING FORCES	2,924,902	7,225,750
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	247,376
	Unjustified growth for marketing		[-1,500]
	Unjustified growth for recruiting		[-1,500]
200	REAL ESTATE MANAGEMENT	2,676	2,676
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	410,853	407,853
	TOTAL OPERATION & MAINTENANCE, ARNG	3,335,755	7,633,603
OPERATION & MAINTENANCE, NAVY			
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	0	2,877,800
	Transfer back to base funding		[2,877,800]
020	FLEET AIR TRAINING	2,284,828	2,284,828
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES ..	0	59,299
	Transfer back to base funding		[59,299]
040	AIR OPERATIONS AND SAFETY SUPPORT	155,896	155,896
050	AIR SYSTEMS SUPPORT	719,107	719,107
060	AIRCRAFT DEPOT MAINTENANCE	0	1,154,181
	Transfer back to base funding		[1,154,181]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	60,402	60,402
080	AVIATION LOGISTICS	1,241,421	1,241,421
090	MISSION AND OTHER SHIP OPERATIONS	0	4,097,262
	Transfer back to base funding		[4,097,262]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,031,792	1,031,792
110	SHIP DEPOT MAINTENANCE	0	8,875,298
	Transfer back to base funding		[8,061,298]
	UPL SSN and Ship maintenance increase		[814,000]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
120	SHIP DEPOT OPERATIONS SUPPORT	0	2,073,641
	Transfer back to base funding		[2,073,641]
130	COMBAT COMMUNICATIONS AND ELECTRONIC WAR- FARE	1,378,856	1,378,856
140	SPACE SYSTEMS AND SURVEILLANCE	276,245	276,245
150	WARFARE TACTICS	675,209	675,209
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	389,516	389,516
170	COMBAT SUPPORT FORCES	1,536,310	1,536,310
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	161,579	161,579
190	COMBATANT COMMANDERS CORE OPERATIONS	59,521	59,521
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT Posture site assessments INDOPACOM	93,978	98,978 [5,000]
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	924,069
250	OTHER WEAPON SYSTEMS SUPPORT	540,210	540,210
260	ENTERPRISE INFORMATION	1,131,627	1,131,627
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,029,634	3,029,634
280	BASE OPERATING SUPPORT	0	4,433,783
	Revised MHPI cost share		[18,840]
	Transfer back to base funding		[4,414,943]
	SUBTOTAL OPERATING FORCES	17,618,565	41,194,829
MOBILIZATION			
290	SHIP PREPOSITIONING AND SURGE	942,902	942,902
300	READY RESERVE FORCE	352,044	352,044
310	SHIP ACTIVATIONS/INACTIVATIONS	427,555	427,555
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	137,597	137,597
330	COAST GUARD SUPPORT	24,604	24,604
	SUBTOTAL MOBILIZATION	1,884,702	1,884,702
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	911,316
380	PROFESSIONAL DEVELOPMENT EDUCATION	185,211	185,211
390	TRAINING SUPPORT	267,224	267,224
400	RECRUITING AND ADVERTISING	209,252	189,252
	Unjustified growth		[-20,000]
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	2,086,043
ADMIN & SRVWD ACTIVITIES			
440	ADMINISTRATION	1,143,358	1,092,358
	Decrease		[-1,000]
	Unjustified audit growth		[-50,000]
450	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	178,342	178,342
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	490,397
	REPO		[5,000]
520	ACQUISITION, LOGISTICS, AND OVERSIGHT	654,137	654,137
530	INVESTIGATIVE AND SECURITY SERVICES	718,061	718,061
9999	CLASSIFIED PROGRAMS	588,235	591,535
	Transfer back to base funding		[3,300]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,343,408	4,300,708
UNDISTRIBUTED			
999	UNDISTRIBUTED	0	3,000
	Cyber operations-peculiar capability development projects		[3,000]
	SUBTOTAL UNDISTRIBUTED	0	3,000
	TOTAL OPERATION & MAINTENANCE, NAVY	25,952,718	49,469,282
OPERATION & MAINTENANCE, MARINE CORPS			

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
OPERATING FORCES			
010	OPERATIONAL FORCES	0	968,224
	Transfer back to base funding		[968,224]
020	FIELD LOGISTICS	1,278,533	1,278,533
030	DEPOT MAINTENANCE	0	232,991
	Transfer back to base funding		[232,991]
040	MARITIME PREPOSITIONING	0	100,396
	Transfer back to base funding		[100,396]
050	CYBERSPACE ACTIVITIES	203,580	203,580
060	SUSTAINMENT, RESTORATION & MODERNIZATION	1,115,742	1,559,034
	Transfer back to base funding		[443,292]
070	BASE OPERATING SUPPORT	0	2,253,776
	Transfer back to base funding		[2,253,776]
	SUBTOTAL OPERATING FORCES	2,597,855	6,596,534
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	407,315
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	863,887
ADMIN & SRVWD ACTIVITIES			
160	SERVICEWIDE TRANSPORTATION	29,894	29,894
170	ADMINISTRATION	384,352	384,352
9999	CLASSIFIED PROGRAMS	52,057	52,057
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	466,303	466,303
UNDISTRIBUTED			
999	UNDISTRIBUTED	0	3,000
	Cyber operations-peculiar capability development		[3,000]
	SUBTOTAL UNDISTRIBUTED	0	3,000
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	3,928,045	7,929,724
OPERATION & MAINTENANCE, NAVY RES			
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	0	654,220
	Transfer back to base funding		[654,220]
020	INTERMEDIATE MAINTENANCE	8,767	8,767
030	AIRCRAFT DEPOT MAINTENANCE	0	108,236
	Transfer back to base funding		[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	0	101,376
	Transfer back to base funding		[101,376]
	SUBTOTAL OPERATING FORCES	243,675	1,107,507
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	261,284	1,125,116
OPERATION & MAINTENANCE, MC RESERVE			
OPERATING FORCES			
010	OPERATING FORCES	0	106,484

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	Transfer back to base funding		[106,484]
020	DEPOT MAINTENANCE	0	18,429
	Transfer back to base funding		[18,429]
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	47,516	47,516
040	BASE OPERATING SUPPORT	0	106,073
	Transfer back to base funding		[106,073]
	SUBTOTAL OPERATING FORCES	47,516	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	61,090	292,076
OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES			
010	PRIMARY COMBAT FORCES	729,127	729,127
020	COMBAT ENHANCEMENT FORCES	1,318,770	1,318,770
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,486,790	1,486,790
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	0	3,334,792
	Transfer back to base funding		[3,334,792]
050	FACILITIES SUSTAINMENT, RESTORATION & MOD-ERNIZATION	3,675,824	4,142,435
	Transfer back to base funding		[466,611]
060	CYBERSPACE SUSTAINMENT	0	228,811
	Transfer back to base funding		[228,811]
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP-PORT	0	8,329,364
	Transfer back to base funding		[8,329,364]
080	FLYING HOUR PROGRAM	0	4,048,773
	Transfer back to base funding		[4,048,773]
090	BASE SUPPORT	0	7,191,582
	Revised MHPI cost share		[-32,400]
	Transfer back to base funding		[7,223,982]
100	GLOBAL C3I AND EARLY WARNING	964,553	964,553
110	OTHER COMBAT OPS SPT PROGRAMS	1,032,307	1,032,307
120	CYBERSPACE ACTIVITIES	670,076	670,076
140	LAUNCH FACILITIES	179,980	179,980
150	SPACE CONTROL SYSTEMS	467,990	467,990
160	US NORTHCOM/NORAD	184,655	184,655
170	US STRATCOM	478,357	478,357
180	US CYBERCOM	323,121	347,921
	Accelerate development Cyber National Mission Force capa-bilities		[1,500]
	Cyber National Mission Force Mobile & Modular Hunt For-ward Kit		[5,300]
	ETERNALDARKNESS		[18,000]
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
9999	CLASSIFIED PROGRAMS	1,322,944	1,322,944
	SUBTOTAL OPERATING FORCES	13,074,913	36,699,646
MOBILIZATION			
240	AIRLIFT OPERATIONS	1,158,142	1,158,142
250	MOBILIZATION PREPAREDNESS	138,672	138,672
	SUBTOTAL MOBILIZATION	1,296,814	1,296,814
TRAINING AND RECRUITING			
260	OFFICER ACQUISITION	130,835	130,835
270	RECRUIT TRAINING	26,021	26,021
280	RESERVE OFFICERS TRAINING CORPS (ROTC)	121,391	121,391
290	SPECIALIZED SKILL TRAINING	454,539	454,539
300	FLIGHT TRAINING	600,565	600,565
310	PROFESSIONAL DEVELOPMENT EDUCATION	282,788	282,788
320	TRAINING SUPPORT	123,988	123,988
330	RECRUITING AND ADVERTISING	167,731	161,731

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	Unjustified growth		[-6,000]
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	2,399,458
	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	30,070
460	INTERNATIONAL SUPPORT	136,110	136,110
9999	CLASSIFIED PROGRAMS	1,269,624	1,269,624
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,501,314	4,501,314
	OPERATION & MAINTENANCE, SPACE FORCE OPERATING FORCES		
010	BASE SUPPORT	72,436	72,436
	SUBTOTAL OPERATING FORCES	72,436	72,436
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	72,436	72,436
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	3,000
	Cyber operations-peculiar capability development projects		[3,000]
	SUBTOTAL UNDISTRIBUTED	0	3,000
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	21,278,499	44,900,232
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,781,413	1,781,413
020	MISSION SUPPORT OPERATIONS	209,650	209,650
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	0	494,235
	Transfer back to base funding		[494,235]
040	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	128,746	128,746
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	0	256,512
	Transfer back to base funding		[256,512]
060	BASE SUPPORT	0	414,626
	Transfer back to base funding		[414,626]
070	CYBERSPACE ACTIVITIES	1,673	1,673
	SUBTOTAL OPERATING FORCES	2,121,482	3,286,855
	ADMINISTRATION AND SERVICEWIDE ACTIVI- TIES		
080	ADMINISTRATION	69,436	69,436
090	RECRUITING AND ADVERTISING	22,124	22,124
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	10,946	10,946
110	OTHER PERS SUPPORT (DISABILITY COMP)	7,009	7,009
120	AUDIOVISUAL	448	448
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	109,963	109,963
	TOTAL OPERATION & MAINTENANCE, AF RE- SERVE	2,231,445	3,396,818
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,497,967	2,497,967
020	MISSION SUPPORT OPERATIONS	600,377	600,377
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	0	879,467
	Transfer back to base funding		[879,467]
040	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	400,734	400,734

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2020 Request	Senate Authorized
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	0	1,299,089
	Transfer back to base funding		[1,299,089]
060	BASE SUPPORT	0	911,775
	Transfer back to base funding		[911,775]
070	CYBERSPACE SUSTAINMENT	0	24,742
	Transfer back to base funding		[24,742]
080	CYBERSPACE ACTIVITIES	25,507	25,507
	SUBTOTAL OPERATING FORCES	3,524,585	6,639,658
	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	3,612,156	6,727,229
	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 ACTIVITIES	14,409	14,409
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	501,747	501,747
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	559,300	559,300
080	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	177,928	177,928
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	925,262	925,262
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	2,764,738	2,764,738
	SUBTOTAL OPERATING FORCES	7,032,465	7,032,465
	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	195,007
	IRT Increase		[14,300]
	Starbase		[15,000]
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	892,438
230	DEFENSE INFORMATION SYSTEMS AGENCY	2,012,885	2,007,885
	MilCloud		[−5,000]
240	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	601,223	636,360
	Sharkseer transfer		[35,137]
270	DEFENSE LEGAL SERVICES AGENCY	34,632	34,632
280	DEFENSE LOGISTICS AGENCY	415,699	415,699
290	DEFENSE MEDIA ACTIVITY	202,792	202,792
300	DEFENSE PERSONNEL ACCOUNTING AGENCY	144,881	144,881
310	DEFENSE SECURITY COOPERATION AGENCY	696,884	696,884
	Assessment, monitoring, and evaluation		[11,000]
	Security cooperation account		[−11,000]
320	DEFENSE SECURITY SERVICE	889,664	899,664
	Consolidated Adjudication Facility		[10,000]
340	DEFENSE SECURITY SERVICE—CYBER	9,220	9,220
360	DEFENSE TECHNICAL INFORMATION CENTER	3,000	3,000
370	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION ...	35,626	35,626
380	DEFENSE THREAT REDUCTION AGENCY	568,133	568,133
400	DEFENSE THREAT REDUCTION AGENCY—CYBER	13,339	13,339

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
410	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,932,226	2,982,226
	Impact aid for children with severe disabilities		[10,000]
	Impact aid for schools with military dependent students		[40,000]
420	MISSILE DEFENSE AGENCY	522,529	422,729
	THAAD program transfer to Army		[−99,800]
450	OFFICE OF ECONOMIC ADJUSTMENT	59,513	59,513
460	OFFICE OF THE SECRETARY OF DEFENSE	1,604,738	1,678,738
	Bien Hoa dioxin cleanup		[15,000]
	CDC study		[10,000]
	Emerging contaminants		[1,000]
	Industrial policy implementation of EO13806		[15,000]
	Interstate compacts for licensure and credentialing		[4,000]
	National Commission on Military Aviation Safety		[3,000]
	National Commission on Military, National, and Public Service		[1,000]
	Readiness and Environmental Protection Integration		[25,000]
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	329,001
	Defense Digital Service Hires		[5,000]
9999	CLASSIFIED PROGRAMS	15,736,098	15,781,461
	Sharkseer transfer		[−35,137]
	Transfer back to base funding		[80,500]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	30,052,049	30,196,049
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	37,399,341	37,543,341
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	14,771	14,771
	SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	14,771	14,771
	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID ...	108,600	108,600
	SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	108,600	108,600
	COOPERATIVE THREAT REDUCTION		
010	COOPERATIVE THREAT REDUCTION	338,700	338,700
	SUBTOTAL COOPERATIVE THREAT REDUCTION ...	338,700	338,700
	ACQ WORKFORCE DEV FD		
010	ACQ WORKFORCE DEV FD	400,000	400,000
	SUBTOTAL ACQ WORKFORCE DEV FD	400,000	400,000
	ENVIRONMENTAL RESTORATION, ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	207,518	207,518
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	207,518	207,518
	ENVIRONMENTAL RESTORATION, NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	335,932	335,932
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	335,932	335,932
	ENVIRONMENTAL RESTORATION, AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	302,744	302,744
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	302,744	302,744
	ENVIRONMENTAL RESTORATION, DEFENSE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	9,105	9,105
	SUBTOTAL ENVIRONMENTAL RESTORATION, DEFENSE	9,105	9,105

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	216,499	216,499
	SUBTOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	216,499	216,499
	TOTAL MISCELLANEOUS APPROPRIATIONS	1,933,869	1,933,869
	UNDISTRIBUTED		
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	-590,000
	Foreign currency fluctuation fund reduction		[-607,000]
	JROTC		[25,000]
	Printing inefficiencies		[-8,000]
	SUBTOTAL UNDISTRIBUTED	0	-590,000
	TOTAL UNDISTRIBUTED	0	-590,000
	TOTAL OPERATION & MAINTENANCE	123,944,614	205,396,660

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	Senate Authorized
	OPERATION & MAINTENANCE, ARMY OPERATING FORCES		
010	MANEUVER UNITS	3,146,796	1,410,874
	Transfer back to base funding		[-1,735,922]
020	MODULAR SUPPORT BRIGADES	127,815	0
	Transfer back to base funding		[-127,815]
030	ECHELONS ABOVE BRIGADE	742,858	26,502
	Transfer back to base funding		[-716,356]
040	THEATER LEVEL ASSETS	3,165,381	2,274,490
	Transfer back to base funding		[-890,891]
050	LAND FORCES OPERATIONS SUPPORT	1,368,765	136,288
	Transfer back to base funding		[-1,232,477]
060	AVIATION ASSETS	1,655,846	300,240
	Transfer back to base funding		[-1,355,606]
070	FORCE READINESS OPERATIONS SUPPORT	6,889,293	3,415,009
	Transfer back to base funding		[-3,474,284]
080	LAND FORCES SYSTEMS READINESS	29,985	29,985
090	LAND FORCES DEPOT MAINTENANCE	1,720,258	86,931
	Transfer back to base funding		[-1,633,327]
100	BASE OPERATIONS SUPPORT	8,163,639	115,706
	Transfer back to base funding		[-8,047,933]
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	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	35,105,836	15,891,225
	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

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
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
9999	CLASSIFIED PROGRAMS	1,568,564	1,568,564
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	2,749,759	2,749,759
	TOTAL OPERATION & MAINTENANCE, ARMY	37,987,549	18,772,938
	OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	11,927	0
	Transfer back to base funding		[-11,927]
020	ECHELONS ABOVE BRIGADE	553,455	20,440
	Transfer back to base funding		[-533,015]
030	THEATER LEVEL ASSETS	119,517	0
	Transfer back to base funding		[-119,517]
040	LAND FORCES OPERATIONS SUPPORT	550,468	0
	Transfer back to base funding		[-550,468]
050	AVIATION ASSETS	86,670	0
	Transfer back to base funding		[-86,670]
060	FORCE READINESS OPERATIONS SUPPORT	689	689
080	LAND FORCES DEPOT MAINTENANCE	48,503	0
	Transfer back to base funding		[-48,503]
090	BASE OPERATIONS SUPPORT	615,370	16,463
	Transfer back to base funding		[-598,907]
	SUBTOTAL OPERATING FORCES	1,986,599	37,592
	TOTAL OPERATION & MAINTENANCE, ARMY RES	1,986,599	37,592
	OPERATION & MAINTENANCE, ARNG OPERATING FORCES		
010	MANEUVER UNITS	851,567	45,896
	Transfer back to base funding		[-805,671]
020	MODULAR SUPPORT BRIGADES	195,514	180
	Transfer back to base funding		[-195,334]
030	ECHELONS ABOVE BRIGADE	774,030	2,982
	Transfer back to base funding		[-771,048]
040	THEATER LEVEL ASSETS	95,274	548
	Transfer back to base funding		[-94,726]
050	LAND FORCES OPERATIONS SUPPORT	33,696	0
	Transfer back to base funding		[-33,696]
060	AVIATION ASSETS	991,048	9,229
	Transfer back to base funding		[-981,819]
070	FORCE READINESS OPERATIONS SUPPORT	1,584	1,584
090	LAND FORCES DEPOT MAINTENANCE	258,278	0
	Transfer back to base funding		[-258,278]
100	BASE OPERATIONS SUPPORT	1,175,139	22,063
	Transfer back to base funding		[-1,153,076]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	606	606
	SUBTOTAL OPERATING FORCES	4,376,736	83,088
	ADMIN & SRVWD ACTIVITIES		
170	SERVICEWIDE COMMUNICATIONS	203	203
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	203	203
	TOTAL OPERATION & MAINTENANCE, ARNG	4,376,939	83,291
	AFGHANISTAN SECURITY FORCES FUND AFGHAN NATIONAL ARMY		
090	SUSTAINMENT	1,313,047	1,313,047
100	INFRASTRUCTURE	37,152	37,152
110	EQUIPMENT AND TRANSPORTATION	120,868	120,868
120	TRAINING AND OPERATIONS	118,591	118,591
	SUBTOTAL AFGHAN NATIONAL ARMY	1,589,658	1,589,658
	AFGHAN NATIONAL POLICE		
130	SUSTAINMENT	422,806	422,806
140	INFRASTRUCTURE	2,358	2,358

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
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
	TOTAL AFGHANISTAN SECURITY FORCES FUND ..	4,803,978	4,803,978
	OPERATION & MAINTENANCE, NAVY OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	5,682,156	2,804,356
	Transfer back to base funding		[-2,877,800]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	60,115	816
	Transfer back to base funding		[-59,299]
040	AIR OPERATIONS AND SAFETY SUPPORT	9,582	9,582
050	AIR SYSTEMS SUPPORT	197,262	197,262
060	AIRCRAFT DEPOT MAINTENANCE	1,322,427	168,246
	Transfer back to base funding		[-1,154,181]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	3,594	3,594
080	AVIATION LOGISTICS	10,618	10,618
090	MISSION AND OTHER SHIP OPERATIONS	5,582,370	1,485,108
	Transfer back to base funding		[-4,097,262]
100	SHIP OPERATIONS SUPPORT & TRAINING	20,334	20,334
110	SHIP DEPOT MAINTENANCE	10,426,913	2,365,615
	Transfer back to base funding		[-8,061,298]
120	SHIP DEPOT OPERATIONS SUPPORT	2,073,641	0
	Transfer back to base funding		[-2,073,641]
130	COMBAT COMMUNICATIONS AND ELECTRONIC WAR- FARE	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	4,634,042	219,099
	Transfer back to base funding		[-4,414,943]
	SUBTOTAL OPERATING FORCES	31,354,388	8,615,964
	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

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
530	INVESTIGATIVE AND SECURITY SERVICES	1,559	1,559
9999	CLASSIFIED PROGRAMS	21,054	17,754
	Transfer back to base funding		[-3,300]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	120,554	117,254
	TOTAL OPERATION & MAINTENANCE, NAVY	31,734,683	8,992,959
	OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES		
010	OPERATIONAL FORCES	1,682,877	714,653
	Transfer back to base funding		[-968,224]
020	FIELD LOGISTICS	232,508	232,508
030	DEPOT MAINTENANCE	287,092	54,101
	Transfer back to base funding		[-232,991]
040	MARITIME PREPOSITIONING	100,396	0
	Transfer back to base funding		[-100,396]
050	CYBERSPACE ACTIVITIES	2,000	2,000
060	SUSTAINMENT, RESTORATION & MODERNIZATION	443,292	340,000
	Disaster recovery increase		[340,000]
	Transfer back to base funding		[-443,292]
070	BASE OPERATING SUPPORT	2,278,346	24,570
	Transfer back to base funding		[-2,253,776]
	SUBTOTAL OPERATING FORCES	5,026,511	1,367,832
	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
9999	CLASSIFIED PROGRAMS	5,100	5,100
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	66,500	66,500
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	5,123,470	1,464,791
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	654,220	0
	Transfer back to base funding		[-654,220]
020	INTERMEDIATE MAINTENANCE	510	510
030	AIRCRAFT DEPOT MAINTENANCE	119,864	11,628
	Transfer back to base funding		[-108,236]
080	COMBAT SUPPORT FORCES	10,898	10,898
120	BASE OPERATING SUPPORT	101,376	0
	Transfer back to base funding		[-101,376]
	SUBTOTAL OPERATING FORCES	886,868	23,036
	TOTAL OPERATION & MAINTENANCE, NAVY RES	886,868	23,036
	OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES		
010	OPERATING FORCES	114,111	7,627
	Transfer back to base funding		[-106,484]
020	DEPOT MAINTENANCE	18,429	0
	Transfer back to base funding		[-18,429]
040	BASE OPERATING SUPPORT	107,153	1,080
	Transfer back to base funding		[-106,073]
	SUBTOTAL OPERATING FORCES	239,693	8,707
	TOTAL OPERATION & MAINTENANCE, MC RE- SERVE	239,693	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	3,743,491	408,699
	Transfer back to base funding		[-3,334,792]

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
050	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	613,875	487,264
	Disaster recovery increase		[340,000]
	Transfer back to base funding		[-466,611]
060	CYBERSPACE SUSTAINMENT	238,872	10,061
	Transfer back to base funding		[-228,811]
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	9,282,958	953,594
	Transfer back to base funding		[-8,329,364]
080	FLYING HOUR PROGRAM	6,544,039	2,495,266
	Transfer back to base funding		[-4,048,773]
090	BASE SUPPORT	8,762,102	1,538,120
	Transfer back to base funding		[-7,223,982]
100	GLOBAL C3I AND EARLY WARNING	13,863	13,863
110	OTHER COMBAT OPS SPT PROGRAMS	272,020	272,020
120	CYBERSPACE ACTIVITIES	17,657	17,657
130	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	36,098	36,098
140	LAUNCH FACILITIES	391	391
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	31,108,821	7,816,488
	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
9999	CLASSIFIED PROGRAMS	52,995	52,995
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	508,053	508,053
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	33,028,712	9,736,379
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	518,423	24,188
	Transfer back to base funding		[-494,235]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	256,512	0
	Transfer back to base funding		[-256,512]
060	BASE SUPPORT	420,196	5,570
	Transfer back to base funding		[-414,626]
	SUBTOTAL OPERATING FORCES	1,195,131	29,758
	TOTAL OPERATION & MAINTENANCE, AF RE- SERVE	1,195,131	29,758
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,666	3,666
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	946,411	66,944

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	Transfer back to base funding		[−879,467]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	1,392,709	93,620
	Transfer back to base funding		[−1,299,089]
060	BASE SUPPORT	924,454	12,679
	Transfer back to base funding		[−911,775]
070	CYBERSPACE SUSTAINMENT	24,742	0
	Transfer back to base funding		[−24,742]
	SUBTOTAL OPERATING FORCES	3,291,982	176,909
	TOTAL OPERATION & MAINTENANCE, ANG	3,291,982	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 DEVELOP- MENT ACTIVITIES	1,121,580	1,121,580
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,328,201	1,328,201
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	399,845	399,845
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUP- PORT	138,458	138,458
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	808,729	808,729
	SUBTOTAL OPERATING FORCES	3,825,313	3,825,313
ADMIN & SRVWIDE ACTIVITIES			
180	DEFENSE CONTRACT AUDIT AGENCY	1,810	1,810
200	DEFENSE CONTRACT MANAGEMENT AGENCY	21,723	21,723
230	DEFENSE INFORMATION SYSTEMS AGENCY	81,133	81,133
240	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	3,455	3,455
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	1,977,217
	Security cooperation account, unjustified growth		[−100,000]
	Transfer from CTEF Iraq		[100,000]
	Ukraine Security Assistance Initiative		[50,000]
380	DEFENSE THREAT REDUCTION AGENCY	317,558	317,558
410	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	31,620	31,620
460	OFFICE OF THE SECRETARY OF DEFENSE	16,666	16,666
500	WASHINGTON HEADQUARTERS SERVICES	6,331	6,331
9999	CLASSIFIED PROGRAMS	2,005,285	1,924,785
	Transfer back to base funding		[−80,500]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	4,623,299	4,592,799
	TOTAL OPERATION AND MAINTENANCE, DE- FENSE-WIDE	8,448,612	8,418,112
	TOTAL OPERATION & MAINTENANCE	133,104,216	52,548,450

1 TITLE XLIV—MILITARY

2 PERSONNEL

3 SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)			
Item	FY 2020 Request	Senate Authorized	
MILITARY PERSONNEL			
MILITARY PERSONNEL APPROPRIATIONS			
MILITARY PERSONNEL APPROPRIATIONS	143,476,503	142,557,523	
Historical under execution		[−918,980]	

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2020 Request	Senate Authorized
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	143,476,503	142,557,523
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS		
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	7,816,815	7,816,815
SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	7,816,815	7,816,815
TOTAL MILITARY PERSONNEL	151,293,318	150,374,338

1 **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**
2 **GENCY OPERATIONS.**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)		
Item	FY 2020 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	4,485,808	4,485,808
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	4,485,808	4,485,808
TOTAL MILITARY PERSONNEL	4,485,808	4,485,808

3 **TITLE XLV—OTHER**
4 **AUTHORIZATIONS**

5 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
010	INDUSTRIAL OPERATIONS	57,467	57,467
020	SUPPLY MANAGEMENT—ARMY	32,130	32,130
	SUBTOTAL WORKING CAPITAL FUND, ARMY	89,597	89,597
	WORKING CAPITAL FUND, AIR FORCE		
020	SUPPLIES AND MATERIALS	92,499	102,499
	Energy optimization initiatives		[10,000]
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	92,499	102,499
	WORKING CAPITAL FUND, DEFENSE-WIDE		
010	SUPPLY CHAIN MANAGEMENT—DEF	49,085	49,085
	SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	49,085	49,085
	WORKING CAPITAL FUND, DECA		
010	WORKING CAPITAL FUND, DECA	995,030	995,030
	SUBTOTAL WORKING CAPITAL FUND, DECA	995,030	995,030
	WCF, DEF COUNTERINTELLIGENCE & SECURITY AGENCY		

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
010	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	200,000	200,000
	SUBTOTAL WCF, DEF COUNTERINTELLIGENCE & SECURITY AGENCY	200,000	200,000
	TOTAL WORKING CAPITAL FUND	1,426,211	1,436,211
	CHEM AGENTS & MUNITIONS DESTRUCTION		
	CHEM AGENTS & MUNITIONS DESTRUCTION		
1	OPERATION AND MAINTENANCE	107,351	107,351
2	RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	875,930	875,930
3	PROCUREMENT	2,218	2,218
	SUBTOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	985,499	985,499
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	985,499	985,499
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES		
010	COUNTER-NARCOTICS SUPPORT	581,739	581,739
	SUBTOTAL DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES	581,739	581,739
	DRUG DEMAND REDUCTION PROGRAM		
020	DRUG DEMAND REDUCTION PROGRAM	120,922	120,922
	SUBTOTAL DRUG DEMAND REDUCTION PROGRAM	120,922	120,922
	NATIONAL GUARD COUNTER-DRUG PROGRAM		
030	NATIONAL GUARD COUNTER-DRUG PROGRAM	91,370	91,370
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG PROGRAM	91,370	91,370
	NATIONAL GUARD COUNTER-DRUG SCHOOLS		
040	NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,371	5,371
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,371	5,371
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	799,402	799,402
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
010	OPERATION AND MAINTENANCE	359,022	359,022
020	OPERATION AND MAINTENANCE—CYBER	1,179	1,179
030	RDT&E	2,965	2,965
040	PROCUREMENT	333	333
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	363,499	363,499
	TOTAL OFFICE OF THE INSPECTOR GENERAL	363,499	363,499
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	9,570,615	9,570,615
020	PRIVATE SECTOR CARE	15,041,006	15,052,006
	Contraceptive cost-sharing		[11,000]
030	CONSOLIDATED HEALTH SUPPORT	1,975,536	1,975,536
040	INFORMATION MANAGEMENT	2,004,588	2,004,588
050	MANAGEMENT ACTIVITIES	333,246	333,246
060	EDUCATION AND TRAINING	793,810	793,810
070	BASE OPERATIONS/COMMUNICATIONS	2,093,289	2,093,289
	SUBTOTAL OPERATION & MAINTENANCE	31,812,090	31,823,090
	RDT&E		
080	R&D RESEARCH	12,621	12,621
090	R&D EXPLORATORY DEVELOPMENT	84,266	84,266
100	R&D ADVANCED DEVELOPMENT	279,766	279,766
110	R&D DEMONSTRATION/VALIDATION	128,055	128,055
120	R&D ENGINEERING DEVELOPMENT	143,527	143,527
130	R&D MANAGEMENT AND SUPPORT	67,219	67,219
140	R&D CAPABILITIES ENHANCEMENT	16,819	16,819

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	SUBTOTAL RDT&E	732,273	732,273
	PROCUREMENT		
150	PROC INITIAL OUTFITTING	26,135	26,135
160	PROC REPLACEMENT & MODERNIZATION	225,774	225,774
170	PROC JOINT OPERATIONAL MEDICINE INFORMATION SYS- TEM	314	314
180	PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	73,010	73,010
190	PROC DOD HEALTHCARE MANAGEMENT SYSTEM MOD- ERNIZATION	129,091	129,091
	SUBTOTAL PROCUREMENT	454,324	454,324
	TOTAL DEFENSE HEALTH PROGRAM	32,998,687	33,009,687
	TOTAL OTHER AUTHORIZATIONS	36,573,298	36,594,298

1 **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**
2 **TINGENCY OPERATIONS.**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2020 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
020	SUPPLY MANAGEMENT—ARMY	20,100	20,100
	SUBTOTAL WORKING CAPITAL FUND, ARMY	20,100	20,100
	TOTAL WORKING CAPITAL FUND	20,100	20,100
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTERDICTION AND COUNTER DRUG ACTIVI-		
	TIES		
010	COUNTER-NARCOTICS SUPPORT	163,596	163,596
	SUBTOTAL DRUG INTERDICTION AND COUNTER		
	DRUG ACTIVITIES	163,596	163,596
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVI-		
	TIES, DEF	163,596	163,596
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
010	OPERATION & MAINTENANCE	24,254	24,254
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	24,254	24,254
	TOTAL OFFICE OF THE INSPECTOR GENERAL	24,254	24,254
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	57,459	57,459
020	PRIVATE SECTOR CARE	287,487	287,487
030	CONSOLIDATED HEALTH SUPPORT	2,800	2,800
	SUBTOTAL OPERATION & MAINTENANCE	347,746	347,746
	TOTAL DEFENSE HEALTH PROGRAM	347,746	347,746
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	745,000	645,000
	Transfer to DSCA Security Cooperation		[-100,000]
020	SYRIA	300,000	300,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND		
	(CTEF)	1,045,000	945,000
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	1,045,000	945,000

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2020 Request	Senate Authorized
	TOTAL OTHER AUTHORIZATIONS	1,600,696	1,500,696

1 TITLE XLVI—MILITARY

2 CONSTRUCTION

3 SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Request	Senate Authorized
MILITARY CONSTRUCTION				
ARMY				
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	67,000
Army	Hunter Army Airfield	Aircraft Maintenance Hangar	62,000	62,000
Army	Hawaii Fort Shafter	Command and Control Facility, Iner 5	60,000	60,000
Army	Honduras Soto Cano AB	Aircraft Maintenance Hangar	34,000	34,000
Army	Japan Kadena Air Base	Vehicle Maintenance Shop	0	15,000
Army	Kentucky Fort Campbell	General Purpose Maintenance Shop	51,000	51,000
Army	Fort Campbell	Automated Infantry Platoon Battle Course	7,100	7,100
Army	Fort Campbell	Easements	3,200	3,200
Army	Massachusetts Soldier Systems Center Natick	Human Engineering Lab	50,000	50,000
Army	Michigan Detroit Arsenal	Substation	24,000	24,000
Army	New York Fort Drum	Railhead	0	21,000
Army	Fort Drum	Unmanned Aerial Vehicle Hangar	23,000	23,000
Army	North Carolina Fort Bragg	Dining Facility	12,500	12,500
Army	Oklahoma Fort Sill	Adv Individual Training Barracks Cplx, Ph2 ..	73,000	73,000
Army	Pennsylvania Carlisle Barracks	General Instruction Building	98,000	98,000
Army	South Carolina Fort Jackson	Reception Complex, Ph2	54,000	54,000
Army	Texas Corpus Christi Army Depot	Powertrain Facility (Machine Shop)	86,000	86,000
Army	Fort Hood	Vehicle Bridge	0	18,500
Army	Fort Hood	Barracks	32,000	32,000
Army	Virginia Fort Belvoir	Secure Operations and Admin Facility	60,000	60,000
Army	Joint Base Langley- Eustis	Adv Individual Training Barracks Cplx, Ph4 ..	55,000	55,000
Army	Washington Joint Base Lewis- McChord	Information Systems Facility	46,000	46,000
Army	Worldwide Unspecified Locations	Unspecified Minor Construction	70,600	70,600
Army	Unspecified Worldwide Locations	Host Nation Support	31,000	31,000
Army	Unspecified Worldwide Locations	Planning and Design	94,099	94,099
Army	Unspecified Worldwide Locations	Unspecified Worldwide Construction	211,000	0
SUBTOTAL ARMY			1,453,499	1,256,999

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Request	Senate Authorized
NAVY				
	Arizona			
Navy	MCAS Yuma	Bachelor Enlisted Quarters—2+2 Replacement.	0	99,600
Navy	Yuma	Hangar 95 Renovation & Addition	90,160	90,160
	Australia			
Navy	Darwin	Aircraft Parking Apron	0	50,000
	Bahrain Island			
Navy	SW Asia	Electrical System Upgrade	53,360	53,360
	California			
Navy	Camp Pendleton	I MEF Consolidated Information Center	113,869	23,000
Navy	Camp Pendleton	62 Area Mess Hall and Consolidated Warehouse.	71,700	71,700
	China Lake	Runway & Taxiway Extension	64,500	64,500
Navy	Coronado	Aircraft Paint Complex	0	79,000
Navy	Coronado	Aircraft Paint Complex	79,100	79,100
Navy	Coronado	Navy V-22 Hangar	86,830	86,830
Navy	MCAS Miramar	Child Development Center	0	37,400
Navy	MCRD San Diego	PMO Facility Replacement	0	9,900
Navy	San Diego	Pier 8 Replacement (Inc)	59,353	59,353
Navy	Seal Beach	Missile Magazines	0	28,000
Navy	Seal Beach	Ammunition Pier	95,310	95,310
Navy	Travis AFB	Alert Force Complex	64,000	64,000
	Connecticut			
Navy	New London	SSN Berthing Pier 32	72,260	72,260
	District of Columbia			
Navy	Naval Observatory	Master Time Clocks & Operations Fac (Inc) ...	75,600	75,600
	Florida			
Navy	Jacksonville	Targeting & Surveillance Syst Prod Supp Fac	32,420	32,420
Navy	MCSF Blount Island	Police Station and EOC Facility Replacement	0	18,700
	Guam			
Navy	Joint Region Marianas	Machine Gun Range (Inc)	91,287	91,287
Navy	Joint Region Marianas	Bachelor Enlisted Quarters H	164,100	20,000
Navy	Joint Region Marianas	EOD Compound Facilities	61,900	61,900
	Hawaii			
Navy	Kaneohe Bay	Bachelor Enlisted Quarters	134,050	39,000
Navy	West Loch	Magazine Consolidation, Phase 1	53,790	53,790
	Italy			
Navy	Signonella	Communications Station	77,400	77,400
	Japan			
Navy	Iwakuni	VTOL Pad—South	15,870	15,870
Navy	Yokosuka	Pier 5 (Berths 2 and 3)	174,692	110,000
	North Carolina			
Navy	Camp Lejeune	2nd Radio BN Complex, Phase 2 (Inc)	25,650	25,650
Navy	Camp Lejeune	ACV-AAV Maintenance Facility Upgrades	11,570	11,570
Navy	Camp Lejeune	10th Marines Himars Complex	35,110	35,110
Navy	Camp Lejeune	II MEF Operations Center Replacement	122,200	122,200
Navy	Camp Lejeune	2nd MARDIV/2nd MLG Ops Center Replacement.	60,130	60,130
	MCAS Cherry Point	Slocum Road Physical Security Compliance ...	0	52,300
Navy	MCAS Cherry Point	Aircraft Maintenance Hangar (Inc)	73,970	73,970
Navy	MCAS Cherry Point	F-35 Training and Simulator Facility	53,230	53,230
Navy	MCAS Cherry Point	ATC Tower & Airfield Operations	61,340	61,340
Navy	MCAS Cherry Point	Flightline Utility Modernization (Inc)	51,860	51,860
Navy	New River	CH-53K Cargo Loading Trainer	11,320	11,320
	South Carolina			
Navy	MCRD Parris Island	Range Safety Improvements and Modernization Phase III, Chosin Range.	0	37,200
	Utah			
Navy	Hill AFB	D5 Missile Motor Receipt/Storage Fac (Inc) ...	50,520	50,520
	Virginia			
Navy	Portsmouth	Dry Dock Flood Protection Improvements	48,930	48,930
Navy	Quantico	Wargaming Center	143,350	10,000
Navy	Yorktown	Nmc Ordnance Facilities Recapitalization, Phase 1.	0	59,000
	Washington			
Navy	Bremerton	Dry Dock 4 & Pier 3 Modernization	51,010	51,010
Navy	Keyport	Undersea Vehicle Maintenance Facility	25,050	25,050
Navy	Kitsap	Seawolf Service Pier Cost-to-Complete	0	48,000
	Worldwide Unspecified			
Navy	Unspecified	Family Housing Mitigation and Oversight	0	59,600
Navy	Unspecified	Planning and Design	0	20,400
Navy	Unspecified	Planning and Design	0	8,000
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	81,237	81,237
Navy	Unspecified Worldwide Locations	Planning and Design	167,715	167,715

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Request	Senate Authorized
SUBTOTAL NAVY			2,805,743	2,884,782
AIR FORCE				
Air Force	Alaska			
	Eielson AFB	F-35 AME Storage Facility	8,600	8,600
Air Force	Arkansas			
	Little Rock AFB	C-130H/J Fuselage Trainer Facility	47,000	47,000
Air Force	Australia			
	Tindal	APR-RAAF Tindal/Bulk Storage Tanks	59,000	59,000
Air Force	Tindal	APR-RAAF Tindal/Earth Covered Magazine	11,600	11,600
Air Force	California			
	Travis AFB	MMHS Allied Support	0	17,000
Air Force	Travis AFB	KC-46A Alter B181/B185/B187 Squad Ops/AMU.	6,600	6,600
Air Force	Travis AFB	KC-46A Regional Maintenance Training Facility.	19,500	19,500
Air Force	Colorado			
	Peterson AFB	SOCNORTH Theater Operational Support Facility.	0	54,000
Air Force	Schriever AFB	Consolidated Space Operations Facility	148,000	23,000
Air Force	Cyprus			
	RAF Akrotiri	New Dormitory for 1 ERS	27,000	27,000
Air Force	Guam			
	Joint Region Marianas	Munitions Storage Igloos III	65,000	65,000
Air Force	Illinois			
	Scott AFB	Joint Operations & Mission Planning Center ..	100,000	90,000
Air Force	Japan			
	Kadena Air Base	Munitions Storage	0	7,000
Air Force	Misawa Air Base	Fuel Infrastructure Resiliency	0	5,300
Air Force	Yokota AB	Fuel Receipt & Distribution Upgrade	12,400	12,400
Air Force	Jordan			
	Azraq	Air Traffic Control Tower	24,000	24,000
Air Force	Azraq	Munitions Storage Area	42,000	42,000
Air Force	Mariana Islands			
	Tinian	Fuel Tanks W/ Pipeline/Hydrant System	109,000	10,000
Air Force	Tinian	Airfield Development Phase 1	109,000	10,000
Air Force	Tinian	Parking Apron	98,000	98,000
Air Force	Maryland			
	Joint Base Andrews	Presidential Aircraft Recap Complex Inc 3	86,000	86,000
Air Force	Massachusetts			
	Hanscom AFB	MIT-Lincoln Lab (West Lab CSL/MIF) Inc 2	135,000	65,000
Air Force	Missouri			
	Whiteman AFB	Consolidated Vehicle Ops and MX Facility	0	27,000
Air Force	Montana			
	Malmstrom AFB	Weapons Storage and Maintenance Facility	235,000	16,000
Air Force	Nevada			
	Nellis AFB	365th ISR Group Facility	57,000	57,000
Air Force	Nellis AFB	F-35A Munitions Assembly Conveyor Facility	8,200	8,200
Air Force	New Mexico			
	Holloman AFB	NC3 Support Wrm Storage/Shipping Facility	0	20,000
Air Force	Kirtland AFB	Combat Rescue Helicopter Simulator (CRH) ADAL.	15,500	15,500
Air Force	Kirtland AFB	UH-1 Replacement Facility	22,400	22,400
Air Force	North Dakota			
	Minot AFB	Helo/TRFops/AMU Facility	5,500	5,500
Air Force	Ohio			
	Wright-Patterson AFB	ADAL Intelligence Prod. Complex (NASIC) Inc 2.	120,900	74,000
Air Force	Texas			
	Joint Base San Antonio	BMT Recruit Dormitory 8	110,000	17,000
Air Force	Joint Base San Antonio	Aquatics Tank	69,000	69,000
Air Force	Joint Base San Antonio	T-XA DAL Ground Based Trng Sys (GBTs) Sim.	9,300	9,300
Air Force	Joint Base San Antonio	T-XXM Trng Sys Centralized Trng Fac	19,000	19,000
Air Force	United Kingdom			
	Royal Air Force	F-35A PGM Facility	14,300	14,300
Air Force	Lakenheath			
	Utah			
Air Force	Hill AFB	GBSD Mission Integration Facility	108,000	18,000
Air Force	Hill AFB	Joint Advanced Tactical Missile Storage Fac ..	6,500	6,500
Air Force	Washington			
	Fairchild AFB	Consolidated TFI Base Operations	31,000	31,000
Air Force	Worldwide Unspecified			
	Unspecified Conus	Military Family Housing Civilian Personnel	0	31,200
Air Force	Unspecified Worldwide	Cost to Complete	0	190,000
Air Force	Unspecified Worldwide	Planning and Design	0	40,000
Air Force	Various Worldwide Locations	Planning and Design	142,148	142,148

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Request	Senate Authorized
Air Force	Various Worldwide Locations	Unspecified Minor Construction	79,682	79,682
Air Force	Wyoming F. E. Warren AFB	Consolidated Helo/TRF Ops/AMU and Alert Fac.	18,100	18,100
SUBTOTAL AIR FORCE			2,179,230	1,718,830
DEFENSE-WIDE				
	California			
Defense-Wide	Beale AFB	Hydrant Fuel System Replacement	33,700	33,700
Defense-Wide	Camp Pendleton	Ambul Care Center/Dental Clinic Replacement	17,700	17,700
Defense-Wide	Mountain View—63 RSC	Install Microgrid Controller, 750 Kw PV, and 750 Kwh Battery Storage.	0	9,700
Defense-Wide	NAWS China Lake	Energy Storage System	0	8,950
Defense-Wide	NSA Monterey	Cogeneration Plant at B236	0	10,540
	Conus Classified			
Defense-Wide	Classified Location	Battalion Complex, Ph 3	82,200	82,200
	Florida			
Defense-Wide	Eglin AFB	SOF Combined Squadron Ops Facility	16,500	16,500
Defense-Wide	Hurlburt Field	SOF Maintenance Training Facility	18,950	18,950
Defense-Wide	Hurlburt Field	SOF AMU & Weapons Hangar	72,923	72,923
Defense-Wide	Hurlburt Field	SOF Combined Squadron Operations Facility	16,513	16,513
Defense-Wide	Key West	SOF Watercraft Maintenance Facility	16,000	16,000
	Germany			
Defense-Wide	Geilenkirchen AB	Ambulatory Care Center/Dental Clinic	30,479	30,479
Defense-Wide	Ramstein	Landstuhl Elementary School	0	66,800
	Guam			
Defense-Wide	Joint Region Marianas	Xray Wharf Refueling Facility	19,200	19,200
Defense-Wide	NB Guam	NSA Andersen Smart Grid and ICS Infrastructure.	0	16,970
	Hawaii			
Defense-Wide	Joint Base Pearl Harbor-Hickam (JBPHH)	Install 500kw Covered Parking PV System & Electric Vehicle Charging Stations B479.	0	4,000
Defense-Wide	Joint Base Pearl Harbor-Hickam	SOF Undersea Operational Training Facility	67,700	67,700
	Japan			
Defense-Wide	Yokosuka	Kinnick High School Inc 2	130,386	10,000
Defense-Wide	Yokota AB	Pacific East District Superintendent's Office ..	20,106	20,106
Defense-Wide	Yokota AB	Bulk Storage Tanks PH1	116,305	21,000
	Louisiana			
Defense-Wide	JRB NAS New Orleans	Distribution Switchgear	0	5,340
	Maryland			
Defense-Wide	Bethesda Naval Hospital	MEDCEN Addition/Altertion Iner 3	96,900	96,900
Defense-Wide	Fort Detrick	Medical Research Acquisition Building	27,846	27,846
Defense-Wide	Fort Meade	NSAW Recapitalize Building #3 Inc 2	426,000	426,000
Defense-Wide	NSA Bethesda	Chiller 3-9 Replacement	0	13,840
Defense-Wide	South Potomac	IH Water Project—CBIRF/IHEODTD/Housing.	0	18,460
	Mississippi			
Defense-Wide	Columbus AFB	Fuel Facilities Replacement	16,800	16,800
	Missouri			
Defense-Wide	Fort Leonard Wood	Hospital Replacement Iner 2	50,000	50,000
Defense-Wide	St Louis	Next NGA West (N2W) Complex Phase 2 Inc. 2.	218,800	153,000
	New Mexico			
Defense-Wide	White Sands Missile Range	Install Microgrid, 700kw PV, 150 Kw Generator, and Batteries.	0	5,800
	North Carolina			
Defense-Wide	Camp Lejeune	SOF Marine Raider Regiment HQ	13,400	13,400
Defense-Wide	Fort Bragg	SOF Human Platform-Force Generation Facility.	43,000	43,000
Defense-Wide	Fort Bragg	SOF Assessment and Selection Training Complex.	12,103	12,103
Defense-Wide	Fort Bragg	SOF Operations Support Bldg	29,000	29,000
	Oklahoma			
Defense-Wide	Tulsa IAP	Fuels Storage Complex	18,900	18,900
	Rhode Island			
Defense-Wide	Quonset State Airport	Fuels Storage Complex Replacement	11,600	11,600
	South Carolina			
Defense-Wide	Joint Base Charleston	Medical Consolidated Storage & Distrib Center	33,300	33,300
	South Dakota			
Defense-Wide	Ellsworth AFB	Hydrant Fuel System Replacement	24,800	24,800
	Texas			
Defense-Wide	Camp Swift	Install Microgrid, 650 Kw PV, & 500 Kw Generator.	0	4,500

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2020 Request	Senate Authorized
Defense-Wide	Fort Hood	Install a Central Energy Plant	0	16,500
Defense-Wide	Virginia			
Defense-Wide	Dam Neck	SOF Demolition Training Compound Expansion.	12,770	12,770
Defense-Wide	Def Distribution Depot	Operations Center Phase 2	98,800	98,800
Defense-Wide	Richmond			
Defense-Wide	Joint Expeditionary	SOF NSWG-10 Operations Support Facility ..	32,600	32,600
Defense-Wide	Base Little Creek—			
Defense-Wide	Story			
Defense-Wide	Joint Expeditionary	SOF NSWG2 JSOTF Ops Training Facility ..	13,004	13,004
Defense-Wide	Base Little Creek—			
Defense-Wide	Story			
Defense-Wide	NRO Headquarters	Irrigation System Upgrade	0	66
Defense-Wide	Pentagon	Backup Generator	8,670	8,670
Defense-Wide	Pentagon	Control Tower & Fire Day Station	20,132	20,132
Defense-Wide	Washington			
Defense-Wide	Joint Base Lewis-	SOF 22 STS Operations Facility	47,700	47,700
Defense-Wide	McChord			
Defense-Wide	Naval Base Kitsap	Keyport Main Substation Replacement	0	23,670
Defense-Wide	Wisconsin			
Defense-Wide	Gen Mitchell IAP	POL Facilities Replacement	25,900	25,900
Defense-Wide	Worldwide Classified			
Defense-Wide	Classified Location	Mission Support Compound	52,000	52,000
Defense-Wide	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide	Defense Community Infrastructure Program ..	0	100,000
Defense-Wide	Unspecified Worldwide	Unspecified Minor Construction	4,950	4,950
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Unspecified Minor Construction	8,000	8,000
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Planning and Design	29,679	29,679
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Unspecified Minor Construction	10,000	10,000
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Planning and Design	35,472	35,472
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Unspecified Minor Construction	31,464	31,464
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Energy Resilience and Conserv. Invest. Prog.	150,000	150,000
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Contingency Construction	10,000	10,000
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Unspecified Minor Construction	3,000	3,000
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Planning and Design	14,400	14,400
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	ERCIP Design	10,000	10,000
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Unspecified Minor Construction	3,228	3,228
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Planning and Design	15,000	15,000
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Exercise Related Minor Construction	11,770	11,770
Defense-Wide	Locations			
Defense-Wide	Unspecified Worldwide	Planning and Design	4,890	4,890
Defense-Wide	Locations			
Defense-Wide	Various Worldwide Lo-	Planning and Design	52,532	52,532
Defense-Wide	cations			
Defense-Wide	Various Worldwide Lo-	Planning and Design	27,000	27,000
Defense-Wide	cations			
Defense-Wide	Various Worldwide Lo-	Unspecified Minor Construction	16,736	16,736
Defense-Wide	cations			
Defense-Wide	Various Worldwide Lo-	Unspecified Minor Construction	10,000	10,000
Defense-Wide	cations			
Defense-Wide	Various Worldwide Lo-	Planning and Design	63,382	63,382
Defense-Wide	cations			
SUBTOTAL DEFENSE-WIDE			2,504,190	2,527,835
ARMY NATIONAL GUARD				
	Alabama			
Army National Guard	Anniston	Enlisted Transient Training Barracks	0	34,000
Army National Guard	Foley	National Guard Readiness Center	12,000	12,000
	California			
Army National Guard	Camp Roberts	Automated Multipurpose Machine Gun Range	12,000	12,000
	Idaho			
Army National Guard	Orchard Training Area	Railroad Tracks	29,000	29,000
	Maryland			
Army National Guard	Havre de Grace	Combined Support Maintenance Shop	12,000	12,000

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	Senate Authorized
Army National Guard	Massachusetts Camp Edwards	Automated Multipurpose Machine Gun Range	9,700	9,700
Army National Guard	Minnesota New Ulm	National Guard Vehicle Maintenance Shop	11,200	11,200
Army National Guard	Mississippi Camp Shelby	Automated Multipurpose Machine Gun Range	8,100	8,100
Army National Guard	Missouri Springfield	National Guard Readiness Center	12,000	12,000
Army National Guard	Nebraska Bellevue	National Guard Readiness Center	29,000	29,000
Army National Guard	New Hampshire Concord	National Guard Readiness Center	5,950	5,950
Army National Guard	New York Jamaica Armory	National Guard Readiness Center	0	20,000
Army National Guard	Pennsylvania Moon Township	Combined Support Maintenance Shop	23,000	23,000
Army National Guard	Vermont Camp Ethan Allen	General Instruction Building (Mountain Warfare School).	0	30,000
Army National Guard	Washington Richland	National Guard Readiness Center	11,400	11,400
Army National Guard	Worldwide Unspecified Unspecified Worldwide Locations	Unspecified Minor Construction	15,000	15,000
Army National Guard	Unspecified Worldwide Locations	Planning and Design	20,469	20,469
SUBTOTAL ARMY NATIONAL GUARD			210,819	294,819
AIR NATIONAL GUARD				
Air National Guard	California Moffett Air National Guard Base (NASA)	Fuels/Corrosion Control Hangar and Shops	0	57,000
Air National Guard	Georgia Savannah/Hilton Head IAP	Consolidated Joint Air Dominance Hangar/Shops.	24,000	24,000
Air National Guard	Missouri Rosecrans Memorial Airport	C-130 Flight Simulator Facility	9,500	9,500
Air National Guard	Puerto Rico Luis Munoz-Marin IAP	Communications Facility	12,500	12,500
Air National Guard	Luis Munoz-Marin IAP	Maintenance Hangar	37,500	37,500
Air National Guard	Wisconsin Truax Field	F-35 Simulator Facility	14,000	14,000
Air National Guard	Truax Field	Fighter Alert Shelters	20,000	20,000
Air National Guard	Worldwide Unspecified Unspecified Worldwide Locations	Unspecified Minor Construction	31,471	31,471
Air National Guard	Various Worldwide Locations	Planning and Design	17,000	17,000
SUBTOTAL AIR NATIONAL GUARD			165,971	222,971
ARMY RESERVE				
Army Reserve	Delaware Dover AFB	Army Reserve Center/BMA	21,000	21,000
Army Reserve	Wisconsin Fort McCoy	Transient Training Barracks	25,000	25,000
Army Reserve	Worldwide Unspecified Unspecified Worldwide Locations	Unspecified Minor Construction	8,928	8,928
Army Reserve	Unspecified Worldwide Locations	Planning and Design	6,000	6,000
SUBTOTAL ARMY RESERVE			60,928	60,928
NAVY RESERVE				
Navy Reserve	Louisiana New Orleans	Entry Control Facility Upgrades	25,260	25,260
Navy Reserve	Worldwide Unspecified Unspecified Worldwide Locations	Unspecified Minor Construction	24,915	24,915
Navy Reserve	Unspecified Worldwide Locations	Planning and Design	4,780	4,780
SUBTOTAL NAVY RESERVE			54,955	54,955
AIR FORCE RESERVE				

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	Senate Authorized
Air Force Reserve	Georgia Robins AFB	Consolidated Missson Complex Phase 3	43,000	43,000
Air Force Reserve	Minnesota Minneapolis-St Paul IAP	Aerial Port Facility	0	9,800
Air Force Reserve	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design	4,604	4,604
Air Force Reserve	Unspecified Worldwide Locations	Unspecified Minor Construction	12,146	12,146
SUBTOTAL AIR FORCE RESERVE			59,750	69,550
NATO SECURITY INVESTMENT PROGRAM				
NATO Security In- vestment Program	Worldwide Unspecified NATO Security Invest- ment Program	NATO Security Investment Program	144,040	144,040
SUBTOTAL NATO SECURITY INVESTMENT PROGRAM			144,040	144,040
TOTAL MILITARY CONSTRUCTION			9,639,125	9,235,709
FAMILY HOUSING CONSTRUCTION, ARMY				
Construction, Army	Germany Baumholder	Family Housing Improvements	29,983	29,983
Construction, Army	Korea Camp Humphreys	Family Housing New Construction Iner 4	83,167	83,167
Construction, Army	Pennsylvania Tobyhanna Army Depot	Family Housing Replacement Construction	19,000	19,000
Construction, Army	Worldwide Unspecified Unspecified Worldwide Locations	Family Housing P & D	9,222	9,222
SUBTOTAL CONSTRUCTION, ARMY			141,372	141,372
O&M, ARMY				
O&M, Army	Worldwide Unspecified Unspecified Worldwide Locations	Management	38,898	38,898
O&M, Army	Unspecified Worldwide Locations	Services	10,156	10,156
O&M, Army	Unspecified Worldwide Locations	Furnishings	24,027	24,027
O&M, Army	Unspecified Worldwide Locations	Miscellaneous	484	484
O&M, Army	Unspecified Worldwide Locations	Maintenance	81,065	81,065
O&M, Army	Unspecified Worldwide Locations	Utilities	55,712	55,712
O&M, Army	Unspecified Worldwide Locations	Leasing	128,938	128,938
O&M, Army	Unspecified Worldwide Locations	Housing Privatization Support	18,627	83,627
SUBTOTAL O&M, ARMY			357,907	422,907
CONSTRUCTION, NAVY AND MARINE CORPS				
Construction, Navy and Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	USMC DPRI/GUAM PLANNING AND DE- SIGN.	2,000	2,000
Construction, Navy and Marine Corps	Unspecified Worldwide Locations	Construction Improvements	41,798	41,798
Construction, Navy and Marine Corps	Unspecified Worldwide Locations	Planning & Design	3,863	3,863
SUBTOTAL CONSTRUCTION, NAVY AND MARINE CORPS			47,661	47,661
O&M, NAVY AND MARINE CORPS				
O&M, Navy and Ma- rine Corps	Worldwide Unspecified Unspecified Worldwide Locations	Utilities	63,229	63,229
O&M, Navy and Ma- rine Corps	Unspecified Worldwide Locations	Furnishings	19,009	19,009
O&M, Navy and Ma- rine Corps	Unspecified Worldwide Locations	Management	50,122	50,122
O&M, Navy and Ma- rine Corps	Unspecified Worldwide Locations	Miscellaneous	151	151

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	Senate Authorized
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Services	16,647	16,647
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Leasing	64,126	64,126
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Maintenance	82,611	82,611
O&M, Navy and Marine Corps	Unspecified Worldwide Locations	Housing Privatization Support	21,975	102,975
SUBTOTAL O&M, NAVY AND MARINE CORPS			317,870	398,870
CONSTRUCTION, AIR FORCE				
Construction, Air Force	Germany Spangdahlem AB	Construct Deficit Military Family Housing	53,584	53,584
Construction, Air Force	Worldwide Unspecified Locations	Construction Improvements	46,638	46,638
Construction, Air Force	Unspecified Worldwide Locations	Planning & Design	3,409	3,409
SUBTOTAL CONSTRUCTION, AIR FORCE			103,631	103,631
O&M, AIR FORCE				
O&M, Air Force	Worldwide Unspecified Locations	Housing Privatization	22,593	87,593
O&M, Air Force	Unspecified Worldwide Locations	Utilities	42,732	42,732
O&M, Air Force	Unspecified Worldwide Locations	Management	56,022	56,022
O&M, Air Force	Unspecified Worldwide Locations	Services	7,770	7,770
O&M, Air Force	Unspecified Worldwide Locations	Furnishings	30,283	30,283
O&M, Air Force	Unspecified Worldwide Locations	Miscellaneous	2,144	2,144
O&M, Air Force	Unspecified Worldwide Locations	Leasing	15,768	15,768
O&M, Air Force	Unspecified Worldwide Locations	Maintenance	117,704	117,704
SUBTOTAL O&M, AIR FORCE			295,016	360,016
O&M, DEFENSE-WIDE				
O&M, Defense-Wide	Worldwide Unspecified Locations	Utilities	4,100	4,100
O&M, Defense-Wide	Unspecified Worldwide Locations	Furnishings	82	82
O&M, Defense-Wide	Unspecified Worldwide Locations	Utilities	13	13
O&M, Defense-Wide	Unspecified Worldwide Locations	Leasing	12,906	12,906
O&M, Defense-Wide	Unspecified Worldwide Locations	Maintenance	32	32
O&M, Defense-Wide	Unspecified Worldwide Locations	Furnishings	645	645
O&M, Defense-Wide	Unspecified Worldwide Locations	Leasing	39,222	39,222
SUBTOTAL O&M, DEFENSE-WIDE			57,000	57,000
IMPROVEMENT FUND				
Improvement Fund	Worldwide Unspecified Locations	Administrative Expenses—FHIF	3,045	3,045
SUBTOTAL IMPROVEMENT FUND			3,045	3,045
UNACCOMP HSG IMPROVEMENT FUND				
Unacomp HSG Improvement Fund	Worldwide Unspecified Locations	Administrative Expenses—UHIF	500	500
SUBTOTAL UNACCOMP HSG IMPROVEMENT FUND			500	500
TOTAL FAMILY HOUSING			1,324,002	1,535,002

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2020 Request	Senate Authorized
DEFENSE BASE REALIGNMENT AND CLOSURE				
ARMY BRAC				
Army BRAC	Worldwide Unspecified Base Realignment & Closure, Army	Base Realignment and Closure	66,111	66,111
SUBTOTAL ARMY BRAC			66,111	66,111
NAVY BRAC				
Navy BRAC	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment & Closure	158,349	158,349
SUBTOTAL NAVY BRAC			158,349	158,349
AIR FORCE BRAC				
Air Force BRAC	Worldwide Unspecified Unspecified Worldwide Locations	DoD BRAC Activities—Air Force	54,066	54,066
SUBTOTAL AIR FORCE BRAC			54,066	54,066
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			278,526	278,526
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			11,241,653	11,049,237

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 or Country and Installation	Project Title	FY 2020 Request	Senate Authorized
MILITARY CONSTRUCTION				
ARMY				
Army	Guantanamo Bay, Cuba			
Army	Guantanamo Bay Naval Station	OCO: Communications Facility	22,000	22,000
Army	Guantanamo Bay Naval Station	OCO: High Value Detention Facility	88,500	0
Army	Guantanamo Bay Naval Station	OCO: Detention Legal Office and Comms Ctr ..	11,800	11,800
Army	Worldwide Unspecified 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/OCO Planning and Design	19,498	19,498
Army	Unspecified Worldwide Locations	EDI: Minor Construction	5,220	5,220
Army	Unspecified Worldwide Locations	Unspecified Worldwide Construction	9,200,000	0
SUBTOTAL ARMY			9,389,218	100,718
NAVY				
Navy	North Carolina			
Navy	Camp Lejeune	1/8 BN HQ Replacement	0	20,635
Navy	Camp Lejeune	22nd, 24th and 26th MEU Headquarters Replacement.	0	31,110
Navy	Camp Lejeune	2D Tank BN/CO HQ and Armory Replacement	0	30,154
Navy	Camp Lejeune	2D TSB HQ Replacement	0	17,413
Navy	Camp Lejeune	Bachelor Enlisted Quarters Replacement	0	62,104
Navy	Camp Lejeune	C-12W Aircraft Maintenance Hangar Replacement.	0	36,295
Navy	Camp Lejeune	CLB Headquarters Facilities Replacement	0	24,788
Navy	Camp Lejeune	Courthouse Bay Fire Station Replacement	0	21,336
Navy	Camp Lejeune	Environmental Management Division Replacement.	0	11,658
Navy	Camp Lejeune	Fire Station Replacement, Hadnot Point	0	21,931
Navy	Camp Lejeune	Hadnot Point Mess Hall Replacement	0	66,023

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	FY 2020 Request	Senate Authorized
Navy	Camp Lejeune	II MEF Simulation/Training Center Replacement.	0	74,487
Navy	Camp Lejeune	LOGCOM CSP Warehouse Replacement	0	35,874
Navy	Camp Lejeune	LSSS Facility Replacement	0	26,815
Navy	Camp Lejeune	MCAB HQ Replacement	0	30,109
Navy	Camp Lejeune	MCCSSS Log Ops School	0	179,617
Navy	Camp Lejeune	PMO/H&HS & MWHS-2 Headquarters Replacement.	0	65,845
Navy	Camp Lejeune	Replace NCIS Facilities	0	22,594
Navy	Camp Lejeune	Replace Regimental Headquarters 2DMARDIV	0	64,155
Navy	Camp Lejeune	Replace WTBN Headquarters	0	18,644
Navy	MCAS Cherry Point	BT-11 Range Operations Center Replacement	0	14,251
Navy	MCAS Cherry Point	Motor Transportation/Communication Shop Replacement.	0	32,785
Navy	MCAS Cherry Point	Station Academic Facility/Auditorium Replacement.	0	17,525
	Spain			
Navy	Rota	EDI: Joint Mobility Center	46,840	46,840
Navy	Rota	EDI: In-Transit Munitions Facility	9,960	9,960
Navy	Rota	EDI: Small Craft Berthing Facility	12,770	12,770
	Worldwide Unspecified			
Navy	Unspecified	Planning & Design	0	50,000
Navy	Unspecified Worldwide Locations	Planning and Design	25,000	25,000
SUBTOTAL NAVY			94,570	1,070,718
AIR FORCE				
	Florida			
Air Force	Tyndall AFB	53 WEG Hangar	0	96,000
Air Force	Tyndall AFB	53 WEG HQ Facility	0	47,000
Air Force	Tyndall AFB	53 WEG Subscale Drone Facility	0	53,000
Air Force	Tyndall AFB	ABM SIM	0	12,900
Air Force	Tyndall AFB	Aerospace & Operational Physiology Facility	0	10,400
Air Force	Tyndall AFB	AFCEC RDT&E Facilities and Gate	0	195,000
Air Force	Tyndall AFB	Aircraft Washrack	0	10,600
Air Force	Tyndall AFB	Civil Engineer Contracting USACE Complex	0	130,000
Air Force	Tyndall AFB	Crash Fire Rescue	0	17,200
Air Force	Tyndall AFB	Deployment Center / Flight Line Dining / AAFES.	0	31,000
Air Force	Tyndall AFB	Emergency Management, EOC, Alt CP	0	14,400
Air Force	Tyndall AFB	Fire Station #2	0	11,000
Air Force	Tyndall AFB	Fire Station Silver Flag #4	0	5,900
Air Force	Tyndall AFB	FW AC Maintenance Fuel Cell (Barn)	0	28,000
Air Force	Tyndall AFB	Logistics Readiness Squadron Complex	0	102,000
Air Force	Tyndall AFB	LRS Aircraft Parts & Deployable Spares Storage Facilities.	0	29,000
Air Force	Tyndall AFB	New Lodge Facilities	0	176,000
Air Force	Tyndall AFB	Operations Group/Maintenance Group HQ	0	18,500
Air Force	Tyndall AFB	OSS / RAPCON Facility	0	51,000
Air Force	Tyndall AFB	Relocate F-22 Formal Training Unit	0	150,000
Air Force	Tyndall AFB	SFS Mobility Storage Facility	0	2,800
Air Force	Tyndall AFB	Silver Flag Facilities	0	35,000
Air Force	Tyndall AFB	Special Purpose Vehicle Maintenance	0	14,000
Air Force	Tyndall AFB	Tyndall AFB Gate Complexes	0	38,000
	Iceland			
Air Force	Keflavik	EDI-Expand Parking Apron	32,000	32,000
Air Force	Keflavik	EDI-Beddown Site Prep	7,000	7,000
Air Force	Keflavik	EDI-Airfield Upgrades—Dangerous Cargo Pad	18,000	18,000
	Spain			
Air Force	Moron	EDI-Hot Cargo Pad	8,500	8,500
	Worldwide Unspecified			
Air Force	Unspecified	Planning & Design	0	247,000
Air Force	Unspecified Worldwide Locations	EDI-Hot Cargo Pad	29,000	29,000
Air Force	Unspecified Worldwide Locations	EDI-MUNITIONS STORAGE AREA	39,000	39,000
Air Force	Unspecified Worldwide Locations	EDI-ECAOS DABS/FEV EMEDS Storage	107,000	107,000
Air Force	Various Worldwide Locations	EDI-P&D	61,438	61,438
Air Force	Various Worldwide Locations	EDI-UMMC	12,800	12,800
SUBTOTAL AIR FORCE			314,738	1,840,438
DEFENSE-WIDE				
	Germany			

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Account	State or Country and Installation	Project Title	FY 2020 Request	Senate Authorized
Defense-Wide	Gemersheim North Carolina	EDI: Logistics Distribution Center Annex	46,000	46,000
Defense-Wide	Camp Lejeune	Ambulatory Care Center (Camp Geiger)	0	17,821
Defense-Wide	Camp Lejeune	Ambulatory Care Center (Camp Johnson)	0	27,492
Defense-Wide	Camp Lejeune	Replace MARSOC ITC Team Facility	0	30,000
	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide Locations	2808 Replenishment Fund	0	3,600,000
SUBTOTAL DEFENSE-WIDE			46,000	3,721,313
ARMY NATIONAL GUARD				
	Florida			
Army National Guard	Panama City	National Guard Readiness Center	0	25,000
	North Carolina			
Army National Guard	MTA Fort Fisher	Administrative Building, General Purpose	0	25,000
SUBTOTAL ARMY NATIONAL GUARD				50,000
TOTAL MILITARY CONSTRUCTION			9,844,526	6,783,187
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			9,844,526	6,783,187

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	Senate 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:		
Federal Salaries and Expenses	434,699	422,999
Weapons activities	12,408,603	12,478,403
Defense nuclear nonproliferation	1,993,302	1,964,202
Naval reactors	1,648,396	1,648,396
Total, National nuclear security administration	16,485,000	16,514,000
Environmental and other defense activities:		
Defense environmental cleanup	5,506,501	5,506,501
Other defense activities	1,035,339	1,032,339
Defense nuclear waste disposal (90M in 270 Energy)	26,000	0
Total, Environmental & other defense activities	6,567,840	6,538,840
Total, Atomic Energy Defense Activities	23,052,840	23,052,840
Total, Discretionary Funding	23,190,648	23,190,648
Nuclear Energy		
Idaho sitewide safeguards and security	137,808	137,808
Total, Nuclear Energy	137,808	137,808
Federal Salaries and Expenses		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2020 Request	Senate Authorized
Program direction	434,699	422,999
Alignment with FTEs authorized		[-11,700]
Weapons Activities		
Directed stockpile work		
Life extension programs and major alterations		
B61 Life extension program	792,611	792,611
W76 Life extension program	0	0
W76-2 Modification program	10,000	10,000
W88 Alteration program	304,186	304,186
W80-4 Life extension program	898,551	898,551
IW1	0	0
W87-1 Modification Program (formerly IW1)	112,011	112,011
Total, Life extension programs and major alterations	2,117,359	2,117,359
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	85,811
B83 Stockpile systems	51,543	51,543
W87 Stockpile systems	98,262	98,262
W88 Stockpile systems	157,815	157,815
Total, Stockpile systems	635,766	635,766
Weapons dismantlement and disposition		
Operations and maintenance	47,500	47,500
Stockpile services		
Production support	543,964	543,964
Research and development support	39,339	40,339
UFR list—technology maturation		[1,000]
R&D certification and safety	236,235	246,235
UFR list—technology maturation		[10,000]
Management, technology, and production	305,000	305,000
Total, Stockpile services	1,124,538	1,135,538
Strategic materials		
Uranium sustainment	94,146	94,146
Plutonium sustainment	0	0
Plutonium sustainment:		
Plutonium sustainment	691,284	691,284
Plutonium pit production project	21,156	21,156
Total, Plutonium sustainment:	712,440	712,440
Tritium sustainment	269,000	269,000
Domestic uranium enrichment	140,000	140,000
Lithium sustainment	28,800	28,800
Strategic materials sustainment	256,808	256,808
Total, Strategic materials	1,501,194	1,501,194
Total, Directed stockpile work	5,426,357	5,437,357
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	54,500
UFR list—technology maturation		[8,000]
Weapon systems engineering assessment technology	0	0
Delivery environments (formerly Weapon systems engineering as- sessment technology)	35,945	35,945

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2020 Request	Senate Authorized
Nuclear survivability	53,932	53,932
Enhanced surveillance	57,747	57,747
Stockpile Responsiveness	39,830	80,630
Program expansion		[40,800]
Total, Engineering	233,954	282,754
Inertial confinement fusion ignition and high yield		
Ignition and other stockpile programs	55,649	55,649
Ignition	0	0
Support of other stockpile programs	0	0
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
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-670, Exascale Class Computer Cooling Equipment, LANL	0	0
18-D-620, Exascale Computing Facility Modernization Project, LLNL	50,000	50,000
Total, Construction	50,000	50,000
Total, Advanced simulation and computing	839,849	839,849
Advanced manufacturing development		
Additive manufacturing	18,500	18,500
Component manufacturing development	48,410	58,410
UFR list—technology maturation		[10,000]
Process technology development	69,998	69,998
Total, Advanced manufacturing development	136,908	146,908
Total, RDT&E	2,277,867	2,336,667
Infrastructure and operations		
Operating		
Operations of facilities		
Operations of facilities	905,000	905,000
Safety and environmental operations	119,000	119,000
Maintenance and repair of facilities	456,000	456,000
Recapitalization		
Infrastructure and safety	447,657	447,657
Capability based investments	135,341	135,341
Total, Recapitalization	582,998	582,998
Total, Operating	2,062,998	2,062,998
Construction:		
19-D-670, 138kV Power Transmission System Replacement, NNSS	6,000	6,000
18-D-660, Fire Station, Y-12	0	0
18-D-650, Tritium Production Capability, SRS	27,000	27,000
18-D-680, Materials staging facility, PX	0	0
18-D-690, Lithium production capability, Y-12	0	0
18-D-690, Lithium processing facility, Y-12 (formerly Lithium production capability)	32,000	32,000
17-D-640, U1a Complex Enhancements Project, NNSS	35,000	35,000
17-D-630, Expand Electrical Distribution System, LLNL	0	0
16-D-515, Albuquerque complex project	0	0
15-D-613, Emergency Operations Center, Y-12	0	0
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
07-D-220, Radioactive liquid waste treatment facility upgrade project, LANL	0	0
07-D-220-04, Transuranic liquid waste facility, LANL	0	0
06-D-141, Uranium processing facility Y-12, Oak Ridge, TN	745,000	745,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)			
Program	FY 2020 Request	Senate Authorized	
Chemistry and metallurgy research replacement (CMRR)			
04-D-125, Chemistry and metallurgy research replacement project, LANL	168,444	168,444	
04-D-125-04, RLUOB equipment installation	0	0	
04-D-125-05, PF -4 equipment installation	0	0	
Total, Chemistry and metallurgy research replacement (CMRR)	168,444	168,444	
Total, Construction	1,145,444	1,145,444	
Total, Infrastructure and operations	3,208,442	3,208,442	
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		0	
Operations and maintenance	778,213	778,213	
Security improvements program	0	0	
Construction:		0	
17-D-710, West end protected area reduction project, Y-12	0	0	
Total, Defense nuclear security	778,213	778,213	
Information technology and cybersecurity	309,362	309,362	
Legacy contractor pensions	91,200	91,200	
Subtotal, Weapons activities	12,408,603	12,478,403	
Adjustments			
Use of prior year balances	0	0	
Total, Adjustments	0	0	
Total, Weapons Activities	12,408,603	12,478,403	
Defense Nuclear Nonproliferation			
Defense Nuclear Nonproliferation Programs			
Material management and minimization			
HEU reactor conversion	114,000	114,000	
Nuclear material removal	32,925	32,925	
Material disposition	186,608	186,608	
Laboratory and partnership support	0	0	
Total, Material management & minimization	333,533	333,533	
Global material security			
International nuclear security	48,839	48,839	
Domestic radiological security	90,513	90,513	
International radiological security	60,827	60,827	
Nuclear smuggling detection and deterrence	142,171	142,171	
Total, Global material security	342,350	342,350	
Nonproliferation and arms control	137,267	137,267	
Defense nuclear nonproliferation R&D			
Proliferation detection	304,040	284,540	
Nonproliferation Stewardship program strategic plan		[-19,500]	
Nuclear detonation detection	191,317	191,317	
Nonproliferation fuels development	0	0	
Total, Defense Nuclear Nonproliferation R&D	495,357	475,857	
Nonproliferation construction			
U. S. Construction:			
18-D-150 Surplus Plutonium Disposition Project	79,000	79,000	
99-D-143, Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	220,000	220,000	
Total, U. S. Construction:	299,000	299,000	
Total, Nonproliferation construction	299,000	299,000	
Total, Defense Nuclear Nonproliferation Programs	1,607,507	1,588,007	
Legacy contractor pensions	13,700	13,700	
Nuclear counterterrorism and incident response program			
Nuclear counterterrorism and incident response	0	0	
Emergency Operations	35,545	25,945	

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2020 Request	Senate Authorized
Non-defense function realignment		[-9,600]
Counterterrorism and Counterproliferation	336,550	336,550
Total, Nuclear counterterrorism and incident response		
program	372,095	362,495
Subtotal, Defense Nuclear Nonproliferation	1,993,302	1,964,202
Adjustments		
Use of prior year balances	0	0
Total, Adjustments	0	0
Subtotal, Defense Nuclear Nonproliferation	1,993,302	1,964,202
Rescission		
Rescission of prior year balances	0	0
Rescission of prior year balances (Gen. Prov.)	0	0
Total, Defense Nuclear Nonproliferation	1,993,302	1,964,202
Naval Reactors		
Naval reactors development	531,205	531,205
Columbia-Class reactor systems development	75,500	75,500
S8G Prototype refueling	155,000	155,000
Naval reactors operations and infrastructure	553,591	553,591
Program direction	50,500	50,500
Construction:		
20-D-931, KL Fuel development laboratory	23,700	23,700
19-D-930, KS Overhead Piping	20,900	20,900
17-D-911, BL Fire System Upgrade	0	0
15-D-904, NRF Overpack Storage Expansion 3	0	0
15-D-903, KL Fire System Upgrade	0	0
14-D-901, Spent fuel handling recapitalization project, NRF	238,000	238,000
Total, Construction	282,600	282,600
Transfer to NE—Advanced Test Reactor (non-add)	(0)	(0)
Total, Naval Reactors	1,648,396	1,648,396
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,987	4,987
Richland:		
River corridor and other cleanup operations:		
River corridor and other cleanup operations	139,750	139,750
Central plateau remediation:		
Central plateau remediation	472,949	472,949
Total, Central plateau remediation	472,949	472,949
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, Richland	628,820	628,820
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	15,000	15,000
Rad liquid tank waste stabilization and disposition	677,460	677,460
Construction:		
18-D-16 Waste treatment and immobilization plant -LBL/Di- rect feed LAW	640,000	640,000
15-D-409 Low activity waste pretreatment system, ORP	0	0
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	1,392,460
Idaho National Laboratory:		
Idaho cleanup and waste disposition	331,354	331,354
ID Excess facilities R&D	0	0
Idaho community and regulatory support	3,500	3,500
Total, Idaho National Laboratory	334,854	334,854

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2020 Request	Senate Authorized
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
Total, NNSA sites and Nevada off-sites	403,878	403,878
Oak Ridge Reservation:		
OR Nuclear facility D & D	93,693	93,693
OR Excess facilities R&D	0	0
U233 Disposition Program	45,000	45,000
OR cleanup and waste disposition		
OR cleanup and waste disposition	82,000	82,000
Subtotal, OR cleanup and waste 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
Total, Oak Ridge Reservation	292,781	292,781
Savannah River Sites:		
Savannah River risk management operations:		
Savannah River risk management operations	490,613	490,613
Construction:		
18-D-402, Emergency Operations Center Replacement, SR	6,792	6,792
Total, Savannah River risk management operations	497,405	497,405
SR community and regulatory support	4,749	4,749
Radioactive liquid tank waste:		
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
19-D-701 SR Security system replacement	0	0
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, SRS	20,988	20,988
Total, Construction	163,272	163,272
Total, Radioactive liquid tank waste	960,978	960,978
Total, Savannah River Site	1,463,132	1,463,132
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	317,622	317,622
Technology development	0	0
Use of prior year balances	0	0
Subtotal, Defense environmental cleanup	5,522,063	5,522,063
Rescission:		
Rescission of prior year balances	-15,562	-15,562
Rescission of prior year balances (Gen. Prov.)	0	0
Total, Defense Environmental Cleanup	5,506,501	5,506,501

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2020 Request	Senate Authorized
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	54,211
Non-defense function realignment		[-3,000]
Total, Independent enterprise assessments	81,279	78,279
Specialized security activities	254,578	254,578
Office of Legacy Management		
Legacy management	283,767	283,767
Program direction	19,262	19,262
Total, Office of Legacy Management	303,029	303,029
Defense related administrative support		
Chief financial officer	54,538	54,538
Chief information officer	124,554	124,554
Total, Defense related administrative support	179,092	179,092
Office of hearings and appeals	4,852	4,852
Subtotal, Other defense activities	1,035,339	1,032,339
Use of prior year balances (HA)	0	0
Total, Other Defense Activities	1,035,339	1,032,339
Defense Nuclear Waste Disposal		
Yucca mountain and interim storage	26,000	0
Total, Defense Nuclear Waste	26,000	0

1 **DIVISION E—ADDITIONAL**
2 **PROVISIONS**
3 **TITLE LI—PROCUREMENT**
4 **SEC. 5101. BRIEFING ON PLANS TO INCREASE READINESS**
5 **OF B-1 BOMBER AIRCRAFT.**

6 (a) IN GENERAL.—Not later than January 31, 2020,
7 the Secretary of the Air Force shall provide the congres-
8 sional defense committees a briefing on the Air Force’s
9 plans to increase the readiness of the B-1 bomber aircraft.

10 (b) ELEMENTS.—The briefing required under sub-
11 section (a) shall include the following elements:

12 (1) A description of aircraft structural issues.

1 (2) A plan for continued structural deficiency
2 data analysis and training.

3 (3) Projected repair timelines.

4 (4) Future mitigation strategies.

5 (5) An aircrew maintainer training plan, includ-
6 ing a plan to ensure that the training pipeline re-
7 mains steady, for any degradation period.

8 (6) A recovery timeline to meet future deploy-
9 ment tasking.

10 (7) A plan for continued upgrades and improve-
11 ments.

12 **SEC. 5126. LIMITATION ON AVAILABILITY OF FUNDS FOR**
13 **THE LITTORAL COMBAT SHIP.**

14 (a) LIMITATION.—The text of subsection (a) of sec-
15 tion 126 is hereby deemed to read as follows:

16 “(a) LIMITATIONS.—None of the funds authorized to
17 be appropriated by this Act for fiscal year 2020 for the
18 Department of Defense may be used to exceed, and the
19 Department may not otherwise exceed, the total procure-
20 ment quantity of thirty-five Littoral Combat Ships, unless
21 the Under Secretary of Defense for Acquisition and
22 Sustainment submits to the congressional defense commit-
23 tees the certifications described in subsection (b).”.

24 (b) DEFINITION.—Subsection (c) of section 126 shall
25 have no force or effect.

1 **SEC. 5151. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **COMMUNICATIONS SYSTEMS LACKING CER-**
3 **TAIN RESILIENCY FEATURES.**

4 The text of subsection (a) of section 151 preceding
5 paragraph (1) is hereby deemed to read as follows:

6 “(a) IN GENERAL.—Except as provided under sub-
7 section (b), none of the funds authorized to be appro-
8 priated by this Act for fiscal year 2020 for the Depart-
9 ment of Defense may be used for the procurement of a
10 current or future Department of Defense communications
11 program of records, and the Department may not other-
12 wise procure a current or future communications program
13 of record, unless the communications equipment—”.

14 **TITLE LII—RESEARCH, DEVEL-**
15 **OPMENT, TEST, AND EVALUA-**
16 **TION**

17 **SEC. 5201. ENERGETICS PLAN.**

18 (a) PLAN REQUIRED.—The Under Secretary of De-
19 fense for Research and Engineering shall, in coordination
20 with the technical directors at defense laboratories and
21 such other officials as the Under Secretary considers ap-
22 propriate, develop an energetics research and development
23 plan to ensure a long-term multi-domain research, devel-
24 opment, prototyping, and experimentation effort that—

1 (1) maintains United States technological supe-
2 riority in energetics technology critical to national
3 security;

4 (2) efficiently develops new energetics tech-
5 nologies and transitions them into operational use,
6 as appropriate; and

7 (3) maintains a robust industrial base and
8 workforce to support Department of Defense re-
9 quirements for energetic materials.

10 (b) BRIEFING.—Not later than one year after the
11 date of the enactment of this Act, the Under Secretary
12 shall brief the congressional defense committees on the
13 plan developed under subsection (a).

14 **SEC. 5202. AMENDMENTS TO RESEARCH PROJECT TRANS-**
15 **ACTION AUTHORITIES TO ELIMINATE COST-**
16 **SHARING REQUIREMENTS AND REDUCE BUR-**
17 **DENS ON USE.**

18 (a) COOPERATIVE AGREEMENTS FOR RESEARCH
19 PROJECTS.—Section 2371(e) of title 10, United States
20 Code, is amended—

21 (1) by striking paragraph (2);

22 (2) by striking paragraph (1)(B);

23 (3) in paragraph (1)(A), by striking “; and”
24 and inserting a period; and

1 (4) by striking “(e) CONDITIONS.—(1) The Sec-
 2 retary of Defense” and all that follows through “(A)
 3 to the maximum extent practicable” and inserting
 4 “(e) CONDITIONS.—The Secretary of Defense, to the
 5 maximum extent practicable”.

6 (b) CONFORMING AMENDMENT.—Section 2371b(b)
 7 of title 10, United States Code, is amended by striking
 8 “(b) EXERCISE OF AUTHORITY.—” and all that follows
 9 through “(2) To the maximum extent practicable” and in-
 10 serting “(b) EXERCISE OF AUTHORITY.—To the max-
 11 imum extent practicable”.

12 **SEC. 5203. COMPARATIVE CAPABILITIES OF ADVERSARIES**
 13 **IN ARTIFICIAL INTELLIGENCE.**

14 (a) EXPANSION OF DUTIES OF OFFICIAL WITH
 15 PRINCIPAL RESPONSIBILITY FOR COORDINATION OF AC-
 16 TIVITIES RELATING TO DEVELOPMENT AND DEMONSTRA-
 17 TION OF ARTIFICIAL INTELLIGENCE.—Section
 18 238(c)(2)(I) of the John S. McCain National Defense Au-
 19 thorization Act for Fiscal Year 2019 (Public Law 115–
 20 232) is amended—

21 (1) in clause (i), by striking “; and” and insert-
 22 ing a semicolon;
 23 (2) in clause (ii), by striking the period at the
 24 end and inserting “; and”; and

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

3 “(iii) that appropriate entities in the
4 Department are reviewing all open sources
5 publications from both the United States
6 and outside the United States that con-
7 tribute, impact, or advance artificial intel-
8 ligence research and development.”.

9 (b) ANALYSIS OF COMPARATIVE CAPABILITIES OF
10 CHINA IN ARTIFICIAL INTELLIGENCE.—The Secretary of
11 Defense shall provide the congressional defense commit-
12 tees with an analysis and briefing that includes the fol-
13 lowing:

14 (1) A comprehensive and national-level—

15 (A) comparison of public and private in-
16 vestment differentiated by sector and industry;

17 (B) review of current trends in ability to
18 set and determine global standards and norms
19 for artificial intelligence technology in national
20 security, including efforts in international
21 standard setting bodies;

22 (C) assessment of access to artificial intel-
23 ligence technology in national security; and

24 (D) assessment of areas and activities in
25 which the United States should invest in order

1 to provide the United States with technical su-
2 periority over China in relevant areas of artifi-
3 cial intelligence.

4 (2) A comprehensive assessment of relative
5 technical quality of activities in the United States
6 and China.

7 (3) A comprehensive assessment of the likeli-
8 hood that developments in artificial intelligence will
9 successfully transition into military systems of
10 China.

11 (4) Predicted effects on United States national
12 security if current trends in China and the United
13 States continue.

14 (5) Predicted effects of current trends on digi-
15 tal and technology export relationships of both
16 countries with existing and new trading partners.

17 (6) Assessment of the relationships that are
18 critical and in need of development in both private
19 and public sector to ensure investment in artificial
20 intelligence to keep pace with current global trends.

21 **SEC. 5204. ADDITIONAL AMOUNTS FOR RESEARCH, DEVEL-**
22 **OPMENT, TEST, AND EVALUATION.**

23 (a) **ADDITIONAL AMOUNT FOR WORKFORCE TRANS-**
24 **FORMATION CYBER INITIATIVE PILOT PROGRAM.**—The
25 amount authorized to be appropriated for fiscal year 2020

1 by section 201 for research, development, test, and evalua-
2 tion is hereby increased by \$25,000,000, with the amount
3 of the increase to be available for Information Systems
4 Security Program (PE 0303140D8Z) for the National Se-
5 curity Agency National Cryptologic School for cybersecu-
6 rity and artificial intelligence curriculum development and
7 establishment of a pilot program to enable workforce
8 transformation certificate-based courses that are devel-
9 oped through this effort and then offered by Center of
10 Academic Excellence Universities.

11 (b) ADDITIONAL AMOUNT FOR RESEARCH ON AD-
12 VANCED DIGITAL RADAR SYSTEMS.—The amount author-
13 ized to be appropriated for fiscal year 2020 by section 201
14 for Navy research, development, test, and evaluation is
15 hereby increased by \$5,000,000, with the amount of the
16 increase to be available for University Research Initiatives
17 (PE 0601103N) for continued research on advanced dig-
18 ital radar systems to meet the evolving goals of the De-
19 partment of Defense to improve threat detection at greater
20 stand-off distances.

21 (c) OFFSET.—The amount authorized to be appro-
22 priated for fiscal year 2020 by section 1405 for Defense
23 Health Program is hereby decreased by \$30,000,000, with
24 the amount of the decrease to be taken from the amount

1 made available for procurement of the Department of De-
2 fense Healthcare Management System Modernization.

3 **SEC. 5205. BRIEFING ON EXPLAINABLE ARTIFICIAL INTEL-**
4 **LIGENCE.**

5 (a) BRIEFING REQUIRED.—Not later than 180 days
6 after the date of the enactment of this Act, the Secretary
7 of Defense shall brief the congressional defense commit-
8 tees on the development and applications of explainable
9 artificial intelligence.

10 (b) ELEMENTS.—The briefing required under sub-
11 section (a) shall address the following:

12 (1) The extent to which the Department of De-
13 fense currently uses and prioritizes explainable arti-
14 ficial intelligence.

15 (2) The limitations of explainable artificial in-
16 telligence and the plans of the Department to ad-
17 dress those limitations.

18 (3) The future plans of the Department to re-
19 quire explainable artificial intelligence, particularly
20 in technologies that have warfighting applications.

21 (4) Any potential roadblocks to the effective de-
22 ployment of explainable artificial intelligence across
23 the Department.

24 (5) Identification and description of programs
25 and activities, including funding and schedule, to de-

1 velop or procure explainable artificial intelligence to
2 meet defense requirements and technology develop-
3 ment goals.

4 (6) Such other matters as the Secretary con-
5 siders appropriate.

6 (c) FORM OF BRIEFING.—The briefing required
7 under subsection (a) shall be provided in unclassified
8 form, but may include a classified supplement.

9 (d) DEFINITION OF EXPLAINABLE ARTIFICIAL IN-
10 TELLIGENCE.—In this section, the term “ explainable arti-
11 ficial intelligence” means artificial intelligence that has
12 the ability to demonstrate the rationale behind its deci-
13 sions in order for its human user to comprehend and char-
14 acterize the strengths and weaknesses of its decision-
15 making process, as well as understand how it will behave
16 in the future in the contexts in which it is used.

17 **SEC. 5206. ADMINISTRATION OF CENTERS FOR MANUFAC-**
18 **TURING INNOVATION FUNDED BY THE DE-**
19 **PARTMENT OF DEFENSE.**

20 (a) IN GENERAL.—The Secretary of Defense shall
21 make such changes to the administration of covered cen-
22 ters so as—

23 (1) to encourage covered centers to leverage ex-
24 isting workforce development programs across the

1 Federal Government and State governments in order
2 to build successful workforce development programs;

3 (2) to develop metrics to evaluate the workforce
4 development performed by the covered centers, in-
5 cluding metrics on job quality, career pathways,
6 wages and benefits, and efforts to support veterans,
7 and progress in aligning workforce skillsets with the
8 current and long-term needs of the Department of
9 Defense and the defense industrial base;

10 (3) to allow metrics to vary between covered
11 centers and be updated and evaluated continuously
12 in order to more accurately evaluate covered centers
13 with different goals and missions;

14 (4) to encourage covered centers to consider de-
15 veloping technologies that were previously funded by
16 Federal Government investment for early-stage re-
17 search and development and expand cross-govern-
18 ment coordination and collaboration to achieve this
19 goal;

20 (5) to provide an opportunity for increased De-
21 partment of Defense input and oversight from sen-
22 ior-level military and civilian personnel on future
23 technology roadmaps produced by covered centers;

24 (6) to reduce the barriers to collaboration be-
25 tween and among multiple covered centers;

1 (7) to use contracting vehicles that can increase
2 flexibility, reduce barriers for contracting with sub-
3 ject-matter experts and small and medium enter-
4 prises, enhance partnerships between covered cen-
5 ters, and reduce the time to award contracts at cov-
6 ered centers; and

7 (8) to overcome barriers to the adoption of
8 manufacturing processes and technologies developed
9 by the covered centers by the defense and commer-
10 cial industrial base, particularly small and medium
11 enterprises, by engaging with public and private sec-
12 tor partnerships and appropriate government pro-
13 grams and activities, including the Hollings Manu-
14 facturing Extension Partnership.

15 (b) COORDINATION WITH OTHER ACTIVITIES.—The
16 Secretary shall carry out this section in coordination with
17 activities undertaken under—

18 (1) the Manufacturing Technology Program es-
19 tablished under section 2521 of title 10, United
20 States Code;

21 (2) the Manufacturing Engineering Education
22 Program established under section 2196 of such
23 title;

24 (3) the Defense Manufacturing Community
25 Support Program established under section 846 of

1 the John S. McCain National Defense Authorization
2 Act for Fiscal Year 2019 (Public Law 115–232);

3 (4) manufacturing initiatives of the Secretary of
4 Commerce, the head of the National Office of the
5 Network for Manufacturing Innovation Program, the
6 Secretary of Energy, and such other government and
7 private sector organizations as the Secretary of De-
8 fense considers appropriate; and

9 (5) such other activities as the Secretary con-
10 siders appropriate.

11 (c) DEFINITION OF COVERED CENTER.—In this sec-
12 tion, the term “covered center” means a manufacturing
13 innovation institute that is funded by the Department of
14 Defense.

15 **SEC. 5207. COMMERCIAL EDGE COMPUTING TECH-**
16 **NOLOGIES AND BEST PRACTICES FOR DE-**
17 **PARTMENT OF DEFENSE WARFIGHTING SYS-**
18 **TEMS.**

19 (a) REPORT REQUIRED.—Not later than 120 days
20 after the date of the enactment of this Act, the Under
21 Secretary of Defense for Acquisition and Sustainment
22 shall submit to the congressional defense committees a re-
23 port on commercial edge computing technologies and best
24 practices for Department of Defense warfighting systems.

1 (b) CONTENTS.—The report submitted under sub-
2 section (a) shall include the following:

3 (1) Identification of initial warfighting system
4 programs of record that will benefit most from accel-
5 erated insertion of commercial edge computing tech-
6 nologies and best practices, resulting in significant
7 near-term improvement in system performance and
8 mission capability.

9 (2) The plan of the Department of Defense to
10 provide additional funding for the systems identified
11 in paragraph (1) to achieve fielding of accelerated
12 commercial edge computing technologies before or
13 during fiscal year 2021.

14 (3) The plan of the Department to identify,
15 manage, and provide additional funding for commer-
16 cial edge computing technologies more broadly over
17 the next four fiscal years where appropriate for—

18 (A) command, control, communications,
19 and intelligence systems;

20 (B) logistics systems; and

21 (C) other mission-critical systems.

22 (4) A detailed description of the policies, proce-
23 dures, budgets, and accelerated acquisition and con-
24 tracting mechanisms of the Department for near-
25 term insertion of commercial edge computing tech-

1 nologies and best practices into military mission-crit-
 2 ical systems.

3 **SEC. 5211. DEVELOPMENT AND ACQUISITION STRATEGY TO**
 4 **PROCURE SECURE, LOW PROBABILITY OF DE-**
 5 **TECTION DATA LINK NETWORK CAPABILITY.**

6 The text of subsection (c) of section 211 is hereby
 7 deemed to read as follows:

8 “(c) LIMITATION.—Of the funds authorized to be ap-
 9 propriated by this Act for fiscal year 2020 for operation
 10 and maintenance for the Office of the Secretary of the
 11 Air Force and for operation and maintenance for the Of-
 12 fice of the Secretary of the Navy, not more than 50 per-
 13 cent may be obligated or expended until the date that is
 14 15 days after the date on which the Chief of Staff of the
 15 Air Force and the Chief of Naval Operations, respectively,
 16 submit the development and acquisition strategy required
 17 by subsection (a).”.

18 **SEC. 5213. LIMITATION AND REPORT ON INDIRECT FIRE**
 19 **PROTECTION CAPABILITY INCREMENT 2 EN-**
 20 **DURING CAPABILITY.**

21 The text of subsection (a) of section 213 preceding
 22 paragraph (1) is hereby deemed to read as follows:

23 “(a) LIMITATION AND REPORT.—None of the funds
 24 authorized to be appropriated by this Act for fiscal year
 25 2020 for the Army may be obligated or expended for re-

1 search, development, test, or evaluation for the Indirect
 2 Fire Protection Capability Increment 2 enduring capa-
 3 bility, and the Department may not otherwise engage in
 4 the research, development, test, or evaluation on such ca-
 5 pability, until the Secretary of the Army submits to the
 6 congressional defense committees a report on the Indirect
 7 Fire Protection Capability Increment 2 program that con-
 8 tains the following:”.

9 **TITLE LIII—OPERATION AND** 10 **MAINTENANCE**

11 **SEC. 5301. LIFE CYCLE SUSTAINMENT ANNUAL REPORT** 12 **FOR MAJOR WEAPON SYSTEMS OF THE DE-** 13 **PARTMENT OF DEFENSE.**

14 (a) IN GENERAL.—The Secretary of Defense shall
 15 provide the congressional defense committees with an an-
 16 nual report for the life cycle sustainment of each major
 17 weapon system as defined in (b).

18 (b) The Secretary of Defense shall ensure the report
 19 described in subsection (a)—

- 20 (1) identifies a goal for material availability,
- 21 material reliability, and mean down time metrics for
- 22 each weapons system and includes an explanation of
- 23 factors that may preclude the Secretary of the mili-
- 24 tary department concerned from meeting that goal;
- 25 and

1 (2) reflects the period covered by the future-
2 years defense program specified by section 221 of
3 title 10, United States Code, with respect to the
4 budget for which the budget exhibit is prepared.

5 (c) To be submitted by February 1st of each year.

6 **SEC. 5302. SENSE OF SENATE ON PRIORITIZING SURVIV-**
7 **ABLE LOGISTICS FOR THE DEPARTMENT OF**
8 **DEFENSE.**

9 It is the sense of the Senate that—

10 (1) resilient and agile logistics are necessary to
11 implement the 2018 National Defense Strategy be-
12 cause it enables the United States to project power
13 and sustain the fight against its strategic competi-
14 tors in peacetime and during war;

15 (2) the joint logistics enterprise of the Armed
16 Forces of the United States faces high-end threats
17 from strategic competitors China, Russia, and Iran,
18 all of whom have invested in anti-access area denial
19 capabilities and gray zone tactics;

20 (3) there are significant logistics shortfalls, as
21 outlined in the November 2018 final report of the
22 Defense Science Board (DSB) Task Force on Sur-
23 vivable Logistics, which, if left unaddressed, would
24 hamper the readiness and ability of the Armed

1 Forces of the United States to conduct operations
2 globally;

3 (4) since the military departments have not
4 shown a strong commitment to funding logistics, the
5 Secretary of Defense should review the full list of
6 recommendations listed in the report described in
7 paragraph (3) and address the chronic underfunding
8 of logistics relative to other priorities of the Depart-
9 ment of Defense.

10 **SEC. 5303. PLAN ON SUSTAINMENT OF ROUGH TERRAIN**

11 **CONTAINER HANDLER FLEETS.**

12 Not later than 90 days after the date of the enact-
13 ment of this Act, the Secretary of the Army and the Sec-
14 retary of the Navy shall—

15 (1) jointly develop plans for sustainment of
16 their respective RT240 Rough Terrain Container
17 Handler (RTCH) fleets to ensure operational capa-
18 bility of such fleets into the 2030s;

19 (2) assess available modernization capabilities
20 to enhance joint deployment of such fleets; and

21 (3) provide a joint briefing to the Committees
22 on Armed Services of the Senate and the House of
23 Representatives on the readiness of such fleets.

1 **SEC. 5304. REQUIREMENT TO INCLUDE FOREIGN LAN-**
2 **GUAGE PROFICIENCY IN READINESS RE-**
3 **PORTING SYSTEMS OF DEPARTMENT OF DE-**
4 **FENSE.**

5 Not later than 90 days after the date of the enact-
6 ment of this Act, the Secretary of Defense and the Sec-
7 retary of each military department shall include in the
8 Global Readiness and Force Management Enterprise, for
9 the appropriate billets with relevant foreign language re-
10 quirements, measures of foreign language proficiency as
11 a mandatory element of unit readiness reporting, to in-
12 clude the Defense Readiness Reporting Systems-Strategic
13 (DRRS-S) and all other subordinate systems that report
14 readiness data.

15 **SEC. 5305. MONITORING OF NOISE FROM FLIGHTS AND**
16 **TRAINING OF EA-18G GROWLERS ASSOCI-**
17 **ATED WITH NAVAL AIR STATION WHIDBEY IS-**
18 **LAND.**

19 (a) MONITORING.—

20 (1) IN GENERAL.—The Secretary of Defense
21 shall provide for real-time monitoring of noise from
22 local flights of EA-18G Growlers associated with
23 Naval Air Station Whidbey Island, including field
24 carrier landing practice at Naval Outlying Field
25 (OLF) Coupeville and Ault Field.

1 (2) PUBLIC AVAILABILITY.—The Secretary
2 shall publish the results of monitoring conducted
3 under paragraph (1) on a publicly available Internet
4 website of the Department of Defense.

5 (3) REPORT.—Not later than 180 days after
6 the date of the enactment of this Act, the Secretary
7 shall submit to the Committees on Armed Services
8 of the Senate and the House of Representatives a
9 report on the progress of monitoring conducted
10 under paragraph (1) and the results of such moni-
11 toring.

12 (b) PLAN FOR ADDITIONAL MONITORING.—

13 (1) IN GENERAL.—Not later than 180 days
14 after the date of the enactment of this Act, the Sec-
15 retary of Defense shall submit to the Committees on
16 Armed Services of the Senate and the House of Rep-
17 resentatives a plan for real-time monitoring de-
18 scribed in subsection (a)(1) of noise relating to field
19 carrier landing practice conducted above or adjacent
20 to Olympic National Park, Olympic National Forest,
21 and Ebey's Landing National Historical Reserve.

22 (2) DEVELOPMENT OF PLAN.—The Secretary
23 shall work with the Director of the National Park
24 Service and the Chief of the Forest Service in devel-
25 oping the plan under paragraph (1).

1 (c) FUNDING.—

2 (1) IN GENERAL.—The amount authorized to
3 be appropriated by this Act for Navy Operation and
4 Maintenance is hereby increased by \$1,000,000 and
5 the amount of such increase shall be made available
6 to carry out this section.

7 (2) OFFSET.—The amount authorized to be ap-
8 propriated by this Act for Marine Corps Operation
9 and Maintenance for SAG 4A4G is hereby reduced
10 by \$1,000,000.

11 **SEC. 5306. SENSE OF CONGRESS ON RESTORATION OF TYN-**
12 **DALL AIR FORCE BASE.**

13 It is the sense of Congress that the Secretary of the
14 Air Force should—

15 (1) restore Tyndall Air Force Base to achieve
16 military installation resilience, as defined in section
17 101(e)(8) of title 10, United States Code; and

18 (2) use innovative construction methods, mate-
19 rials, designs, and technologies in carrying out such
20 restoration in order to achieve efficiencies, cost sav-
21 ings, resiliency, and capability, which may include—

22 (A) open architecture design to evolve with
23 the national defense strategy; and

24 (B) efficient ergonomic enterprise for
25 members of the Air Force in the 21st century.

1 **SEC. 5318. COOPERATIVE AGREEMENTS WITH STATES TO**
 2 **ADDRESS CONTAMINATION BY**
 3 **PERFLUORALKYL AND POLYFLRUOROALKYL**
 4 **SUBSTANCES.**

5 The text of section 318(a) is hereby deemed to in-
 6 clude at the end the following:

7 “(3) OTHER AUTHORITY.—In addition to the
 8 requirements under paragraph (1), when otherwise
 9 authorized to expend funds for the purpose of ad-
 10 dressing ground or surface water contaminated by a
 11 perfluorinated compound, the Secretary of Defense
 12 may, to expend those funds, enter into a grant
 13 agreement, cooperative agreement, or contract
 14 with—

15 “(A) the local water authority with juris-
 16 diction over the contamination site, including—

17 “(i) a public water system (as defined
 18 in section 1401 of the Safe Drinking
 19 Water Act (42 U.S.C. 300f)); and

20 “(ii) a publicly owned treatment
 21 works (as defined in section 212 of the
 22 Federal Water Pollution Control Act (33
 23 U.S.C. 1292)); or

24 “(B) a State, local, or Tribal govern-
 25 ment.”.

1 **SEC. 5352. LIMITATION ON USE OF FUNDS REGARDING THE**
 2 **BASING OF KC-46A AIRCRAFT OUTSIDE THE**
 3 **CONTINENTAL UNITED STATES.**

4 The text of subsection (b) of section 352 is hereby
 5 deemed to read as follows:

6 “(b) **LIMITATION ON USE OF FUNDS.**—Not more
 7 than 85 percent of the funds authorized to be appro-
 8 priated by this Act for fiscal year 2020 for the Air Force
 9 for operation and maintenance for the Management Head-
 10 quarters Program (Program Element 92398F) may be ob-
 11 ligated or expended until the Secretary of the Air Force
 12 submits the report required by subsection (a) unless the
 13 Secretary certifies to Congress that the use of additional
 14 funds is mission essential.”.

15 **TITLE LIV—MILITARY**
 16 **PERSONNEL AUTHORIZATIONS**

17 **SEC. 5401. MODIFICATION OF AUTHORIZED STRENGTH OF**
 18 **AIR FORCE RESERVE SERVING ON FULL-TIME**
 19 **RESERVE COMPONENT DUTY FOR ADMINIS-**
 20 **TRATION OF THE RESERVES OR THE NA-**
 21 **TIONAL GUARD.**

22 (a) **IN GENERAL.**—The table in section 12011(a)(1)
 23 of title 10, United States Code, is amended by striking
 24 the matter relating to the Air Force Reserve and inserting
 25 the following new matter:

Air Force Reserve

1,000	166	170	100
1,500	245	251	143
2,000	322	330	182
2,500	396	406	216
3,000	467	479	246
3,500	536	550	271
4,000	602	618	292
4,500	665	683	308
5,000	726	746	320
5,500	784	806	325
6,000	840	864	327
7,000	962	990	347
8,000	1,087	1,110	356
10,000	1,322	1,362	395

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall take effect on October 1, 2019, and
3 shall apply with respect to fiscal years beginning on or
4 after that date.

5 **TITLE LV—MILITARY**
6 **PERSONNEL POLICY**

7 **SEC. 5501. 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)”.

1 **SEC. 5502. INFORMATION AND OPPORTUNITIES FOR REG-**
2 **ISTRATION FOR VOTING AND ABSENTEE BAL-**
3 **LOT REQUESTS FOR MEMBERS OF THE**
4 **ARMED FORCES UNDERGOING DEPLOYMENT**
5 **OVERSEAS.**

6 (a) IN GENERAL.—Not later than 45 days prior to
7 a general election for Federal office, a member of the
8 Armed Forces shall be provided with the following:

9 (1) A Federal write-in absentee ballot pre-
10 scribed pursuant to section 103 of the Uniformed
11 and Overseas Citizens Absentee Voting Act (52
12 U.S.C. 20303), together with instructions on the ap-
13 propriate use of the ballot with respect to the State
14 in which the member is registered to vote.

15 (2) In the case of a member intending to vote
16 in a State that does not accept the Federal write-
17 in absentee ballot as a simultaneous application and
18 acceptable ballot for Federal elections, a briefing on,
19 and an opportunity to fill out, the official post card
20 form for absentee voter registration application and
21 absentee ballot application prescribed under section
22 101(b)(2) of the Uniformed and Overseas Citizens
23 Absentee Voting Act (52 U.S.C. 20301(b)(2)).

24 (b) PERSONNEL RESPONSIBLE OF DISCHARGE.—
25 Ballots and instructions pursuant to paragraph (1) of sub-
26 section (a), and briefings and forms pursuant to para-

1 graph (2) of such subsection, shall be provided by Voting
2 Assistance Officers or such other personnel as the Sec-
3 retary of the military department concerned shall des-
4 ignate.

5 (c) SENSE OF CONGRESS RELATING TO THE USE OF
6 THE FEDERAL WRITE-IN ABSENTEE BALLOT.—

7 (1) FINDINGS.—Congress makes the following
8 findings:

9 (A) Servicemembers serving abroad are
10 subject to disproportionate challenges in voting.

11 (B) As of May, 2019, only 28 States allow
12 servicemembers to use the Federal write-in ab-
13 sentee ballot as a simultaneous application and
14 acceptable ballot for Federal elections.

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

17 (A) Federal and State governments should
18 remove all obstacles that would inhibit deployed
19 servicemembers from voting; and

20 (B) States that do not allow
21 servicemembers to use the Federal write-in ab-
22 sentee ballot as a simultaneous application and
23 acceptable ballot for Federal elections should
24 modify their laws to permit such use.

1 **SEC. 5503. STUDY ON TWO-WAY MILITARY BALLOT**
2 **BARCODE TRACKING.**

3 (a) STUDY.—The Director of the Federal Voting As-
4 sistance Program of the Department of Defense shall con-
5 duct a study on the feasibility of a pilot program providing
6 full ballot tracking of overseas military absentee ballots
7 through the mail stream in a manner that is similar to
8 the 2016 Military Ballot Tracking Pilot Program con-
9 ducted by the Federal Voting Assistance Program.

10 (b) REPORT.—Not later than 1 year after the date
11 of the enactment of this Act, the Director of the Federal
12 Voting Assistance Program shall submit to Congress a re-
13 port on the results of the study conducted under sub-
14 section (a). Such report shall include—

15 (1) an estimate of the costs and requirements
16 needed to conduct the pilot program described in
17 subsection (a);

18 (2) a description of organizations that would
19 provide substantial support for such a pilot program;
20 and

21 (3) a time line for the phased implementation
22 of the pilot program to all military personnel actively
23 serving overseas.

1 **SEC. 5504. SENSE OF SENATE ON THE HONORABLE AND**
2 **DISTINGUISHED SERVICE OF GENERAL JO-**
3 **SEPH F. DUNFORD, UNITED STATES MARINE**
4 **CORPS, TO THE UNITED STATES.**

5 (a) FINDINGS.—The Senate makes the following
6 findings:

7 (1) General Joseph F. Dunford was commis-
8 sioned as a second lieutenant in the United States
9 Marine Corps in 1977.

10 (2) Since 1977, General Dunford has served as
11 an infantry officer at all levels and has held numer-
12 ous leadership roles, including Commander of the
13 5th Marine Regiment during Operation IRAQI
14 FREEDOM, Commander of the International Secu-
15 rity Assistance Force and United States Forces-Af-
16 ghanistan, and Commander, Marine Forces United
17 States Central Command.

18 (3) General Dunford served as the 32nd Assist-
19 ant Commandant of the Marine Corps from October
20 23, 2010, to December 15, 2012.

21 (4) General Dunford subsequently served as the
22 36th Commandant of the Marine Corps from Octo-
23 ber 17, 2014, to September 24, 2015.

24 (5) General Dunford became the highest-rank-
25 ing military officer in the United States when he

1 was appointed as the 19th Chairman of the Joint
2 Chiefs of Staff on October 1, 2015.

3 (6) General Dunford is only the second United
4 States Marine to hold the position of Chairman of
5 the Joint Chiefs of Staff.

6 (7) During his nearly four years as Chairman
7 of the Joint Chiefs of Staff, General Dunford effec-
8 tively and honorably executed the duties of the office
9 to the highest degree.

10 (8) General Dunford has an extensive record of
11 impeccable service to the United States.

12 (b) SENSE OF SENATE.—It is the sense of the Senate
13 that—

14 (1) the United States deeply appreciates the
15 decades of honorable service of General Joseph F.
16 Dunford; and

17 (2) the indispensable leadership of General
18 Dunford and his dedication to the men and women
19 of the Armed Forces demonstrates the finest exam-
20 ple of service to the United States.

1 **SEC. 5505. PARTICIPATION OF OTHER FEDERAL AGENCIES**
2 **IN THE SKILLBRIDGE APPRENTICESHIP AND**
3 **INTERNSHIP PROGRAM FOR MEMBERS OF**
4 **THE ARMED FORCES.**

5 Section 1143(e) of title 10, United States Code, is
6 amended—

7 (1) by redesignating paragraph (3) as para-
8 graph (4); and

9 (2) by inserting after paragraph (2) the fol-
10 lowing new paragraph (3):

11 “(3) Any program under this subsection may be car-
12 ried out at, through, or in consultation with such other
13 departments or agencies of the Federal Government as the
14 Secretary of the military department concerned considers
15 appropriate.”.

16 **SEC. 5506. PERSONNEL TEMPO OF THE ARMED FORCES**
17 **AND THE UNITED STATES SPECIAL OPER-**
18 **ATIONS COMMAND DURING PERIODS OF IN-**
19 **APPLICABILITY OF HIGH-DEPLOYMENT LIM-**
20 **TATIONS.**

21 (a) IN GENERAL.—Section 991(d) of title 10, United
22 States Code, is amended—

23 (1) by inserting “(1)” before “The Secretary”;
24 and

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

1 “(2)(A) Whenever a waiver is in effect under para-
2 graph (1), the member or group of members covered by
3 the waiver shall be subject to specific and measurable de-
4 ployment thresholds established and maintained for pur-
5 poses of this subsection.

6 “(B) Thresholds under this paragraph may be appli-
7 cable—

8 “(i) uniformly, Department of Defense-wide; or

9 “(ii) separately, with respect to each armed
10 force and the United States Special Operations
11 Command.

12 “(C) If thresholds under this paragraph are applica-
13 ble Department-wide, such thresholds shall be established
14 and maintained by the Under Secretary of Defense for
15 Personnel and Readiness. If such thresholds are applicable
16 only to a separate armed force or the Under States Special
17 Operations Command, such thresholds shall be established
18 and maintained by the Secretary of the Army, the Sec-
19 retary of the Navy (other than with respect to the Marine
20 Corps), the Secretary of the Air Force, the Commandant
21 of the Marine Corps (with respect to the Marine Corps),
22 and the Commander of the United States Special Oper-
23 ations Command, as applicable.

24 “(D) In undertaking recordkeeping for purposes of
25 subsection (c), the Under Secretary shall, in conjunction

1 with the other officials and officers referred to in subpara-
2 graph (C), collect complete and reliable personnel tempo
3 data of members described in subparagraph (A) in order
4 to ensure that the Department, the armed forces, and the
5 United States Special Operations Command fully and
6 completely monitor personnel tempo under a waiver under
7 paragraph (1) and its impact on the armed forces.”.

8 (b) DEADLINE FOR IMPLEMENTATION.—Paragraph
9 (2) of section 991(d) of title 10, United States Code, as
10 added by subsection (a), shall be fully implemented by not
11 later than March 1, 2020.

12 **SEC. 5507. REPORT AND BRIEFING ON THE SENIOR RE-**
13 **SERVE OFFICERS’ TRAINING CORPS.**

14 (a) REPORT ON VARIOUS EXPANSIONS OF THE
15 CORPS.—Not later than one year after the date of the en-
16 actment of this Act, the Secretary of Defense shall submit
17 to the Committees on Armed Services of the Senate and
18 the House of Representatives a report setting forth the
19 following:

20 (1) An assessment of the feasibility and advis-
21 ability of distance learning programs for the Senior
22 Reserve Officers’ Training Corps for students at
23 educational institutions who reside outside the viable
24 range for a cross-town program.

1 (2) An assessment of the feasibility and advis-
2 ability of expanding the eligibility of institutions au-
3 thorized to maintain a unit of the Senior Reserve
4 Officers' Training Corps to include community col-
5 leges.

6 (b) BRIEFING ON LONG-TERM EFFECTS ON THE
7 CORPS OF THE OPERATION OF CERTAIN RECENT PROHI-
8 BITIONS.—

9 (1) BRIEFING REQUIRED.—Not later than 180
10 days after the date of the enactment of this Act, the
11 Secretary of Defense shall brief the congressional
12 defense committees on the effects of the prohibitions
13 in section 8032 of the Department of Defense Ap-
14 propriations Act, 2019 (division A of Public Law
15 115–245) on the long-term viability of the Senior
16 Reserve Officers' Training Corps (SROTC).

17 (2) ELEMENTS.—The matters addressed by the
18 briefing under paragraph (1) shall include an assess-
19 ment of The effects of the prohibitions described in
20 paragraph (1) on the following:

21 (A) Readiness.

22 (B) The efficient manning and administra-
23 tion of Senior Reserve Officers' Training Corps
24 units.

1 (C) The ability of the Armed Forces to
2 commission on a yearly basis the number and
3 quality of new officers they need and that are
4 representative of the nation as a whole .

5 (D) The availability of Senior Reserve Of-
6 ficers' Training Corps scholarships in rural
7 areas.

8 (E) Whether the Senior Reserve Officers'
9 Training Corps program produces officers rep-
10 resentative of the demographic and geographic
11 diversity of the United States, especially with
12 respect to urban areas, and whether restrictions
13 on establishing or disestablishing units of the
14 Corps affects the diversity of the officer corps
15 of the Armed Forces.

16 **SEC. 5508. REPORT ON SUICIDE PREVENTION PROGRAMS**
17 **AND ACTIVITIES FOR MEMBERS OF THE**
18 **ARMED FORCES AND THEIR FAMILIES.**

19 (a) REPORT REQUIRED.—Not later than 240 days
20 after the date of the enactment of this Act, the Comp-
21 troller General of the United States shall submit to the
22 Committees on Armed Services of the Senate and the
23 House of Representatives a report on the programs and
24 activities of the Department of Defense and the Armed
25 Forces for the prevention of suicide among members of

1 the Armed Forces (including the reserve components) and
2 their families.

3 (b) ELEMENTS.—The report required by subsection
4 (a) shall include the following:

5 (1) A description of the current programs and
6 activities of the Department and the Armed Forces
7 for the prevention of suicide among members of the
8 Armed Forces and their families.

9 (2) An assessment whether the programs and
10 activities described pursuant to paragraph (1)—

11 (A) are evidence-based and incorporate
12 best practices identified in peer-reviewed med-
13 ical literature;

14 (B) are appropriately resourced; and

15 (C) deliver outcomes that are appropriate
16 relative to peer activities and programs (includ-
17 ing those undertaken in the civilian community
18 and in military forces of other countries).

19 (3) A description and assessment of any im-
20 pediments to the effectiveness of such programs and
21 activities.

22 (4) Such recommendations as the Comptroller
23 General considers appropriate for improvements to
24 such programs and activities.

1 (5) Such recommendations as the Comptroller
2 General considers appropriate for additional pro-
3 grams and activities for the prevention of suicide
4 among members of the Armed Forces and their fam-
5 ilies.

6 **SEC. 5509. SENSE OF CONGRESS ON LOCAL PERFORMANCE**
7 **OF MILITARY ACCESSION PHYSICALS.**

8 (a) FINDINGS.—Congress makes the following find-
9 ings:

10 (1) The United States Military Entrance Proc-
11 essing Command (USMEPCOM) consists of 65 Mili-
12 tary Entrance Processing Stations (MEPS) dis-
13 persed throughout the contiguous United States,
14 Alaska, Hawaii, and Puerto Rico.

15 (2) Applicants who must travel to the closest
16 Processing Station are often driven by their military
17 recruiter and receive free lodging at a nearby hotel
18 paid by the Armed Force concerned.

19 (3) In fiscal year 2015, the United States Mili-
20 tary Entrance Processing Command processed
21 473,000 applicants at its Processing Stations, with
22 an aggregate total of 931,000 applicant visits to
23 such Processing Stations in that fiscal year.

24 (b) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that—

1 (1) permitting military accession physicals in
2 local communities would allow recruiters to focus on
3 their core recruiting mission; and

4 (2) the conduct of military accession physicals
5 in local communities would permit the United States
6 Military Entrance Processing Command to reduce
7 costly and inefficient return visits by applicants to
8 Military Entrance Processing Stations and increase
9 efficiency in its processing times.

10 **SEC. 5510. PERMANENT AUTHORITY TO DEFER PAST AGE 64**

11 **THE RETIREMENT OF CHAPLAINS IN GEN-**
12 **ERAL AND FLAG OFFICER GRADES.**

13 Section 1253(c) of title 10, United States Code, is
14 amended by striking paragraph (3).

15 **SEC. 5546. BOARDS FOR CORRECTION OF MILITARY**
16 **RECORDS AND DISCHARGE REVIEW BOARD**
17 **MATTERS.**

18 Part III of subtitle D of title V, and the amendments
19 made by that part, shall have no force or effect.

20 **SEC. 5585. AUTHORIZATION FOR AWARD OF THE MEDAL OF**
21 **HONOR TO JOHN J. DUFFY FOR ACTS OF**
22 **VALOR IN VIETNAM.**

23 Section 585 shall have no force or effect.

1 **SEC. 5587. AUTHORITY TO AWARD OR PRESENT A DECORA-**
2 **TION NOT PREVIOUSLY RECOMMENDED IN A**
3 **TIMELY FASHION FOLLOWING A REVIEW RE-**
4 **QUESTED BY CONGRESS.**

5 Section 587, and the amendments made by that sec-
6 tion, shall have no force or effect.

7 **TITLE LVI—COMPENSATION AND** 8 **OTHER PERSONNEL BENEFITS**

9 **SEC. 5601. INCLUSION OF CERTAIN VETERANS ON TEM-**
10 **PORARY DISABILITY OR PERMANENT DIS-**
11 **ABLED RETIREMENT LISTS IN MILITARY**
12 **ADAPTIVE SPORTS PROGRAMS.**

13 (a) INCLUSION OF CERTAIN VETERANS.—Subsection
14 (a)(1) of section 2564a of title 10, United States Code,
15 is amended by striking “for members of the armed forces
16 who” and all that follows through the period at the end
17 and inserting the following: “for—

18 “(A) any member of the armed forces who
19 is eligible to participate in adaptive sports be-
20 cause of an injury, illness, or wound incurred in
21 the line of duty in the armed forces; and

22 “(B) any veteran (as defined in section
23 101 of title 38), during the one-year period fol-
24 lowing the veteran’s date of separation, who—

1 “(i) is on the Temporary Disability
2 Retirement List or Permanently Disabled
3 Retirement List;

4 “(ii) is eligible to participate in adapt-
5 ive sports because of an injury, illness, or
6 wound incurred in the line of duty in the
7 armed forces; and

8 “(iii) was enrolled in the program au-
9 thorized under this section prior to the vet-
10 eran’s date of separation.”.

11 (b) CONFORMING AMENDMENT.—Subsection (b) of
12 such section is amended by inserting “and veterans” after
13 “members”.

14 (c) CLERICAL AMENDMENTS.—

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

17 **“§ 2564a. Provision of assistance for adaptive sports**
18 **programs: members of the armed forces;**
19 **certain veterans”.**

20 (2) TABLE OF SECTION.—The table of sections
21 at the beginning of chapter 152 of such title is
22 amended by striking the item relating to section
23 2564a and inserting the following new item:

“2564a. Provision of assistance for adaptive sports programs: members of the
armed forces; certain veterans.”.

1 **SEC. 5602. REPORT ON EXTENSION TO MEMBERS OF THE**
2 **RESERVE COMPONENTS OF THE ARMED**
3 **FORCES OF SPECIAL AND INCENTIVE PAYS**
4 **FOR MEMBERS OF THE ARMED FORCES NOT**
5 **CURRENTLY PAYABLE TO MEMBERS OF THE**
6 **RESERVE COMPONENTS.**

7 (a) REPORT REQUIRED.—Not later than one year
8 after the date of the enactment of this Act, the Secretary
9 of Defense shall submit to the congressional defense com-
10 mittees a report setting forth the results of a study, con-
11 ducted by the Secretary for purposes of the report, on the
12 feasibility and advisability of paying eligible members of
13 the reserve components of the Armed Forces any special
14 or incentive pay for members of the Armed Forces that
15 is not currently payable to members of the reserve compo-
16 nents.

17 (b) ELEMENTS.—The report required by subsection
18 (a) shall set forth the following:

19 (1) An estimate of the yearly cost of paying
20 members of the reserve components risk pay and
21 flight pay under sections 334, 334a, and 351 of title
22 37, United States Code, at the same rate as mem-
23 bers on active duty, regardless of number of periods
24 of instruction or appropriate duty participated in, so
25 long as there is at least one such period of instruc-
26 tion or appropriate duty in the month.

1 (2) A statement of the number of members of
 2 the reserve components who qualify or potentially
 3 qualify for hazardous duty incentive pay based on
 4 current professions or required duties, broken out by
 5 hazardous duty categories set forth in section 351 of
 6 title 37, United States Code.

7 (3) If the Secretary determines that payment to
 8 eligible members of the reserve components of any
 9 special or incentive pay for members of the Armed
 10 Forces that is not currently payable to members of
 11 the reserve components is feasible and advisable,
 12 such recommendations as the Secretary considers
 13 appropriate for legislative or administrative action to
 14 authorize such payment.

15 **SEC. 5642. TREATMENT OF FEES OF SERVICE PROVIDED AS**
 16 **SUPPLEMENTAL FUNDS FOR COMMISSARY**
 17 **OPERATIONS.**

18 Section 642, and the amendment made by that sec-
 19 tion, shall have no force or effect.

20 **TITLE LVII—HEALTH CARE**
 21 **PROVISIONS**

22 **SEC. 5701. CONTRACEPTIVE PARITY UNDER THE TRICARE**
 23 **PROGRAM.**

24 The text of subsection (c) of section 701 is hereby
 25 deemed to read as follows:

1 “(c) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on January 1, 2030.”.

3 **SEC. 5702. EXPOSURE TO OPEN BURN PITS AND TOXIC AIR-**
4 **BORNE CHEMICALS AS PART OF PERIODIC**
5 **HEALTH ASSESSMENTS AND OTHER PHYS-**
6 **ICAL EXAMINATIONS.**

7 (a) PERIODIC HEALTH ASSESSMENT.—The Sec-
8 retary of Defense shall ensure that any periodic health as-
9 sessment provided to members of the Armed Forces in-
10 cludes an evaluation of whether the member has been—

11 (1) based or stationed at a location where an
12 open burn pit was used; or

13 (2) exposed to toxic airborne chemicals, includ-
14 ing any information recorded as part of the Airborne
15 Hazards and Open Burn Pit Registry.

16 (b) SEPARATION HISTORY AND PHYSICAL EXAMINA-
17 TIONS.—Section 1145(a)(5) of title 10, United States
18 Code, is amended by adding at the end the following new
19 subparagraph:

20 “(C) The Secretary concerned shall ensure that each
21 physical examination of a member under subparagraph
22 (A) includes an assessment of whether the member was—

23 “(i) based or stationed at a location where an
24 open burn pit, as defined in subsection (c) of section
25 201 of the Dignified Burial and Other Veterans’

1 Benefits Improvement Act of 2012 (Public Law
2 112–260; 38 U.S.C. 527 note), was used; or

3 “(ii) exposed to toxic airborne chemicals, in-
4 cluding any information recorded as part of the reg-
5 istry established by the Secretary of Veterans Af-
6 fairs under such section 201.”.

7 (c) DEPLOYMENT ASSESSMENTS.—Section
8 1074f(b)(2) of title 10, United States Code, is amended
9 by adding at the end the following new subparagraph:

10 “(D) An assessment of whether the member
11 was—

12 “(i) based or stationed at a location where
13 an open burn pit, as defined in subsection (c)
14 of section 201 of the Dignified Burial and
15 Other Veterans’ Benefits Improvement Act of
16 2012 (Public Law 112–260; 38 U.S.C. 527
17 note), was used; or

18 “(ii) exposed to toxic airborne chemicals,
19 including any information recorded as part of
20 the registry established by the Secretary of Vet-
21 erans Affairs under such section 201.”.

22 (d) SHARING OF INFORMATION.—

23 (1) DOD–VA.—The Secretary of Defense and
24 the Secretary of Veterans Affairs shall jointly enter
25 into a memorandum of understanding providing for

1 the sharing by the Department of Defense with the
2 Department of Veterans Affairs of the results of
3 covered evaluations regarding the exposure by a
4 member of the Armed Forces to toxic airborne
5 chemicals.

6 (2) REGISTRY.—If a covered evaluation of a
7 member of the Armed Forces establishes that the
8 member was based or stationed at a location where
9 an open burn pit was used, or the member was ex-
10 posed to toxic airborne chemicals, the member shall
11 be enrolled in the Airborne Hazards and Open Burn
12 Pit Registry, unless the member elects to not so en-
13 roll.

14 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion may be construed to preclude eligibility for benefits
16 under the laws administered by the Secretary of Veterans
17 Affairs by reason of the open burn pit exposure history
18 of a veteran not being recorded in a covered evaluation.

19 (f) DEFINITIONS.—In this section:

20 (1) The term “Airborne Hazards and Open
21 Burn Pit Registry” means the registry established
22 by the Secretary of Veterans Affairs under section
23 201 of the Dignified Burial and Other Veterans’
24 Benefits Improvement Act of 2012 (Public Law
25 112–260; 38 U.S.C. 527 note).

1 (2) The term “covered evaluation” means—

2 (A) a periodic health assessment conducted
3 in accordance with subsection (a);

4 (B) a separation history and physical ex-
5 amination conducted under section 1145(a)(5)
6 of title 10, United States Code, as amended by
7 this section; and

8 (C) a deployment assessment conducted
9 under section 1074f(b)(2) of such title, as
10 amended by this section.

11 (3) The term “open burn pit” has the meaning
12 given that term in section 201(c) of the Dignified
13 Burial and Other Veterans’ Benefits Improvement
14 Act of 2012 (Public Law 112–260; 38 U.S.C. 527
15 note).

16 **SEC. 5703. PRESERVATION OF RESOURCES OF THE ARMY**
17 **MEDICAL RESEARCH AND MATERIEL COM-**
18 **MAND AND TREATMENT OF REALIGNMENT**
19 **OF SUCH COMMAND.**

20 (a) IN GENERAL.—The Secretary of Defense shall
21 preserve the resources of the Army Medical Research and
22 Materiel Command for use by such command, which shall
23 include manpower and funding, as such command realigns
24 with the Army Futures Command in 2019 and the De-
25 fense Health Agency in 2020.

1 (b) TRANSFER OF FUNDS.—Upon completion of the
 2 realignment described in subsection (a), all amounts avail-
 3 able for the Army Medical Research and Materiel Com-
 4 mand, at the baseline for such amounts for fiscal year
 5 2019, shall be transferred from accounts for research, de-
 6 velopment, test, and evaluation for the Army to accounts
 7 for the Defense Health Program.

8 (c) CONTINUATION AS CENTER OF EXCELLENCE.—
 9 After completion of the realignment described in sub-
 10 section (a), the Army Medical Research and Materiel Com-
 11 mand and Fort Detrick shall continue to serve as a Center
 12 of Excellence for Joint Biomedical Research, Development
 13 and Acquisition Management for efforts undertaken under
 14 the Defense Health Program.

15 **TITLE LVIII—ACQUISITION POL-**
 16 **ICY, ACQUISITION MANAGE-**
 17 **MENT, AND RELATED MAT-**
 18 **TERS**

19 **SEC. 5801. REPORT ON CONTRACTS WITH ENTITIES AFFILI-**
 20 **ATED WITH THE GOVERNMENT OF THE PEO-**
 21 **PLE'S REPUBLIC OF CHINA OR THE CHINESE**
 22 **COMMUNIST PARTY.**

23 Not later than 180 days after the date of the enact-
 24 ment of this Act, the Secretary of Defense shall submit
 25 to the congressional defense committees a report describ-

1 ing all Department of Defense contracts with companies
2 or business entities that are owned or operated by, or af-
3 filiated with, the Government of the People’s Republic of
4 China or the Chinese Communist Party.

5 **SEC. 5802. DOCUMENTATION OF MARKET RESEARCH RE-**
6 **LATED TO COMMERCIAL ITEM DETERMINA-**
7 **TIONS.**

8 Section 3307(d) of title 41, United States Code, is
9 amended by adding at the end the following new para-
10 graph:

11 “(4) Agencies shall document the results of
12 market research in a manner appropriate to the size
13 and complexity of the acquisition.”.

14 **SEC. 5803. ANALYSIS OF ALTERNATIVES PURSUANT TO MA-**
15 **TERIEL DEVELOPMENT DECISIONS.**

16 (a) **TIMELINE.**—Not later than 180 days after the
17 date of the enactment of this Act, the Secretary of Defense
18 shall update existing guidance for analyses of alternatives
19 conducted pursuant to a materiel development decision for
20 a major defense acquisition program to incorporate the
21 following:

22 (1) Study completion within nine months.

23 (2) Study guidance issued by the Director, Cost
24 Assessment and Program Evaluation of a scope de-

1 signed to provide for reasonable completion of the
2 study within the nine-month period.

3 (3) Procedures for waiver of the timeline re-
4 quirements of this subsection on a case-by-case basis
5 if—

6 (A) the subject of the analysis is of ex-
7 treme technical complexity;

8 (B) collection of additional intelligence is
9 required to inform the analysis;

10 (C) insufficient technical expertise is avail-
11 able to complete the analysis; or

12 (D) the Secretary determines that there
13 other sufficient reasons for delay of the anal-
14 ysis.

15 (b) REPORTING.—If an analysis of alternatives can-
16 not be completed within the allotted time, or a waiver is
17 used, the Secretary shall report to the congressional de-
18 fense committees the following information:

19 (1) For a waiver, the basis for use of the waiv-
20 ers, including the reasons why the study cannot be
21 completed within the allotted time.

22 (2) For a study estimated to take more than
23 nine months—

24 (A) an estimate of when the analysis will
25 be completed;

1 (B) an estimate of any additional costs to
2 complete the analysis; and

3 (C) other relevant information pertaining
4 to the analysis and its completion.

5 **TITLE LIX—DEPARTMENT OF DE-**
6 **FENSE ORGANIZATION AND**
7 **MANAGEMENT**

8 **SEC. 5901. INSTITUTIONALIZATION WITHIN DEPARTMENT**
9 **OF DEFENSE OF RESPONSIBILITIES AND AU-**
10 **THORITIES OF THE CHIEF MANAGEMENT OF-**
11 **FICER.**

12 (a) MANNER OF DIRECTION OF BUSINESS-RELATED
13 ACTIVITIES OF MILITARY DEPARTMENTS.—The Secretary
14 of Defense shall determine the manner in which the Chief
15 Management Officer directs the business-related activities
16 of the military departments.

17 (b) RESPONSIBILITY FOR DEFENSE AGENCIES AND
18 FIELD ACTIVITIES.—The Secretary shall determine the
19 responsibilities and authorities, if any, of the Chief Man-
20 agement Officer for the Defense Agencies and the Depart-
21 ment of Defense Field Activities, including a determina-
22 tion as to the following:

23 (1) Whether one or more additional Defense
24 Agencies, Department of Defense Field Activities, or
25 both should provide shared business services.

1 (2) Which Defense Agencies, Department of
2 Defense Field Activities, or both should be required
3 to submit their proposed budgets for enterprise busi-
4 ness operations to the Chief Management Officer for
5 review.

6 (c) ASSIGNMENT OF RESPONSIBILITIES AND AU-
7 THORITIES.—The Secretary shall, in light of determina-
8 tions under subsections (a) and (b), assign the responsibil-
9 ities and authorities of the Chief Management Officer
10 (whether specified in statute or otherwise), and the man-
11 ner of the discharge of such responsibilities and authori-
12 ties, applicable Department-wide, as appropriate.

13 (d) PLAN OF ACTION REQUIRED.—Not later than 90
14 days after the date of the enactment of this Act, the Sec-
15 retary shall submit to the congressional defense commit-
16 tees a plan, including a timeline, for carrying out the re-
17 quirements of this section.

18 **SEC. 5902. ALLOCATION OF FORMER RESPONSIBILITIES OF**
19 **THE UNDER SECRETARY OF DEFENSE FOR**
20 **ACQUISITION, TECHNOLOGY, AND LOGISTICS.**

21 (a) TITLE 10, UNITED STATES CODE.—Title 10,
22 United States Code, is amended as follows:

23 (1) In section 129a(c)(3), by striking “The
24 Under Secretary of Defense for Acquisition, Tech-
25 nology, and Logistics” and inserting “The Under

1 Secretary of Defense for Acquisition and
2 Sustainment”.

3 (2) In section 134(c), by striking “the Under
4 Secretary of Defense for Acquisition, Technology,
5 and Logistics” and inserting “the Under Secretary
6 of Defense for Research and Engineering, the Under
7 Secretary of Defense for Acquisition and
8 Sustainment”.

9 (3) In section 139—

10 (A) in subsection (b)—

11 (i) in the matter preceding paragraph
12 (1), by striking “and the Under Secretary
13 of Defense for Acquisition, Technology,
14 and Logistics” and inserting “, the Under
15 Secretary of Defense for Research and En-
16 gineering, and the Under Secretary of De-
17 fense for Acquisition and Sustainment”;
18 and

19 (ii) in paragraph (2), by striking “and
20 the Under Secretary of Defense for Acqui-
21 sition, Technology, and Logistics” and in-
22 serting “, the Under Secretary of Defense
23 for Research and Engineering, the Under
24 Secretary of Defense for Acquisition and
25 Sustainment,”;

1 (B) in subsection (c), by striking “the
2 Under Secretary of Defense for Acquisition,
3 Technology, and Logistics” and inserting “the
4 Under Secretary of Defense for Research and
5 Engineering, the Under Secretary of Defense
6 for Acquisition and Sustainment,”; and

7 (C) in subsection (h)(2), by striking “the
8 Under Secretary of Defense for Acquisition,
9 Technology, and Logistics” and inserting “the
10 Under Secretary of Defense for Research and
11 Engineering, the Under Secretary of Defense
12 for Acquisition and Sustainment”.

13 (4) In section 139a(d)(6), by striking “the
14 Under Secretary of Defense for Acquisition, Tech-
15 nology, and Logistics” and inserting “the Under
16 Secretary of Defense for Research and Engineering,
17 the Under Secretary of Defense for Acquisition and
18 Sustainment,”.

19 (5) In section 171(a)—

20 (A) by striking paragraphs (3) and (8);

21 (B) by redesignating paragraphs (4), (5),
22 (6), (7), (9), (10), (11), (12), and (13) as para-
23 graphs (5), (6), (7), (8), (11), (12), (13), (14),
24 and(15), respectively;

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

3 “(3) the Under Secretary of Defense for Re-
4 search and Engineering;

5 “(4) the Under Secretary of Defense of Acquisi-
6 tion and Sustainment;”; and

7 (D) by inserting after paragraph (8), as
8 redesignated by subparagraph (B), the fol-
9 lowing new paragraphs:

10 “(9) the Deputy Under Secretary of Defense
11 for Research and Engineering;

12 “(10) the Deputy Under Secretary of Defense
13 for Acquisition and Sustainment;”.

14 (6) In section 181(d)(1)—

15 (A) by redesignating subparagraphs (D)
16 through (G) as subparagraphs (E) through (H),
17 respectively;

18 (B) by striking subparagraph (C); and

19 (C) by inserting after subparagraph (B)
20 the following new subparagraphs:

21 “(C) The Under Secretary of Defense for
22 Research and Engineering.

23 “(D) The Under Secretary of Defense for
24 Acquisition and Sustainment.”.

25 (7) In section 393(b)(2)—

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

4 (B) by striking subparagraph (B); and

5 (C) by inserting after subparagraph (A)
 6 the following new subparagraphs:

7 “(B) The Under Secretary of Defense for
 8 Research and Engineering.

9 “(C) The Under Secretary of Defense for
 10 Acquisition and Sustainment.”.

11 (8)(A) In section 1702—

12 (i) by striking the heading and inserting
 13 the following:

14 **“§ 1702. Under Secretary of Defense for Acquisition**
 15 **and Sustainment: authorities and respon-**
 16 **sibilities”; and**

17 (ii) in the text, by striking “the Under
 18 Secretary of Defense for Acquisition, Tech-
 19 nology, and Logistics” and inserting “the
 20 Under Secretary of Defense for Acquisition and
 21 Sustainment”.

22 (B) The table of sections at the beginning of
 23 subchapter I of chapter 87 is amended by striking
 24 the item relating to section 1702 and inserting the
 25 following new item:

“1702. Under Secretary of Defense for Acquisition and Sustainment: authorities and responsibilities.”.

1 (9) In section 1705, by striking “Under Sec-
2 retary of Defense for Acquisition, Technology, and
3 Logistics” each place it appears and inserting
4 “Under Secretary of Defense for Acquisition and
5 Sustainment”.

6 (10) In section 1722, by striking “the Under
7 Secretary of Defense for Acquisition, Technology,
8 and Logistics” each place it appears and inserting
9 “the Under Secretary of Defense for Acquisition and
10 Sustainment”.

11 (11) In section 1722a, by striking “the Under
12 Secretary of Defense for Acquisition, Technology,
13 and Logistics” each place it appears and inserting
14 “the Under Secretary of Defense for Acquisition and
15 Sustainment”.

16 (12) In section 1722b(a), by striking “the
17 Under Secretary of Defense for Acquisition, Tech-
18 nology, and Logistics” and inserting “the Under
19 Secretary of Defense for Acquisition and
20 Sustainment”.

21 (13) In section 1723, by striking “the Under
22 Secretary of Defense for Acquisition, Technology,
23 and Logistics” each place it appears and inserting

1 “the Under Secretary of Defense for Acquisition and
2 Sustainment”.

3 (14) In section 1725(e)(2), by striking “the
4 Under Secretary of Defense for Acquisition, Tech-
5 nology, and Logistics” and inserting “the Under
6 Secretary of Defense for Acquisition and
7 Sustainment”.

8 (15) In section 1735(c)(1), by striking “the
9 Under Secretary of Defense for Acquisition, Tech-
10 nology, and Logistics” and inserting “the Under
11 Secretary of Defense for Acquisition and
12 Sustainment”.

13 (16) In section 1737(c), by striking “the Under
14 Secretary of Defense for Acquisition, Technology,
15 and Logistics” and inserting “the Under Secretary
16 of Defense for Acquisition and Sustainment”.

17 (17) In section 1741(b), by striking “The
18 Under Secretary of Defense for Acquisition, Tech-
19 nology, and Logistics” and inserting “The Under
20 Secretary of Defense for Acquisition and
21 Sustainment”.

22 (18) In section 1746(a), by striking “the Under
23 Secretary of Defense for Acquisition, Technology,
24 and Logistics” and inserting “the Under Secretary
25 of Defense for Acquisition and Sustainment”.

1 (19) In section 1748, by striking “the Under
2 Secretary of Defense for Acquisition, Technology,
3 and Logistics” and inserting “the Under Secretary
4 of Defense for Acquisition and Sustainment”.

5 (20) In section 2222, by striking “Under Sec-
6 retary of Defense for Acquisition, Technology, and
7 Logistics” each place it appears and inserting
8 “Under Secretary of Defense for Acquisition and
9 Sustainment”.

10 (21) In section 2272, by striking “the Assistant
11 Secretary of Defense for Research and Engineering”
12 and inserting “the Under Secretary of Defense for
13 Research and Engineering”.

14 (22) In section 2275(a), by striking “The
15 Under Secretary of Defense for Acquisition, Tech-
16 nology, and Logistics” and inserting “The Under
17 Secretary of Defense for Acquisition and
18 Sustainment”.

19 (23) In section 2279(d), by striking “the Under
20 Secretary of Defense for Acquisition, Technology,
21 and Logistics” and inserting “the Under Secretary
22 of Defense for Acquisition and Sustainment”.

23 (24) In section 2279b—

24 (A) in subsection (b)—

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

4 (ii) by striking paragraph (2); and

5 (iii) by inserting after paragraph (1)
6 the following new paragraphs:

7 “(2) The Under Secretary of Defense for Re-
8 search and Engineering.

9 “(3) The Under Secretary of Defense for Ac-
10 quisition and Sustainment.”; and

11 (B) in subsection (c) by striking “the
12 Under Secretary of Defense for Acquisition,
13 Technology, and Logistics” and inserting “the
14 Under Secretary of Defense for Research and
15 Engineering, the Under Secretary of Defense
16 for Acquisition and Sustainment,”

17 (25) In section 2304, by striking “the Under
18 Secretary of Defense for Acquisition, Technology,
19 and Logistics” each place it appears and inserting
20 “the Under Secretary of Defense for Acquisition and
21 Sustainment”.

22 (26) In section 2306b(i)(7), by striking “of
23 Under Secretary of Defense for Acquisition, Tech-
24 nology, and Logistics” and inserting “of Under Sec-
25 retary of Defense for Acquisition and Sustainment”.

1 (27) In section 2311(c), by striking “the Under
2 Secretary of Defense for Acquisition, Technology,
3 and Logistics” each place it appears and inserting
4 “the Under Secretary of Defense for Acquisition and
5 Sustainment”.

6 (28) In section 2326(g), by striking “the Under
7 Secretary of Defense for Acquisition, Technology,
8 and Logistics” and inserting “the Under Secretary
9 of Defense for Acquisition and Sustainment”.

10 (29) In section 2330, by striking “Under Sec-
11 retary of Defense for Acquisition, Technology, and
12 Logistics” each place it appears and inserting
13 “Under Secretary of Defense for Acquisition and
14 Sustainment”.

15 (30) In section 2334, by striking “Under Sec-
16 retary of Defense for Acquisition, Technology, and
17 Logistics” each place it appears and inserting
18 “Under Secretary of Defense for Acquisition and
19 Sustainment”.

20 (31) In section 2350a(b)(2), by striking “the
21 Under Secretary of Defense for Acquisition, Tech-
22 nology, and Logistics, and the Assistant Secretary of
23 Defense for Research and Engineering” and insert-
24 ing “the Under Secretary of Defense for Research

1 and Engineering, and the Under Secretary of De-
2 fense for Acquisition and Sustainment”.

3 (32) In section 2359(b), by striking paragraph
4 (1) and inserting the following new paragraph (1):

5 “(1) The Under Secretary of Defense for Re-
6 search and Engineering.”.

7 (33) In section 2359b, by striking “Under Sec-
8 retary of Defense for Acquisition, Technology, and
9 Logistics” each place it appears and inserting
10 “Under Secretary of Defense for Research and En-
11 gineering”.

12 (34) In section 2365(d)(3)(A), by striking “the
13 Under Secretary of Defense for Acquisition, Tech-
14 nology, and Logistics” and inserting “the Under
15 Secretary of Defense for Research and Engineer-
16 ing”.

17 (35) In section 2375, by striking “the Under
18 Secretary of Defense for Acquisition, Technology,
19 and Logistics” each place it appears and inserting
20 “the Under Secretary of Defense for Acquisition and
21 Sustainment”.

22 (36) In section 2399(b)(3)—

23 (A) by striking “the Under Secretary of
24 Defense for Acquisition, Technology, and Logis-
25 tics” and inserting “the Under Secretary of De-

1 fense for Research and Engineering, the Under
2 Secretary of Defense for Acquisition and
3 Sustainment”; and

4 (B) by striking “and Under Secretary”
5 and inserting “and the Under Secretaries”.

6 (37) In section 2419(a)(1), by striking “The
7 Under Secretary of Defense for Acquisition, Tech-
8 nology, and Logistics” and inserting “The Under
9 Secretary of Defense for Acquisition and
10 Sustainment”.

11 (38) In section 2431a(b), by striking “the
12 Under Secretary of Defense for Acquisition, Tech-
13 nology, and Logistics” and inserting “the Under
14 Secretary of Defense for Acquisition and
15 Sustainment”.

16 (39) In section 2435, by striking “the Under
17 Secretary of Defense for Acquisition, Technology,
18 and Logistics” each place it appears and inserting
19 “the Under Secretary of Defense for Acquisition and
20 Sustainment”.

21 (40) In section 2438(b), by striking “the Under
22 Secretary of Defense for Acquisition, Technology
23 and Logistics” each place it appears and inserting
24 “the Under Secretary of Defense for Acquisition and
25 Sustainment”.

1 (41) In section 2503(b)—

2 (A) by striking “the Under Secretary of
3 Defense for Acquisition, Technology, and Logis-
4 tics” and inserting “the Under Secretary of De-
5 fense for Research and Engineering and the
6 Under Secretary of Defense for Acquisition and
7 Sustainment”; and

8 (B) by striking “the Under Secretary
9 shall” and inserting “the Under Secretaries
10 shall”.

11 (42) In section 2508(b), by striking “the Under
12 Secretary of Defense for Acquisition, Technology,
13 and Logistics, acting through the Deputy Assistant
14 Secretary of Defense for Manufacturing and Indus-
15 trial Base Policy” and inserting “the Under Sec-
16 retary of Defense for Acquisition and Sustainment”.

17 (43) In section 2521, by striking “Under Sec-
18 retary of Defense for Acquisition, Technology, and
19 Logistics” each place it appears and inserting
20 “Under Secretary of Defense for Research and En-
21 gineering”.

22 (44) In section 2533b(k)(2)(A), by striking
23 “the Under Secretary of Defense for Acquisition,
24 Technology, and Logistics” and inserting “the

1 Under Secretary of Defense for Acquisition and
2 Sustainment”.

3 (45) In section 2546—

4 (A) in the heading of subsection (a), by
5 striking “UNDER SECRETARY OF DEFENSE
6 FOR ACQUISITION, TECHNOLOGY, AND LOGIS-
7 TICS” and inserting “UNDER SECRETARY OF
8 DEFENSE FOR ACQUISITION AND
9 SUSTAINMENT”; and

10 (B) by striking “the Under Secretary of
11 Defense for Acquisition, Technology, and Logis-
12 tics” each place it appears and inserting “the
13 Under Secretary of Defense for Acquisition and
14 Sustainment”.

15 (46) In section 2548, by striking “the Under
16 Secretary of Defense for Acquisition, Technology,
17 and Logistics” each place it appears and inserting
18 “the Under Secretary of Defense for Acquisition and
19 Sustainment”.

20 (47) In section 2902(b)—

21 (A) by striking paragraph (1) and insert-
22 ing the following new paragraph (1):

23 “(1) The official within the Office of the Under
24 Secretary of Defense for Research and Engineering
25 who is responsible for science and technology.”;

1 (B) by redesignating paragraphs (4)
2 through (9) as paragraphs (5) through (10), re-
3 spectively;

4 (C) by striking paragraph (3); and

5 (D) by inserting after paragraph (2) the
6 following new paragraphs:

7 “(3) The official within the Office of the Under
8 Secretary of Defense for Research and Engineering
9 who is responsible for environmental security.

10 “(4) The official within the Office of the Under
11 Secretary of Defense for Acquisition and
12 Sustainment who is responsible for environmental
13 security.”.

14 (48) In section 2926(e)(5)(D), by striking “the
15 Under Secretary of Defense for Acquisition, Tech-
16 nology, and Logistics” and inserting “the Under
17 Secretary of Defense for Acquisition and
18 Sustainment”.

19 (b) NATIONAL DEFENSE AUTHORIZATION ACTS.—

20 (1) PUBLIC LAW 115–232.—Section 338 of the
21 John S. McCain National Defense Authorization Act
22 for Fiscal Year 2019 (Public Law 115–232; 132
23 Stat. 1728) is amended by striking “the Under Sec-
24 retary of Defense for Acquisition, Technology, and

1 Logistics” and inserting “the Under Secretary of
2 Defense for Acquisition and Sustainment”.

3 (2) PUBLIC LAW 115–91.—Section 136(a)(1) of
4 the National Defense Authorization Act for Fiscal
5 Year 2018 (Public Law 115–91; 131 Stat. 1317) is
6 amended by striking “the Under Secretary of De-
7 fense for Acquisition, Technology, and Logistics”
8 and inserting “the Under Secretary of Defense for
9 Acquisition and Sustainment”.

10 (3) PUBLIC LAW 114–328.—The National De-
11 fense Authorization Act for Fiscal Year 2017 (Pub-
12 lic Law 114–328) is amended as follows:

13 (A) In section 829(b) (10 U.S.C. 2306
14 note), by striking “the Under Secretary of De-
15 fense for Acquisition, Technology, and Logis-
16 tics” and inserting “the Under Secretary of De-
17 fense for Acquisition and Sustainment”.

18 (B) In section 874(b)(1) (10 U.S.C. 2375
19 note), by striking “the Under Secretary of De-
20 fense for Acquisition, Technology, and Logis-
21 tics” and inserting “the Under Secretary of De-
22 fense for Acquisition and Sustainment”.

23 (C) In section 875 (10 U.S.C. 2305
24 note)—

1 (i) in subsections (b), (c), (e), and (f),
2 by striking “Under Secretary of Defense
3 for Acquisition, Technology, and Logistics”
4 each place it appears and inserting “Under
5 Secretary of Defense for Acquisition and
6 Sustainment”; and

7 (ii) in subsection (d), by striking “The
8 Under Secretary of Defense for Acquisi-
9 tion, Technology, and Logistics” and in-
10 serting “The Under Secretary of Defense
11 for Research and Engineering”.

12 (D) In section 898(a)(2)(A) (10 U.S.C.
13 2302 note), by striking “the Under Secretary of
14 Defense for Acquisition, Technology, and Logis-
15 tics” and inserting “the Under Secretary of De-
16 fense for Acquisition and Sustainment”.

17 (E) In section 1652(a) (130 Stat. 2609),
18 by striking “the Under Secretary of Defense for
19 Acquisition, Technology, and Logistics” and in-
20 serting “the Under Secretary of Defense for
21 Research and Engineering”.

22 (F) In section 1689(d) (130 Stat. 2631),
23 by striking “the Under Secretary of Defense for
24 Acquisition, Technology, and Logistics” and in-

1 serting “the Under Secretary of Defense for
2 Research and Engineering”.

3 (4) PUBLIC LAW 114–92.—The National De-
4 fense Authorization Act for Fiscal Year 2016 (Pub-
5 lic Law 114–92) is amended as follows:

6 (A) In section 131 (129 Stat. 754), by
7 striking “the Under Secretary of Defense for
8 Acquisition, Technology, and Logistics” each
9 place it appears and inserting “the Under Sec-
10 retary of Defense for Acquisition and
11 Sustainment”.

12 (B) In section 856(a)(2)(B) (10 U.S.C.
13 2377 note), by striking “the Office of the
14 Under Secretary of Defense for Acquisition,
15 Technology, and Logistics” and inserting “the
16 Office of the Under Secretary of Defense for
17 Acquisition and Sustainment”.

18 (C) In section 1111(b)(1) (10 U.S.C. 1701
19 note), by striking “the Under Secretary of De-
20 fense for Acquisition, Technology, and Logis-
21 tics” and inserting “the Under Secretary of De-
22 fense for Acquisition and Sustainment”.

23 (D) In section 1675(a) (129 Stat. 1131),
24 by striking “The Under Secretary of Defense
25 for Acquisition, Technology, and Logistics” and

1 inserting “The Under Secretary of Defense for
2 Research and Engineering”.

3 (5) PUBLIC LAW 113–291.—Section 852 of the
4 Carl Levin and Howard P. “Buck” McKeon Na-
5 tional Defense Authorization Act for Fiscal Year
6 2015 (10 U.S.C. 2302 note) is amended by striking
7 “The Under Secretary of Defense for Acquisition,
8 Technology, and Logistics” and inserting “The
9 Under Secretary of Defense for Acquisition and
10 Sustainment”.

11 (6) PUBLIC LAW 112–239.—Section 157(c) of
12 the National Defense Authorization Act for Fiscal
13 Year 2013 (Public law 112–239; 126 Stat. 1668) is
14 amended by striking “The Under Secretary of De-
15 fense for Acquisition, Technology, and Logistics”
16 and inserting “The Under Secretary of Defense for
17 Acquisition and Sustainment”.

18 (7) PUBLIC LAW 112–81.—The National De-
19 fense Authorization Act for Fiscal Year 2012 (Pub-
20 lic Law 112–81) is amended as follows:

21 (A) In section 144 (125 Stat. 1325)—

22 (i) in subsection (a), by striking “the
23 Under Secretary of Defense for Acquisi-
24 tion, Technology, and Logistics” and in-

1 serting “the Under Secretary of Defense
2 for Acquisition and Sustainment”; and

3 (ii) in subsection (b)(4), by striking
4 “the Assistant Secretary of Defense for
5 Research and Engineering” and inserting
6 “the Under Secretary of Defense for Re-
7 search and Engineering”.

8 (B) In section 836(a)(2) (22 U.S.C. 2767
9 note), by striking “the Under Secretary of De-
10 fense for Acquisition, Technology, and Logis-
11 tics, the Assistant Secretary of Defense for Re-
12 search and Engineering,” and inserting “the
13 Under Secretary of Defense for Research and
14 Engineering, the Under Secretary of Defense
15 for Acquisition and Sustainment,”.

16 (C) In section 838(2)(B) (125 Stat. 1509),
17 by striking “the Under Secretary of Defense for
18 Acquisition, Technology, and Logistics” and in-
19 serting “the Under Secretary of Defense for
20 Acquisition and Sustainment”.

21 (8) PUBLIC LAW 111–383.—Section 882(b) of
22 the Ike Skelton National Defense Authorization Act
23 for Fiscal Year 2011 (10 U.S.C. 2222 note) is
24 amended by striking “The Under Secretary of De-
25 fense for Acquisition, Technology, and Logistics”

1 and inserting “The Under Secretary of Defense for
2 Acquisition and Sustainment”.

3 (9) PUBLIC LAW 110–417.—Section 814 of the
4 Duncan Hunter National Defense Authorization Act
5 for Fiscal Year 2009 (Public Law 110–417; 122
6 Stat. 4528) is amended—

7 (A) in subsection (b)(2)—

8 (i) by redesignating subparagraphs
9 (B) through (H) as subparagraphs (C)
10 through (I), respectively;

11 (ii) by striking subparagraph (A); and

12 (iii) by inserting before subparagraph
13 (C), as redesignated by clause (i), the fol-
14 lowing new subparagraphs:

15 “(A) The Office of the Under Secretary of
16 Defense for Research and Engineering.

17 “(B) The Office of the Under Secretary of
18 Defense for Acquisition and Sustainment.”; and

19 (B) in subsection (c)(5), in the flush mat-
20 ter following subparagraph (B), by striking
21 “the Under Secretary of Defense for Acquisi-
22 tion, Technology, and Logistics certifies to the
23 congressional defense committees, and includes”
24 and inserting “the Under Secretary of Defense
25 for Research and Engineering and the Under

1 Secretary of Defense for Acquisition and
2 Sustainment jointly certify to the congressional
3 defense committees, and include”.

4 (10) PUBLIC LAW 110–181.—The National De-
5 fense Authorization Act for Fiscal Year 2008 (Pub-
6 lic Law 110–181) is amended as follows:

7 (A) In section 231(a) (10 U.S.C. 1701
8 note), by striking “the Under Secretary of De-
9 fense for Acquisition, Technology, and Logis-
10 tics” and inserting “the Under Secretary of De-
11 fense for Acquisition and Sustainment”.

12 (B) In section 802(a)(3)(C) (10 U.S.C.
13 2410p note), by striking “the Under Secretary
14 of Defense for Acquisition, Technology, and Lo-
15 gistics” and inserting “the Under Secretary of
16 Defense for Acquisition and Sustainment”.

17 (C) In section 821(a) (10 U.S.C. 2304
18 note), by striking “The Under Secretary of De-
19 fense for Acquisition, Technology, and Logis-
20 tics” and inserting “The Under Secretary of
21 Defense for Acquisition and Sustainment”.

22 (D) In section 2864 (10 U.S.C. 2911
23 note), by striking “the Under Secretary of De-
24 fense for Acquisition, Technology, and Logis-
25 tics” each place it appears and inserting “the

1 Under Secretary of Defense for Acquisition and
2 Sustainment”.

3 (c) RECOMMENDATIONS FOR LEGISLATIVE AC-
4 TION.—Not later than 14 days after the President submits
5 to Congress the budget for fiscal year 2021 pursuant to
6 section 1105 of title 31, United States Code, the Under
7 Secretary of Defense (Comptroller) shall submit to the
8 congressional defense committees such recommendations
9 for legislative action as the Under Secretary considers ap-
10 propriate to implement the recommendations of the report
11 required by section 901 of the John S. McCain National
12 Defense Authorization Act for Fiscal Year 2019 (Public
13 Law 115–232; 132 Stat. 1920).

14 **TITLE LX—GENERAL MATTERS**

15 **SEC. 6001. UTILIZING SIGNIFICANT EMISSIONS WITH INNO-** 16 **VATIVE TECHNOLOGIES.**

17 (a) SHORT TITLE.—This section may be cited as the
18 “Utilizing Significant Emissions with Innovative Tech-
19 nologies Act” or the “USE IT Act”.

20 (b) RESEARCH, INVESTIGATION, TRAINING, AND
21 OTHER ACTIVITIES.—Section 103 of the Clean Air Act
22 (42 U.S.C. 7403) is amended—

23 (1) in subsection (c)(3), in the first sentence of
24 the matter preceding subparagraph (A), by striking
25 “precursors” and inserting “precursors”; and

1 (2) in subsection (g)—

2 (A) by redesignating paragraphs (1)
3 through (4) as subparagraphs (A) through (D),
4 respectively, and indenting appropriately;

5 (B) in the undesignated matter following
6 subparagraph (D) (as so redesignated)—

7 (i) in the second sentence, by striking
8 “The Administrator” and inserting the fol-
9 lowing:

10 “(5) COORDINATION AND AVOIDANCE OF DU-
11 PPLICATION.—The Administrator”; and

12 (ii) in the first sentence, by striking
13 “Nothing” and inserting the following:

14 “(4) EFFECT OF SUBSECTION.—Nothing”;

15 (C) in the matter preceding subparagraph
16 (A) (as so redesignated)—

17 (i) in the third sentence, by striking
18 “Such program” and inserting the fol-
19 lowing:

20 “(3) PROGRAM INCLUSIONS.—The program
21 under this subsection”;

22 (ii) in the second sentence—

23 (I) by inserting “States, institu-
24 tions of higher education,” after “sci-
25 entists,”; and

1 (II) by striking “Such strategies
2 and technologies shall be developed”
3 and inserting the following:

4 “(2) PARTICIPATION REQUIREMENT.—Such
5 strategies and technologies described in paragraph
6 (1) shall be developed”; and

7 (iii) in the first sentence, by striking
8 “In carrying out” and inserting the fol-
9 lowing:

10 “(1) IN GENERAL.—In carrying out”; and

11 (D) by adding at the end the following:

12 “(6) CERTAIN CARBON DIOXIDE ACTIVITIES.—

13 “(A) IN GENERAL.—In carrying out para-
14 graph (3)(A) with respect to carbon dioxide, the
15 Administrator shall carry out the activities de-
16 scribed in each of subparagraphs (B), (C), (D),
17 and (E).

18 “(B) DIRECT AIR CAPTURE RESEARCH.—

19 “(i) DEFINITIONS.—In this subpara-
20 graph:

21 “(I) BOARD.—The term ‘Board’
22 means the Direct Air Capture Tech-
23 nology Advisory Board established by
24 clause (iii)(I).

1 “(II) DILUTE.—The term ‘dilute’
2 means a concentration of less than 1
3 percent by volume.

4 “(III) DIRECT AIR CAPTURE.—

5 “(aa) IN GENERAL.—The
6 term ‘direct air capture’, with re-
7 spect to a facility, technology, or
8 system, means that the facility,
9 technology, or system uses car-
10 bon capture equipment to cap-
11 ture carbon dioxide directly from
12 the air.

13 “(bb) EXCLUSION.—The
14 term ‘direct air capture’ does not
15 include any facility, technology,
16 or system that captures carbon
17 dioxide—

18 “(AA) that is delib-
19 erately released from a natu-
20 rally occurring subsurface
21 spring; or

22 “(BB) using natural
23 photosynthesis.

1 “(IV) INTELLECTUAL PROP-
2 ERTY.—The term ‘intellectual prop-
3 erty’ means—

4 “(aa) an invention that is
5 patentable under title 35, United
6 States Code; and

7 “(bb) any patent on an in-
8 vention described in item (aa).

9 “(ii) TECHNOLOGY PRIZES.—

10 “(I) IN GENERAL.—Not later
11 than 1 year after the date of enact-
12 ment of the USE IT Act, the Admin-
13 istrator, in consultation with the Sec-
14 retary of Energy, shall establish a
15 program to provide, and shall provide,
16 financial awards on a competitive
17 basis for direct air capture from
18 media in which the concentration of
19 carbon dioxide is dilute.

20 “(II) DUTIES.—In carrying out
21 this clause, the Administrator shall—

22 “(aa) subject to subclause
23 (III), develop specific require-
24 ments for—

1 “(AA) the competition
2 process; and

3 “(BB) the demonstra-
4 tion of performance of ap-
5 proved projects;

6 “(bb) offer financial awards
7 for a project designed—

8 “(AA) to the maximum
9 extent practicable, to cap-
10 ture more than 10,000 tons
11 of carbon dioxide per year;
12 and

13 “(BB) to operate in a
14 manner that would be com-
15 mercially viable in the fore-
16 seeable future (as deter-
17 mined by the Board); and

18 “(cc) to the maximum ex-
19 tent practicable, make financial
20 awards to geographically diverse
21 projects, including at least—

22 “(AA) 1 project in a
23 coastal State; and

24 “(BB) 1 project in a
25 rural State.

1 “(III) PUBLIC PARTICIPATION.—

2 In carrying out subclause (II)(aa), the
3 Administrator shall—

4 “(aa) provide notice of and,
5 for a period of not less than 60
6 days, an opportunity for public
7 comment on, any draft or pro-
8 posed version of the requirements
9 described in subclause (II)(aa);
10 and

11 “(bb) take into account pub-
12 lic comments received in devel-
13 oping the final version of those
14 requirements.

15 “(iii) DIRECT AIR CAPTURE TECH-
16 NOLOGY ADVISORY BOARD.—

17 “(I) ESTABLISHMENT.—There is
18 established an advisory board to be
19 known as the ‘Direct Air Capture
20 Technology Advisory Board’.

21 “(II) COMPOSITION.—The Board
22 shall be composed of 9 members ap-
23 pointed by the Administrator, who
24 shall provide expertise in—

25 “(aa) climate science;

1 “(bb) physics;
 2 “(cc) chemistry;
 3 “(dd) biology;
 4 “(ee) engineering;
 5 “(ff) economics;
 6 “(gg) business management;
 7 and

8 “(hh) such other disciplines
 9 as the Administrator determines
 10 to be necessary to achieve the
 11 purposes of this subparagraph.

12 “(III) TERM; VACANCIES.—

13 “(aa) TERM.—A member of
 14 the Board shall serve for a term
 15 of 6 years.

16 “(bb) VACANCIES.—A va-
 17 cancy on the Board—

18 “(AA) shall not affect
 19 the powers of the Board;
 20 and

21 “(BB) shall be filled in
 22 the same manner as the
 23 original appointment was
 24 made.

1 “(IV) INITIAL MEETING.—Not
2 later than 30 days after the date on
3 which all members of the Board have
4 been appointed, the Board shall hold
5 the initial meeting of the Board.

6 “(V) MEETINGS.—The Board
7 shall meet at the call of the Chair-
8 person or on the request of the Ad-
9 ministrator.

10 “(VI) QUORUM.—A majority of
11 the members of the Board shall con-
12 stitute a quorum, but a lesser number
13 of members may hold hearings.

14 “(VII) CHAIRPERSON AND VICE
15 CHAIRPERSON.—The Board shall se-
16 lect a Chairperson and Vice Chair-
17 person from among the members of
18 the Board.

19 “(VIII) COMPENSATION.—Each
20 member of the Board may be com-
21 pensated at not to exceed the daily
22 equivalent of the annual rate of basic
23 pay in effect for a position at level V
24 of the Executive Schedule under sec-
25 tion 5316 of title 5, United States

1 Code, for each day during which the
2 member is engaged in the actual per-
3 formance of the duties of the Board.

4 “(IX) DUTIES.—The Board shall
5 advise the Administrator on carrying
6 out the duties of the Administrator
7 under this subparagraph.

8 “(X) FACA.—The Federal Advi-
9 sory Committee Act (5 U.S.C. App.)
10 shall apply to the Board.

11 “(iv) INTELLECTUAL PROPERTY.—

12 “(I) IN GENERAL.—As a condi-
13 tion of receiving a financial award
14 under this subparagraph, an applicant
15 shall agree to vest the intellectual
16 property of the applicant derived from
17 the technology in 1 or more entities
18 that are incorporated in the United
19 States.

20 “(II) RESERVATION OF LI-
21 CENSE.—The United States—

22 “(aa) may reserve a non-
23 exclusive, nontransferable, irrev-
24 ocable, paid-up license, to have
25 practiced for or on behalf of the

United States, in connection with any intellectual property described in subclause (I); but

“(bb) shall not, in the exercise of a license reserved under item (aa), publicly disclose proprietary information relating to the license.

“(III) TRANSFER OF TITLE.—

Title to any intellectual property described in subclause (I) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

“(v) AUTHORIZATION OF APPROPRIATIONS.—

“(I) IN GENERAL.—Of the amounts authorized to be appropriated for the Environmental Protection Agency, \$35,000,000 shall be available to carry out this subparagraph, to remain available until expended.

1 “(II) REQUIREMENT.—Research
 2 carried out using amounts made avail-
 3 able under subclause (I) may not du-
 4 plicate research funded by the Depart-
 5 ment of Energy.

6 “(vi) TERMINATION OF AUTHORITY.—
 7 The Board and all authority provided
 8 under this subparagraph shall terminate
 9 not later than 10 years after the date of
 10 enactment of the USE IT Act.

11 “(C) CARBON DIOXIDE UTILIZATION RE-
 12 SEARCH.—

13 “(i) DEFINITION OF CARBON DIOXIDE
 14 UTILIZATION.—In this subparagraph, the
 15 term ‘carbon dioxide utilization’ refers to
 16 technologies or approaches that lead to the
 17 use of carbon dioxide—

18 “(I) through the fixation of car-
 19 bon dioxide through photosynthesis or
 20 chemosynthesis, such as through the
 21 growing of algae or bacteria;

22 “(II) through the chemical con-
 23 version of carbon dioxide to a material
 24 or chemical compound in which the
 25 carbon dioxide is securely stored; or

1 “(III) through the use of carbon
2 dioxide for any other purpose for
3 which a commercial market exists, as
4 determined by the Administrator.

5 “(ii) PROGRAM.—The Administrator,
6 in consultation with the Secretary of En-
7 ergy, shall carry out a research and devel-
8 opment program for carbon dioxide utiliza-
9 tion to promote existing and new tech-
10 nologies that transform carbon dioxide
11 generated by industrial processes into a
12 product of commercial value, or as an
13 input to products of commercial value.

14 “(iii) TECHNICAL AND FINANCIAL AS-
15 SISTANCE.—Not later than 2 years after
16 the date of enactment of the USE IT Act,
17 in carrying out this subsection, the Admin-
18 istrator, in consultation with the Secretary
19 of Energy, shall support research and in-
20 frastructure activities relating to carbon
21 dioxide utilization by providing technical
22 assistance and financial assistance in ac-
23 cordance with clause (iv).

24 “(iv) ELIGIBILITY.—To be eligible to
25 receive technical assistance and financial

1 assistance under clause (iii), a carbon diox-
2 ide utilization project shall—

3 “(I) have access to an emissions
4 stream generated by a stationary
5 source within the United States that
6 is capable of supplying not less than
7 250 metric tons per day of carbon di-
8 oxide for research;

9 “(II) have access to adequate
10 space for a laboratory and equipment
11 for testing small-scale carbon dioxide
12 utilization technologies, with onsite
13 access to larger test bays for scale-up;
14 and

15 “(III) have existing partnerships
16 with institutions of higher education,
17 private companies, States, or other
18 government entities.

19 “(v) COORDINATION.—In supporting
20 carbon dioxide utilization projects under
21 this paragraph, the Administrator shall
22 consult with the Secretary of Energy, and,
23 as appropriate, with the head of any other
24 relevant Federal agency, States, the pri-
25 vate sector, and institutions of higher edu-

1 cation to develop methods and technologies
 2 to account for the carbon dioxide emissions
 3 avoided by the carbon dioxide utilization
 4 projects.

5 “(vi) AUTHORIZATION OF APPROPRIA-
 6 TIONS.—

7 “(I) IN GENERAL.—Of the
 8 amounts authorized to be appro-
 9 priated for the Environmental Protec-
 10 tion Agency, \$50,000,000 shall be
 11 available to carry out this subpara-
 12 graph, to remain available until ex-
 13 pended.

14 “(II) REQUIREMENT.—Research
 15 carried out using amounts made avail-
 16 able under subclause (I) may not du-
 17 plicate research funded by the Depart-
 18 ment of Energy.

19 “(D) DEEP SALINE FORMATION RE-
 20 PORT.—

21 “(i) DEFINITION OF DEEP SALINE
 22 FORMATION.—

23 “(I) IN GENERAL.—In this sub-
 24 paragraph, the term ‘deep saline for-
 25 mation’ means a formation of sub-

1 surface geographically extensive sedi-
2 mentary rock layers saturated with
3 waters or brines that have a high total
4 dissolved solids content and that are
5 below the depth where carbon dioxide
6 can exist in the formation as a super-
7 critical fluid.

8 “(II) CLARIFICATION.—In this
9 subparagraph, the term ‘deep saline
10 formation’ does not include oil and
11 gas reservoirs.

12 “(ii) REPORT.—In consultation with
13 the Secretary of Energy, and, as appro-
14 priate, with the head of any other relevant
15 Federal agency and relevant stakeholders,
16 not later than 1 year after the date of en-
17 actment of the USE IT Act, the Adminis-
18 trator shall prepare, submit to Congress,
19 and make publicly available a report that
20 includes—

21 “(I) a comprehensive identifica-
22 tion of potential risks and benefits to
23 project developers associated with in-
24 creased storage of carbon dioxide cap-
25 tured from stationary sources in deep

1 saline formations, using existing re-
 2 search;

3 “(II) recommendations, if any,
 4 for managing the potential risks iden-
 5 tified under subclause (I), including
 6 potential risks unique to public land;
 7 and

8 “(III) recommendations, if any,
 9 for Federal legislation or other policy
 10 changes to mitigate any potential
 11 risks identified under subclause (I).

12 “(E) REPORT ON CARBON DIOXIDE NON-
 13 REGULATORY STRATEGIES AND TECH-
 14 NOLOGIES.—

15 “(i) IN GENERAL.—Not less fre-
 16 quently than once every 2 years, the Ad-
 17 ministrator shall submit to the Committee
 18 on Environment and Public Works of the
 19 Senate and the Committee on Energy and
 20 Commerce of the House of Representatives
 21 a report that describes—

22 “(I) the recipients of assistance
 23 under subparagraphs (B) and (C);
 24 and

1 “(II) a plan for supporting addi-
2 tional nonregulatory strategies and
3 technologies that could significantly
4 prevent carbon dioxide emissions or
5 reduce carbon dioxide levels in the air,
6 in conjunction with other Federal
7 agencies.

8 “(ii) INCLUSIONS.—The plan sub-
9 mitted under clause (i) shall include—

10 “(I) a methodology for evaluating
11 and ranking technologies based on the
12 ability of the technologies to cost ef-
13 fectively reduce carbon dioxide emis-
14 sions or carbon dioxide levels in the
15 air; and

16 “(II) a description of any nonair-
17 related environmental or energy con-
18 siderations regarding the technologies.

19 “(F) GAO REPORT.—The Comptroller
20 General of the United States shall submit to
21 Congress a report that—

22 “(i) identifies all Federal grant pro-
23 grams in which a purpose of a grant under
24 the program is to perform research on car-
25 bon capture and utilization technologies,

1 including direct air capture technologies;
2 and

3 “(ii) examines the extent to which the
4 Federal grant programs identified pursu-
5 ant to clause (i) overlap or are duplica-
6 tive.”.

7 (c) REPORT.—Not later than 1 year after the date
8 of enactment of this Act, the Administrator of the Envi-
9 ronmental Protection Agency (referred to in this section
10 as the “Administrator”) shall submit to Congress a report
11 describing how funds appropriated to the Administrator
12 during the 5 most recent fiscal years have been used to
13 carry out section 103 of the Clean Air Act (42 U.S.C.
14 7403), including a description of—

15 (1) the amount of funds used to carry out spe-
16 cific provisions of that section; and

17 (2) the practices used by the Administrator to
18 differentiate funding used to carry out that section,
19 as compared to funding used to carry out other pro-
20 visions of law.

21 (d) INCLUSION OF CARBON CAPTURE INFRASTRUC-
22 TURE PROJECTS.—Section 41001(6) of the FAST Act (42
23 U.S.C. 4370m(6)) is amended—

24 (1) in subparagraph (A)—

1 (A) in the matter preceding clause (i), by
2 inserting “carbon capture,” after “manufac-
3 turing,”;

4 (B) in clause (i)(III), by striking “or” at
5 the end;

6 (C) by redesignating clause (ii) as clause
7 (iii); and

8 (D) by inserting after clause (i) the fol-
9 lowing:

10 “(ii) is covered by a programmatic
11 plan or environmental review developed for
12 the primary purpose of facilitating develop-
13 ment of carbon dioxide pipelines; or”; and
14 (2) by adding at the end the following:

15 “(C) INCLUSION.—For purposes of sub-
16 paragraph (A), construction of infrastructure
17 for carbon capture includes construction of—

18 “(i) any facility, technology, or system
19 that captures, utilizes, or sequesters car-
20 bon dioxide emissions, including projects
21 for direct air capture (as defined in para-
22 graph (6)(B)(i) of section 103(g) of the
23 Clean Air Act (42 U.S.C. 7403(g)); and

24 “(ii) carbon dioxide pipelines.”.

1 (e) DEVELOPMENT OF CARBON CAPTURE, UTILIZA-
 2 TION, AND SEQUESTRATION REPORT, PERMITTING GUID-
 3 ANCE, AND REGIONAL PERMITTING TASK FORCE.—

4 (1) DEFINITIONS.—In this subsection:

5 (A) CARBON CAPTURE, UTILIZATION, AND
 6 SEQUESTRATION PROJECTS.—The term “carbon
 7 capture, utilization, and sequestration projects”
 8 includes projects for direct air capture (as de-
 9 fined in paragraph (6)(B)(i) of section 103(g)
 10 of the Clean Air Act (42 U.S.C. 7403(g))).

11 (B) EFFICIENT, ORDERLY, AND RESPON-
 12 SIBLE.—The term “efficient, orderly, and re-
 13 sponsible” means, with respect to development
 14 or the permitting process for carbon capture,
 15 utilization, and sequestration projects and car-
 16 bon dioxide pipelines, a process that is com-
 17 pleted in an expeditious manner while maintain-
 18 ing environmental, health, and safety protec-
 19 tions.

20 (2) REPORT.—

21 (A) IN GENERAL.—Not later than 180
 22 days after the date of enactment of this Act,
 23 the Chair of the Council on Environmental
 24 Quality (referred to in this section as the
 25 “Chair”), in consultation with the Adminis-

1 trator of the Environmental Protection Agency,
2 the Secretary of Energy, the Secretary of the
3 Interior, the Executive Director of the Federal
4 Permitting Improvement Council, and the head
5 of any other relevant Federal agency (as deter-
6 mined by the President), shall prepare a report
7 that—

8 (i) compiles all existing relevant Fed-
9 eral permitting and review information and
10 resources for project applicants, agencies,
11 and other stakeholders interested in the
12 deployment of carbon capture, utilization,
13 and sequestration projects and carbon di-
14 oxide pipelines, including—

15 (I) the appropriate points of
16 interaction with Federal agencies;

17 (II) clarification of the permit-
18 ting responsibilities and authorities
19 among Federal agencies; and

20 (III) best practices and templates
21 for permitting;

22 (ii) inventories current or emerging
23 activities that transform captured carbon
24 dioxide into a product of commercial value,

1 or as an input to products of commercial
2 value;

3 (iii) inventories existing initiatives and
4 recent publications that analyze or identify
5 priority carbon dioxide pipelines needed to
6 enable efficient, orderly, and responsible
7 development of carbon capture, utilization,
8 and sequestration projects at increased
9 scale;

10 (iv) identifies gaps in the current Fed-
11 eral regulatory framework for the deploy-
12 ment of carbon capture, utilization, and se-
13 questration projects and carbon dioxide
14 pipelines; and

15 (v) identifies Federal financing mech-
16 anisms available to project developers.

17 (B) SUBMISSION; PUBLICATION.—The
18 Chair shall—

19 (i) submit the report under subpara-
20 graph (A) to the Committee on Environ-
21 ment and Public Works of the Senate and
22 the Committee on Energy and Commerce
23 of the House of Representatives; and

24 (ii) as soon as practicable, make the
25 report publicly available.

1 (3) GUIDANCE.—

2 (A) IN GENERAL.—After submission of the
3 report under paragraph (2)(B), but not later
4 than 1 year after the date of enactment of this
5 Act, the Chair shall submit guidance consistent
6 with that report to all relevant Federal agencies
7 that—

8 (i) facilitates reviews associated with
9 the deployment of carbon capture, utiliza-
10 tion, and sequestration projects and carbon
11 dioxide pipelines; and

12 (ii) supports the efficient, orderly, and
13 responsible development of carbon capture,
14 utilization, and sequestration projects and
15 carbon dioxide pipelines.

16 (B) REQUIREMENTS.—

17 (i) IN GENERAL.—The guidance under
18 subparagraph (A) shall address require-
19 ments under—

20 (I) the National Environmental
21 Policy Act of 1969 (42 U.S.C. 4321
22 et seq.);

23 (II) the Federal Water Pollution
24 Control Act (33 U.S.C. 1251 et seq.);

1 (III) the Clean Air Act (42
2 U.S.C. 7401 et seq.);

3 (IV) the Safe Drinking Water
4 Act (42 U.S.C. 300f et seq.);

5 (V) the Endangered Species Act
6 of 1973 (16 U.S.C. 1531 et seq.);

7 (VI) division A of subtitle III of
8 title 54, United States Code (formerly
9 known as the “National Historic
10 Preservation Act”);

11 (VII) the Migratory Bird Treaty
12 Act (16 U.S.C. 703 et seq.);

13 (VIII) the Act of June 8, 1940
14 (16 U.S.C. 668 et seq.) (commonly
15 known as the “Bald and Golden Eagle
16 Protection Act”); and

17 (IX) any other Federal law that
18 the Chair determines to be appro-
19 priate.

20 (ii) ENVIRONMENTAL REVIEWS.—The
21 guidance under subparagraph (A) shall in-
22 clude direction to States and other inter-
23 ested parties for the development of pro-
24 grammatic environmental reviews under
25 the National Environmental Policy Act of

1 1969 (42 U.S.C. 4321 et seq.) for carbon
2 capture, utilization, and sequestration
3 projects and carbon dioxide pipelines.

4 (iii) PUBLIC INVOLVEMENT.—The
5 guidance under subparagraph (A) shall be
6 subject to the public notice, comment, and
7 solicitation of information procedures
8 under section 1506.6 of title 40, Code of
9 Federal Regulations (or a successor regula-
10 tion).

11 (C) SUBMISSION; PUBLICATION.—The
12 Chair shall—

13 (i) submit the guidance under sub-
14 paragraph (A) to the Committee on Envi-
15 ronment and Public Works of the Senate
16 and the Committee on Energy and Com-
17 merce of the House of Representatives;
18 and

19 (ii) as soon as practicable, make the
20 guidance publicly available.

21 (D) EVALUATION.—The Chair shall—

22 (i) periodically evaluate the reports of
23 the task forces under paragraph (4)(E)
24 and, as necessary, revise the guidance
25 under subparagraph (A); and

1 (ii) each year, submit to the Com-
2 mittee on Environment and Public Works
3 of the Senate, the Committee on Energy
4 and Commerce of the House of Represent-
5 atives, and relevant Federal agencies a re-
6 port that describes any recommendations
7 for legislation, rules, revisions to rules, or
8 other policies that would address the issues
9 identified by the task forces under para-
10 graph (4)(E).

11 (4) TASK FORCE.—

12 (A) ESTABLISHMENT.—Not later than 18
13 months after the date of enactment of this Act,
14 the Chair shall establish not less than 2 task
15 forces, which shall each cover a different geo-
16 graphical area with differing demographic, land
17 use, or geological issues—

18 (i) to identify permitting and other
19 challenges and successes that permitting
20 authorities and project developers and op-
21 erators face; and

22 (ii) to improve the performance of the
23 permitting process and regional coordina-
24 tion for the purpose of promoting the effi-
25 cient, orderly, and responsible development

1 of carbon capture, utilization, and seques-
2 tration projects and carbon dioxide pipe-
3 lines.

4 (B) MEMBERS AND SELECTION.—

5 (i) IN GENERAL.—The Chair shall—

6 (I) develop criteria for the selec-
7 tion of members to each task force;
8 and

9 (II) select members for each task
10 force in accordance with subclause (I)
11 and clause (ii).

12 (ii) MEMBERS.—Each task force—

13 (I) shall include not less than 1
14 representative of each of—

15 (aa) the Environmental Pro-
16 tection Agency;

17 (bb) the Department of En-
18 ergy;

19 (cc) the Department of the
20 Interior;

21 (dd) any other Federal
22 agency the Chair determines to
23 be appropriate;

1 (ee) any State that requests
2 participation in the geographical
3 area covered by the task force;

4 (ff) developers or operators
5 of carbon capture, utilization,
6 and sequestration projects or car-
7 bon dioxide pipelines; and

8 (gg) nongovernmental mem-
9 bership organizations, the pri-
10 mary mission of which concerns
11 protection of the environment;
12 and

13 (II) at the request of a Tribal or
14 local government, may include a rep-
15 resentative of—

16 (aa) not less than 1 local
17 government in the geographical
18 area covered by the task force;
19 and

20 (bb) not less than 1 Tribal
21 government in the geographical
22 area covered by the task force.

23 (C) MEETINGS.—

24 (i) IN GENERAL.—Each task force
25 shall meet not less than twice each year.

1 (ii) JOINT MEETING.—To the max-
2 imum extent practicable, the task forces
3 shall meet collectively not less than once
4 each year.

5 (D) DUTIES.—Each task force shall—

6 (i) inventory existing or potential Fed-
7 eral and State approaches to facilitate re-
8 views associated with the deployment of
9 carbon capture, utilization, and sequestra-
10 tion projects and carbon dioxide pipelines,
11 including best practices that—

12 (I) avoid duplicative reviews;

13 (II) engage stakeholders early in
14 the permitting process; and

15 (III) make the permitting process
16 efficient, orderly, and responsible;

17 (ii) develop common models for State-
18 level carbon dioxide pipeline regulation and
19 oversight guidelines that can be shared
20 with States in the geographical area cov-
21 ered by the task force;

22 (iii) provide technical assistance to
23 States in the geographical area covered by
24 the task force in implementing regulatory

1 requirements and any models developed
2 under clause (ii);

3 (iv) inventory current or emerging ac-
4 tivities that transform captured carbon di-
5 oxide into a product of commercial value,
6 or as an input to products of commercial
7 value;

8 (v) identify any priority carbon diox-
9 ide pipelines needed to enable efficient, or-
10 derly, and responsible development of car-
11 bon capture, utilization, and sequestration
12 projects at increased scale;

13 (vi) identify gaps in the current Fed-
14 eral and State regulatory framework and
15 in existing data for the deployment of car-
16 bon capture, utilization, and sequestration
17 projects and carbon dioxide pipelines;

18 (vii) identify Federal and State fi-
19 nancing mechanisms available to project
20 developers; and

21 (viii) develop recommendations for rel-
22 evant Federal agencies on how to develop
23 and research technologies that—

24 (I) can capture carbon dioxide;

25 and

1 (II) would be able to be deployed
2 within the region covered by the task
3 force, including any projects that have
4 received technical or financial assist-
5 ance for research under paragraph (6)
6 of section 103(g) of the Clean Air Act
7 (42 U.S.C. 7403(g)).

8 (E) REPORT.—Each year, each task force
9 shall prepare and submit to the Chair and to
10 the other task forces a report that includes—

11 (i) any recommendations for improve-
12 ments in efficient, orderly, and responsible
13 issuance or administration of Federal per-
14 mits and other Federal authorizations re-
15 quired under a law described in paragraph
16 (3)(B)(i); and

17 (ii) any other nationally relevant in-
18 formation that the task force has collected
19 in carrying out the duties under subpara-
20 graph (D).

21 (F) EVALUATION.—Not later than 5 years
22 after the date of enactment of this Act, the
23 Chair shall—

24 (i) reevaluate the need for the task
25 forces; and

1 (ii) submit to Congress a rec-
2 ommendation as to whether the task forces
3 should continue.

4 **SEC. 6002. REPORTING REGARDING CANCELLED APPRO-**
5 **PRIATIONS.**

6 (a) ASSESSMENTS REQUIRED.—

7 (1) FISCAL YEARS 2009 THROUGH 2018.—Not
8 later than 60 days after the date of enactment of
9 this Act, the Comptroller General of the United
10 States shall submit to the committees of Congress
11 described in paragraph (3) a report that assesses the
12 amount of appropriations cancelled under section
13 1552 of title 31, United States Code, during each of
14 fiscal years 2009 through 2018.

15 (2) FISCAL YEAR 2019.—Not later than 120
16 days after the date of enactment of this Act, the
17 Comptroller General of the United States shall sub-
18 mit to the committees of Congress described in para-
19 graph (3) a report that assesses the amount of ap-
20 propriations cancelled under section 1552 of title 31,
21 United States Code, during fiscal year 2019.

22 (3) COMMITTEES.—The committees of Congress
23 described in this paragraph are—

1 (A) the Committee on Appropriations, the
2 Committee on Armed Services, and the Com-
3 mittee on the Budget of the Senate; and

4 (B) the Committee on Appropriations, the
5 Committee on Armed Services, and the Com-
6 mittee on the Budget of the House of Rep-
7 resentatives.

8 (b) ELEMENTS OF ASSESSMENT.—Each assessment
9 conducted under subsection (a) shall address the fol-
10 lowing:

11 (1) The amount of appropriations for each
12 agency that were cancelled during each fiscal year
13 covered by the report, including—

14 (A) the name of each appropriation ac-
15 count from which amounts were cancelled;

16 (B) for each cancelled appropriation, the
17 fiscal year for which the appropriation was
18 made, the period of availability of the appro-
19 priation, and the fiscal year during which the
20 appropriation was cancelled;

21 (C) for each fiscal year for which appro-
22 priations made to the agency were cancelled,
23 the percentage of the appropriations made
24 available to the agency for the fiscal year that
25 were cancelled; and

(D) whether there was an adjustment made with respect to the cancelled appropriation under section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)) or the cancelled appropriation was otherwise excluded from being taken into account for purposes of the discretionary spending limits (as defined in section 250 of such Act (2 U.S.C. 900)).

(2) The extent to which canceled appropriations different significantly across agencies or over time.

(3) The extent to which canceled appropriations are correlated with obligation rates or the length of time.

(4) The extent to which canceled appropriations are correlated with the length of continuing resolutions in the original year of the appropriation.

**SEC. 6003. INCLUSION OF PROGRESS OF THE DEPARTMENT
OF DEFENSE IN ACHIEVING AUDITABLE FI-
NANCIAL STATEMENTS IN ANNUAL REPORTS
ON THE FINANCIAL IMPROVEMENT AND
AUDIT REMEDIATION PLAN.**

Section 240b(b)(1)(B) of title 10, United States Code, is amended by adding at the end the following new clause:

1 “(ix) A ranking each of the military
2 departments and Defense Agency in order
3 of its current progress in achieving
4 auditable financial statements as required
5 by law, and for each military department
6 or Defense Agency that is so ranked in the
7 bottom quartile, separate information from
8 the head of such department or Defense
9 Agency on the following:

10 “(I) A description of the material
11 weaknesses of such military depart-
12 ment or Defense Agency in achieving
13 auditable financial statements.

14 “(II) The underlying causes of
15 each such weakness.

16 “(III) A plan for remediating
17 each such weakness.”.

18 **SEC. 6004. EXEMPTION FROM CALCULATION OF MONTHLY**
19 **INCOME, FOR PURPOSES OF BANKRUPTCY**
20 **LAWS, CERTAIN PAYMENTS FROM THE DE-**
21 **PARTMENT OF VETERANS AFFAIRS AND THE**
22 **DEPARTMENT OF DEFENSE.**

23 Section 101(10A) of title 11, United States Code, is
24 amended by striking subparagraph (B) and inserting the
25 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 reg-
4 ular basis for the household expenses of the
5 debtor or the debtor’s dependents (and, in a
6 joint case, the debtor’s spouse if not otherwise
7 a dependent); 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
19 in section 2331 of title 18, on account
20 of 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,
3 except 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
7 retired pay exceeds the amount of re-
8 tired pay to which the debtor would
9 otherwise be entitled if retired under
10 any provision of title 10 other than
11 chapter 61 of that title.”.

12 **SEC. 6005. SILVER STAR SERVICE BANNER DAY.**

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

14 (1) Congress is committed to honoring the sac-
15 rifices of wounded and ill members of the Armed
16 Forces.

17 (2) The Silver Star Service Banner recognizes
18 the members of the Armed Forces and veterans who
19 were wounded or became ill while serving in combat
20 for the United States.

21 (3) The sacrifices made by members of the
22 Armed Forces and veterans on behalf of the United
23 States should never be forgotten.

24 (4) May 1 is an appropriate date to designate
25 as “Silver Star Service Banner Day”.

1 (b) DESIGNATION.—

2 (1) IN GENERAL.—Chapter 1 of title 36, United
3 States Code, is amended by adding at the end the
4 following:

5 **“§ 146. Silver Star Service Banner Day**

6 “(a) DESIGNATION.—May 1 is Silver Star Service
7 Banner Day.

8 “(b) PROCLAMATION.—The President is requested to
9 issue each year a proclamation calling on the people of
10 the United States to observe Silver Star Service Banner
11 Day with appropriate programs, ceremonies, and activi-
12 ties.”.

13 (2) CLERICAL AMENDMENT.—The table of sec-
14 tions at the beginning of chapter 1 of such title is
15 amended by inserting after the item relating to sec-
16 tion 145 the following:

“146. Silver Star Service Banner Day.”.

17 **SEC. 6006. ELECTROMAGNETIC PULSES AND GEOMAGNETIC**
18 **DISTURBANCES.**

19 (a) DEFINITIONS.—In this section—

20 (1) the term “appropriate congressional com-
21 mittees” has the meaning given that term in sub-
22 section (d) of section 320 of the Homeland Security
23 Act of 2002, as added by subsection (b) of this sec-
24 tion; and

1 (2) the terms “critical infrastructure”, “EMP”,
 2 and “GMD” have the meanings given such terms in
 3 section 2 of the Homeland Security Act of 2002 (6
 4 U.S.C. 101).

5 (b) HOMELAND SECURITY.—Section 320 of the
 6 Homeland Security Act of 2002 (6 U.S.C. 195f) is amend-
 7 ed—

8 (1) in the section heading, by inserting “**AND**
 9 **THREAT ASSESSMENT, RESPONSE, AND RECOV-**
 10 **ERY**” after “**DEVELOPMENT**”; and

11 (2) by adding at the end the following:

12 “(d) THREAT ASSESSMENT, RESPONSE, AND RECOV-
 13 ERY.—

14 “(1) DEFINITIONS.—In this subsection—

15 “(A) the term ‘appropriate congressional
 16 committees’ means—

17 “(i) the Committee on Homeland Se-
 18 curity and Governmental Affairs, the Com-
 19 mittee on Armed Services, the Committee
 20 on Energy and Natural Resources, and the
 21 Committee on Commerce, Science, and
 22 Transportation of the Senate; and

23 “(ii) the Committee on Homeland Se-
 24 curity, the Committee on Armed Services,

1 and the Committee on Energy and Com-
2 merce of the House of Representatives;

3 “(B) the terms ‘prepare’ and ‘prepared-
4 ness’ mean the actions taken to plan, organize,
5 equip, train, and exercise to build and sustain
6 the capabilities necessary to prevent, protect
7 against, mitigate the effects of, respond to, and
8 recover from those threats that pose the great-
9 est risk to the security of the homeland, includ-
10 ing the prediction and notification of impending
11 EMPs and GMDs; and

12 “(C) the term ‘Sector-Specific Agency’ has
13 the meaning given that term in section 2201.

14 “(2) ROLES AND RESPONSIBILITIES.—

15 “(A) DISTRIBUTION OF INFORMATION.—

16 “(i) IN GENERAL.—Beginning not
17 later than June 19, 2020, the Secretary
18 shall provide timely distribution of infor-
19 mation on EMPs and GMDs to Federal,
20 State, and local governments, owners and
21 operators of critical infrastructure, and
22 other persons determined appropriate by
23 the Secretary.

24 “(ii) BRIEFING.—The Secretary shall
25 brief the appropriate congressional com-

mittees on the effectiveness of the distribution of information under clause (i).

“(B) RESPONSE AND RECOVERY.—

“(i) IN GENERAL.—The Secretary shall—

“(I) coordinate the response to and recovery from the effects of EMPs and GMDs on critical infrastructure, in coordination with the heads of appropriate Sector-Specific Agencies, and on matters related to the bulk power system, in consultation with the Secretary of Energy and the Federal Energy Regulatory Commission; and

“(II) incorporate events that include EMPs and extreme GMDs as a factor in preparedness scenarios and exercises.

“(ii) IMPLEMENTATION.—The Secretary and the Administrator of the Federal Emergency Management Agency, and on matters related to the bulk power system, the Secretary of Energy and the Fed-

1 eral Energy Regulatory Commission,
2 shall—

3 “(I) not later than June 19,
4 2020, develop plans and procedures to
5 coordinate the response to and recovery
6 from EMP and GMD events; and

7 “(II) not later than December
8 21, 2020, conduct a national exercise
9 to test the preparedness and response
10 of the Nation to the effect of an EMP
11 or extreme GMD event.

12 “(C) RESEARCH AND DEVELOPMENT.—

13 “(i) IN GENERAL.—The Secretary, in
14 coordination with the heads of relevant
15 Sector-Specific Agencies, shall—

16 “(I) without duplication of exist-
17 ing or ongoing efforts, conduct re-
18 search and development to better un-
19 derstand and more effectively model
20 the effects of EMPs and GMDs on
21 critical infrastructure (which shall not
22 include any system or infrastructure
23 of the Department of Defense or any
24 system or infrastructure of the De-

1 partment of Energy associated with
2 nuclear weapons activities); and

3 “(II) develop technologies to en-
4 hance the resilience of and better pro-
5 tect critical infrastructure.

6 “(ii) PLAN.—Not later than March
7 26, 2020, and in coordination with the
8 heads of relevant Sector-Specific Agencies,
9 the Secretary shall submit to the appro-
10 priate congressional committees a research
11 and development action plan to rapidly ad-
12 dress modeling shortfall and technology de-
13 velopment.

14 “(D) EMERGENCY INFORMATION SYS-
15 TEM.—

16 “(i) IN GENERAL.—The Secretary, in
17 coordination with relevant stakeholders,
18 shall implement a network of systems that
19 are capable of providing appropriate emer-
20 gency information to the public before (if
21 possible), during, and in the aftermath of
22 an EMP or GMD.

23 “(ii) BRIEFING.—Not later than De-
24 cember 21, 2020, the Secretary, in coordi-
25 nation with the Administrator of the Fed-

1 eral Emergency Management Agency, shall
2 brief the appropriate congressional com-
3 mittees regarding the system required
4 under clause (i).

5 “(E) QUADRENNIAL RISK ASSESSMENTS.—

6 “(i) IN GENERAL.—The Secretary, in
7 coordination with the Secretary of Defense,
8 the Secretary of Energy, and the Secretary
9 of Commerce, and informed by intelligence-
10 based threat assessments, shall conduct a
11 quadrennial EMP and GMD risk assess-
12 ment.

13 “(ii) BRIEFINGS.—Not later than
14 March 26, 2020, and every 4 years there-
15 after until 2032, the Secretary, the Sec-
16 retary of Defense, the Secretary of Energy,
17 and the Secretary of Commerce shall pro-
18 vide a briefing to the appropriate congres-
19 sional committees regarding the quadren-
20 nial EMP and GMD risk assessment.

21 “(iii) ENHANCING RESILIENCE.—The
22 Secretary, in coordination with the Sec-
23 retary of Defense, the Secretary of Energy,
24 the Secretary of Commerce, and the heads
25 of other relevant Sector-Specific Agencies,

1 shall use the results of the quadrennial
2 EMP and GMD risk assessments to better
3 understand and to improve resilience to the
4 effects of EMPs and GMDs across all crit-
5 ical infrastructure sectors, including co-
6 ordinating the prioritization of critical in-
7 frastructure at greatest risk to the effects
8 of EMPs and GMDs.

9 “(3) COORDINATION.—

10 “(A) REPORT ON TECHNOLOGICAL OP-
11 TIONS.—Not later than December 21, 2020,
12 and every 4 years thereafter until 2032, the
13 Secretary, in coordination with the Secretary of
14 Defense, the Secretary of Energy, the heads of
15 other appropriate agencies, and, as appropriate,
16 private-sector partners, shall submit to the ap-
17 propriate congressional committees, a report
18 that—

19 “(i) assesses the technological options
20 available to improve the resilience of crit-
21 ical infrastructure to the effects of EMPs
22 and GMDs; and

23 “(ii) identifies gaps in available tech-
24 nologies and opportunities for technological

1 developments to inform research and devel-
2 opment activities.

3 “(B) TEST DATA.—

4 “(i) IN GENERAL.—Not later than
5 December 20, 2020, the Secretary, in co-
6 ordination with the heads of Sector-Spe-
7 cific Agencies, the Secretary of Defense,
8 and the Secretary of Energy, shall—

9 “(I) review test data regarding
10 the effects of EMPs and GMDs on
11 critical infrastructure systems, net-
12 works, and assets representative of
13 those throughout the Nation; and

14 “(II) identify any gaps in the test
15 data.

16 “(ii) PLAN.—Not later than 180 days
17 after identifying gaps in test data under
18 clause (i), the Secretary, in coordination
19 with the heads of Sector-Specific Agencies
20 and in consultation with the Secretary of
21 Defense and the Secretary of Energy, shall
22 use the sector partnership structure identi-
23 fied in the National Infrastructure Protec-
24 tion Plan to develop an integrated cross-
25 sector plan to address the identified gaps.

1 “(iii) IMPLEMENTATION.—The heads
 2 of each agency identified in the plan devel-
 3 oped under clause (ii) shall implement the
 4 plan in collaboration with the voluntary ef-
 5 forts of the private sector, as appropriate.

6 “(e) RULE OF CONSTRUCTION.—Nothing in this sec-
 7 tion may be construed to affect in any manner the author-
 8 ity, existing on the day before the date of enactment of
 9 this subsection, of any other component of the Department
 10 or any other Federal department or agency, including the
 11 authority provided to the Sector-Specific Agency specified
 12 in section 61003(c) of division F of the Fixing America’s
 13 Surface Transportation Act (6 U.S.C. 121 note), including
 14 the authority under section 215 of the Federal Power Act
 15 (16 U.S.C. 824o), and including the authority of inde-
 16 pendent agencies to be independent.”.

17 (c) NATIONAL ESSENTIAL FUNCTIONS.—

18 (1) DEFINITION.—In this subsection, the term
 19 “national essential functions” means the overarching
 20 responsibilities of the Federal Government to lead
 21 and sustain the Nation before, during, and in the
 22 aftermath of a catastrophic emergency, such as an
 23 EMP or GMD that adversely affects the perform-
 24 ance of the Federal Government.

1 (2) UPDATED OPERATIONAL PLANS.—Not later
2 than March 20, 2020, each agency that supports a
3 national essential function shall prepare updated
4 operational plans documenting the procedures and
5 responsibilities of the agency relating to preparing
6 for, protecting against, and mitigating the effects of
7 EMPs and GMDs.

8 (d) BENCHMARKS.—Not later than March 26, 2020,
9 and as appropriate thereafter, the Secretary of Energy,
10 in consultation with the Secretary of Defense, the Sec-
11 retary of Homeland Security, and, as appropriate, the pri-
12 vate sector, may develop or update, as necessary, quan-
13 titative and voluntary benchmarks that sufficiently de-
14 scribe the physical characteristics of EMPs, including
15 waveform and intensity, in a form that is useful to and
16 can be shared with owners and operators of critical infra-
17 structure. Nothing in this subsection shall affect the au-
18 thority of the Electric Reliability Organization to develop
19 and enforce, or the authority of the Federal Energy Regu-
20 latory Commission to approve, reliability standards.

21 (e) PILOT TEST BY DHS TO EVALUATE ENGINEER-
22 ING APPROACHES.—

23 (1) IN GENERAL.—Not later than September
24 22, 2020, the Secretary of Homeland Security, in
25 coordination with the Secretary of Defense and the

1 Secretary of Energy, and in consultation with the
2 private sector, as appropriate, shall develop and im-
3 plement a pilot test to evaluate available engineering
4 approaches for mitigating the effects of EMPs and
5 GMDs on the most vulnerable critical infrastructure
6 systems, networks, and assets.

7 (2) BRIEFING.—Not later than 90 days after
8 the date on which the pilot test described in para-
9 graph (1) is completed, the Secretary of Homeland
10 Security, in coordination with the Secretary of De-
11 fense and the Secretary of Energy, shall jointly brief
12 the appropriate congressional committees on the cost
13 and effectiveness of the evaluated approaches.

14 (f) PILOT TEST BY DOD TO EVALUATE ENGINEER-
15 ING APPROACHES.—

16 (1) IN GENERAL.—Not later than September
17 22, 2020, the Secretary of Defense, in consultation
18 with the Secretary of Homeland Security and the
19 Secretary of Energy, shall conduct a pilot test to
20 evaluate engineering approaches for hardening a
21 strategic military installation, including infrastruc-
22 ture that is critical to supporting that installation,
23 against the effects of EMPs and GMDs.

24 (2) REPORT.—Not later than 180 days after
25 completing the pilot test described in paragraph (1),

1 the Secretary of Defense shall submit to the appro-
2 priate congressional committees a report regarding
3 the cost and effectiveness of the evaluated ap-
4 proaches.

5 (g) COMMUNICATIONS OPERATIONAL PLANS.—Not
6 later than December 21, 2020, the Secretary of Homeland
7 Security, after holding a series of joint meetings with the
8 Secretary of Defense, the Secretary of Commerce, the
9 Federal Communications Commission, and the Secretary
10 of Transportation shall submit to the appropriate congres-
11 sional committees a report—

12 (1) assessing the effects of EMPs and GMDs
13 on critical communications infrastructure; and

14 (2) recommending any necessary changes to
15 operational plans to enhance national response and
16 recovery efforts after an EMP or GMD.

17 (h) TECHNICAL AND CONFORMING AMENDMENT.—
18 The table of sections in section 1(b) of the Homeland Se-
19 curity Act of 2002 is amended by striking the item relat-
20 ing to section 320 and inserting the following:

“Sec. 320. EMP and GMD mitigation research and development and threat as-
essment, response, and recovery.”.

1 **SEC. 6007. TERMINATION OF LEASES OF PREMISES AND**
2 **MOTOR VEHICLES OF SERVICEMEMBERS**
3 **WHO INCUR CATASTROPHIC INJURY OR ILL-**
4 **NESS OR DIE WHILE IN MILITARY SERVICE.**

5 (a) CATASTROPHIC INJURIES AND ILLNESSES.—Sub-
6 section (a) of section 305 of the Servicemembers Civil Re-
7 lief Act (50 U.S.C. 3955), as amended by section 301 of
8 the Veterans Benefits and Transition Act of 2018 (Public
9 Law 115–407), is further amended by adding at the end
10 the following new paragraph:

11 “(4) CATASTROPHIC INJURY OR ILLNESS OF
12 LESSEE.—The spouse of the lessee on a lease de-
13 scribed in subsection (b) may terminate the lease
14 during the one-year period beginning on the date on
15 which the lessee incurs a catastrophic injury or ill-
16 ness (as that term is defined in section 439(g) of
17 title 37, United States Code), if the lessee incurs the
18 catastrophic injury or illness during a period of mili-
19 tary service or while performing full-time National
20 Guard duty, active Guard and Reserve duty, or inac-
21 tive-duty training (as such terms are defined in sec-
22 tion 101(d) of title 10, United States Code).”.

23 (b) DEATHS.—Paragraph (3) of such subsection is
24 amended by striking “in subsection (b)(1)” and inserting
25 “in subsection (b)”.

1 **SEC. 6008. IMPROVEMENTS TO NETWORK FOR MANUFAC-**
2 **TURING INNOVATION PROGRAM.**

3 (a) ALTERNATE PROGRAM NAME.—Subsection (a) of
4 section 34 of the National Institute of Standards and
5 Technology Act (15 U.S.C. 278s) is amended by inserting
6 “or as ‘Manufacturing USA’” after “as the ‘Network for
7 Manufacturing Innovation Program’”.

8 (b) CENTERS FOR MANUFACTURING INNOVATION.—
9 Subsection (c) of such section is amended—

10 (1) in subparagraphs (B) and (C)(i) of para-
11 graph (1), by striking “and tool development for
12 microelectronics” both places it appears and insert-
13 ing “tool development for microelectronics, food
14 manufacturing, superconductors, advanced battery
15 technologies, robotics, advanced sensors, quantum
16 information science, supply chain water optimiza-
17 tion, aeronautics and advanced materials, and
18 graphene and graphene commercialization”;

19 (2) in paragraph (2)(D), by striking “and mi-
20 nority” and inserting “, minority, and veteran”; and

21 (3) in paragraph (3)(A), by striking “, but
22 such” and all that follows through “under subsection
23 (d)”.

24 (c) FINANCIAL ASSISTANCE TO ESTABLISH AND
25 SUPPORT CENTERS FOR MANUFACTURING INNOVA-
26 TION.—Subsection (d) of such section is amended—

1 (1) in paragraph (1) is amended to read as fol-
2 lows:

3 “(1) IN GENERAL.—In carrying out the Pro-
4 gram, the Secretary shall award financial assistance
5 to the following:

6 “(A) To a person or group of persons to
7 assist the person or group of persons in plan-
8 ning, establishing, or supporting a center for
9 manufacturing innovation.

10 “(B) To a center for manufacturing inno-
11 vation, including a center that was not estab-
12 lished using Federal funds, to support work-
13 force development, cross-center projects, and
14 other efforts which support the purposes of the
15 Program.”;

16 (2) in paragraphs (2), (3), and (4), by striking
17 “under paragraph (1)” each place it appears and in-
18 serting “under paragraph (1)(A)”;

19 (3) in paragraph (4)—

20 (A) in subparagraph (C)—

21 (i) in clause (i), by striking “; and”
22 and inserting a semicolon;

23 (ii) in clause (ii)—

24 (I) by inserting “, including ap-
25 propriate measures for assessing the

1 effectiveness of the activities funded
2 with regards to the center's success in
3 advancing the current state of the ap-
4 plicable advanced manufacturing tech-
5 nology area such as technology readi-
6 ness level and manufacturing readi-
7 ness level," after "measures"; and

8 (II) by striking the period at the
9 end and inserting a semicolon; and

10 (iii) by adding at the end the fol-
11 lowing:

12 "(iii) establish standards for the per-
13 formance of centers for manufacturing in-
14 novation that are based on the measures
15 developed under clause (ii); and

16 "(iv) for each center for manufac-
17 turing innovation supported by the award,
18 5 years after the initial award and every 5
19 years thereafter until Federal funding is
20 discontinued, conduct an assessment of the
21 center to confirm whether the performance
22 of the center is meeting the standards for
23 performance established under clause
24 (iii).";

(B) in subparagraph (D), by inserting “, including, as appropriate, the Department of Agriculture, the Department of Defense, the Department of Education, the Department of Energy, the Department of Labor, the Food and Drug Administration, the National Aeronautics and Space Administration, the National Institutes of Health, and the National Science Foundation” after “manufacturing”; and

(C) in subparagraph (E)—

(i) in clause (ii), by striking “without the need for long-term Federal funding”;

(ii) in clause (iii), by striking “significantly”;

(iii) in clause (v), by inserting “and to improve the domestic supply chain” after “technologies”; and

(iv) in clause (ix), by inserting “industrial, research, entrepreneurship, and other” after “leverage the”;

(4) in paragraph (5)—

(A) by striking subparagraph (A) and inserting the following:

“(A) PERFORMANCE DEFICIENCY.—

1 “(i) NOTICE OF DEFICIENCY.—If the
2 Secretary finds that a center for manufac-
3 turing innovation does not meet the stand-
4 ards for performance established under
5 clause (iii) of paragraph (4)(C) during an
6 assessment pursuant to clause (iv) of such
7 paragraph, the Secretary shall notify the
8 center of any deficiencies in the perform-
9 ance of the center and provide the center
10 one year to remedy such deficiencies.

11 “(ii) FAILURE TO REMEDY.—If a cen-
12 ter for manufacturing innovation fails to
13 remedy a deficiency identified under clause
14 (i) or to show significant improvement in
15 performance one year after notification of
16 a performance deficiency identified under
17 clause (i), the Secretary shall notify the
18 center that the center is ineligible for fur-
19 ther financial assistance awarded under
20 paragraph (1) .”;

21 (B) in subparagraph (B), in the first sen-
22 tence, by striking “large capital facilities or
23 equipment purchases” and inserting “satellite
24 centers, large capital facilities, equipment pur-

chases, workforce development, or general operations”; and

(C) by striking subparagraph (C); and

(5) by adding at the end the following:

“(6) USE OF FINANCIAL ASSISTANCE.—Financial assistance awarded under paragraph (1)(B) may be used to carry out Program-wide activities directed by the Secretary, such as activities targeting workforce development.”.

(d) FUNDING.—Subsection (e)(2) of such section is amended—

(1) by amending subparagraph (A) to read as follows:

“(A) NIST INDUSTRIAL TECHNICAL SERVICES ACCOUNT.—To the extent provided for in advance by appropriations Acts, the Secretary may use amounts appropriated to the Institute for Industrial Technical Services account to carry out this section as follows:

“(i) For each of the fiscal years 2015 through 2019, an amount not to exceed \$5,000,000.

“(ii) For each of fiscal years 2020 through 2030, such amounts as may be necessary to carry out this section.”; and

1 (2) in subparagraph (B), by striking “through
2 2024” and inserting “through 2019”.

3 (e) NATIONAL PROGRAM OFFICE.—Subsection (f) of
4 such section is amended—

5 (1) in paragraph (2)—

6 (A) in subparagraph (B)—

7 (i) by inserting “coordinate with and,
8 as appropriate,” before “enter”; and

9 (ii) by inserting “including the De-
10 partment of Agriculture, the Department
11 of Defense, the Department of Education,
12 the Department of Energy, the Depart-
13 ment of Labor, the Food and Drug Admin-
14 istration, the National Aeronautics and
15 Space Administration, the National Insti-
16 tutes of Health, and the National Science
17 Foundation,” after “manufacturing,”;

18 (B) in subparagraph (E), by striking “;
19 and” and inserting a semicolon;

20 (C) by redesignating subparagraph (F) as
21 subparagraph (J); and

22 (D) by inserting after subparagraph (E)
23 the following:

24 “(F) to carry out pilot programs in col-
25 laboration with the centers for manufacturing

1 innovation such as a laboratory-embedded en-
2 trepreneurship program;

3 “(G) to provide support services and fund-
4 ing as necessary to promote workforce develop-
5 ment activities;

6 “(H) to coordinate with centers for manu-
7 facturing innovation to develop best practices
8 for the membership agreements and coordina-
9 tion of similar project solicitations;

10 “(I) to collaborate with the Department of
11 Labor, the Department of Education, industry,
12 career and technical education schools, local
13 community colleges, universities, and labor or-
14 ganizations to provide input for the develop-
15 ment of national certifications for advanced
16 manufacturing workforce skills in the tech-
17 nology areas of the centers for manufacturing
18 innovation; and”;

19 (2) in paragraph (3), by inserting “State, Trib-
20 al, and local governments,” after “community col-
21 leges,”; and

22 (3) in paragraph (5)—

23 (A) by striking “The Secretary” and in-
24 serting the following:

25 “(A) IN GENERAL.—The Secretary”; and

1 (B) by adding at the end the following:

2 “(B) LIAISONS.—

3 “(i) IN GENERAL.—The Secretary
4 may provide financial assistance to a man-
5 ufacturing extension center established as
6 part of the Hollings Manufacturing Exten-
7 sion Partnership to support the purposes
8 of the Program by providing services in
9 one or more of the following areas:

10 “(I) Cybersecurity awareness and
11 support services for small- and me-
12 dium-sized manufacturers.

13 “(II) Assistance with workforce
14 development.

15 “(III) Technology transfer for
16 small and medium-sized manufactur-
17 ers.

18 “(IV) Such other areas as the
19 Secretary determines appropriate to
20 support the purposes of the Program.

21 “(ii) SUPPORT.—Support under
22 clause (i) may include the designation of a
23 liaison.”.

24 (f) REPORTING AND AUDITING.—Subsection (g) of
25 such section is amended—

1 (1) in paragraphs (1) and (2), by striking
2 “under subsection (d)(1)” and inserting “under sub-
3 section (d)(1)(A)”;

4 (2) in paragraph (2)(A), by striking “December
5 31, 2024” and inserting “December 31, 2030”; and

6 (3) in paragraph (3)—

7 (A) in subparagraph (A)—

8 (i) by striking “2 years” and inserting
9 “3 years”; and

10 (ii) by striking “2-year” and inserting
11 “3-year”; and

12 (B) in subparagraph (B), by striking “De-
13 cember 31, 2024” and inserting “December 31,
14 2030”.

15 (g) EXPANSION.—Subject to the availability of appro-
16 priations, the Secretary of Commerce shall increase the
17 number of centers for manufacturing innovation that par-
18 ticipate in the Network for Manufacturing Innovation Pro-
19 gram.

20 **SEC. 6009. REGIONAL INNOVATION PROGRAM.**

21 Section 27 of the Stevenson-Wydler Technology Inno-
22 vation Act of 1980 (15 U.S.C. 3722) is amended to read
23 as follows:

24 **“SEC. 27. REGIONAL INNOVATION PROGRAM.**

25 “(a) DEFINITIONS.—In this section:

1 “(1) ELIGIBLE RECIPIENT DEFINED.—The
2 term ‘eligible recipient’ means—

3 “(A) a State;

4 “(B) an Indian tribe;

5 “(C) a city or other political subdivision of
6 a State;

7 “(D) an entity that is a nonprofit organi-
8 zation, an institution of higher education, a
9 public-private partnership, a science or research
10 park, a Federal laboratory, a venture develop-
11 ment organization, or an economic development
12 organization or similar entity that is focused
13 primarily on improving science, technology, in-
14 novation, or entrepreneurship; or

15 “(E) a consortium of any of the entities
16 described in subparagraphs (A) through (D).

17 “(2) REGIONAL INNOVATION INITIATIVE.—The
18 term ‘regional innovation initiative’ means a geo-
19 graphically-bounded public or nonprofit activity or
20 program to address issues in the local innovation
21 systems in order to—

22 “(A) increase the success of innovation-
23 driven industry;

1 “(B) strengthen the competitiveness of in-
 2 dustry through new product innovation and new
 3 technology adoption;

4 “(C) improve the pace of market readiness
 5 and overall commercialization of innovative re-
 6 search;

7 “(D) enhance the overall innovation capac-
 8 ity and long-term resilience of the region; and

9 “(E) leverage the region’s unique competi-
 10 tive strengths to stimulate innovation and to
 11 create jobs.

12 “(3) STATE.—The term ‘State’ means one of
 13 the several States of the United States, the District
 14 of Columbia, the Commonwealth of Puerto Rico, the
 15 United States Virgin Islands, Guam, American
 16 Samoa, the Commonwealth of the Northern Mariana
 17 Islands, or any other territory or possession of the
 18 United States.

19 “(4) VENTURE DEVELOPMENT ORGANIZA-
 20 TION.—The term ‘venture development organization’
 21 means a State or nonprofit organization that con-
 22 tributes to regional or sector-based economic pros-
 23 perity by providing services for the purposes of—

24 “(A) accelerating the commercialization of
 25 research;

1 “(B) strengthening the competitive posi-
2 tion of industry through the development, com-
3 mercial adoption, or deployment of technology;
4 and

5 “(C) providing financial grants, loans, or
6 direct financial investment to commercialize
7 technology.

8 “(b) ESTABLISHMENT.—The Secretary shall estab-
9 lish a regional innovation program to encourage and sup-
10 port the development of regional innovation strategies de-
11 signed to increase innovation-driven economic opportunity
12 within their respective regions.

13 “(c) REGIONAL INNOVATION GRANTS.—

14 “(1) AUTHORIZATION OF GRANTS.—As part of
15 the program established pursuant to subsection (b),
16 the Secretary may award grants, on a competitive
17 basis, to eligible recipients for activities designed to
18 develop and support a regional innovation initiative.

19 “(2) PERMISSIBLE ACTIVITIES.—A grant
20 awarded under this subsection shall be used for mul-
21 tiple activities determined appropriate by the Sec-
22 retary, including—

23 “(A) improving the connectedness and
24 strategic orientation of the region through plan-
25 ning, technical assistance, and communication

1 among participants of a regional innovation ini-
 2 tiative;

3 “(B) attracting additional participants to a
 4 regional innovation initiative;

5 “(C) increasing the availability and invest-
 6 ment of private and philanthropic financing
 7 that supports innovation-based business ven-
 8 tures;

9 “(D) completing the research, development
 10 and introduction of new products, processes,
 11 and services into the commercial market;

12 “(E) increasing the number of full-time
 13 equivalent employment opportunities within in-
 14 novation-based business ventures in the geo-
 15 graphic region; and

16 “(F) achieving quantifiable, positive bene-
 17 fits to, or measurable enhancements for, the
 18 economic performance of the geographic region.

19 “(3) RESTRICTED ACTIVITIES.—Grants award-
 20 ed under this subsection may not be used to pay
 21 for—

22 “(A) costs related to the recruitment, in-
 23 ducement, or associated financial or tangible in-
 24 centives that might be offered to relocate an ex-

1 isting business from a geographic area to an-
2 other geographic area; or

3 “(B) costs associated with offsetting reve-
4 nues forgone by one or more taxing authorities
5 through tax incentives, tax increment financing,
6 special improvement districts, tax abatements
7 for private development within designated zones
8 or geographic areas, or other reduction in reve-
9 nues resulting from tax credits affecting the ge-
10 ographic region of the eligible recipients.

11 “(4) APPLICATIONS.—

12 “(A) IN GENERAL.—An eligible recipient
13 shall submit an application to the Secretary at
14 such time, in such manner, and containing such
15 information and assurances as the Secretary
16 may require.

17 “(B) COMPONENTS.—Each application
18 submitted under subparagraph (A) shall—

19 “(i) describe the regional innovation
20 initiative;

21 “(ii) indicate whether the regional in-
22 novation initiative is supported by the pri-
23 vate sector, State and local governments,
24 and other relevant stakeholders;

1 “(iii) identify what activities the re-
2 gional innovation initiative will undertake;

3 “(iv) describe the expected outcomes
4 of the regional innovation initiative and
5 how the eligible recipient will measure
6 progress toward those outcomes;

7 “(v) indicate whether the participants
8 in the regional innovation initiative have
9 access to, or contribute to, a well-trained
10 workforce and other innovation assets that
11 are critical to the successful outcomes
12 specified in the application;

13 “(vi) indicate whether the participants
14 in the regional innovation initiative are ca-
15 pable of attracting additional funds from
16 non-Federal sources; and

17 “(vii) if appropriate for the activities
18 proposed in the application, analyze the
19 likelihood that the participants in the re-
20 gional innovation initiative will be able to
21 sustain activities after grant funds received
22 under this subsection have been expended.

23 “(C) FEEDBACK.—The Secretary shall
24 provide feedback to program applicants that are

1 not awarded grants to help them improve future
2 applications.

3 “(D) SPECIAL CONSIDERATIONS.—The
4 Secretary shall give special consideration to—

5 “(i) applications proposing to include
6 workforce or training related activities in
7 their regional innovation initiative from eli-
8 gible recipients who agree to collaborate
9 with local workforce investment area
10 boards; and

11 “(ii) applications from regions that
12 contain communities negatively impacted
13 by trade.

14 “(5) COST SHARE.—The Secretary may not
15 provide more than 50 percent of the total cost of
16 any activity funded under this subsection.

17 “(6) OUTREACH TO RURAL COMMUNITIES.—

18 “(A) IN GENERAL.—The Secretary shall
19 conduct outreach to public and private sector
20 entities in rural communities to encourage those
21 entities to participate in regional innovation ini-
22 tiatives under this subsection.

23 “(B) JUSTIFICATION.—As part of the pro-
24 gram established pursuant to subsection (b),
25 the Secretary, through the Economic Develop-

1 ment Administration, shall submit an annual
2 report to Congress that explains the balance in
3 the allocation of grants to eligible recipients
4 under this subsection between rural and urban
5 areas.

6 “(7) FUNDING.—The Secretary may accept
7 funds from other Federal agencies to support grants
8 and activities under this subsection.

9 “(d) REGIONAL INNOVATION RESEARCH AND INFOR-
10 MATION PROGRAM.—

11 “(1) IN GENERAL.—As part of the program es-
12 tablished pursuant to subsection (b), the Secretary
13 shall establish a regional innovation research and in-
14 formation program—

15 “(A) to gather, analyze, and disseminate
16 information on best practices for regional inno-
17 vation initiatives, including information relating
18 to how innovation, productivity, and economic
19 development can be maximized through such
20 strategies;

21 “(B) to provide technical assistance, in-
22 cluding through the development of technical
23 assistance guides, for the development and im-
24 plementation of regional innovation initiatives;

1 “(C) to support the development of rel-
2 evant metrics and measurement standards to
3 evaluate regional innovation initiatives, includ-
4 ing the extent to which such strategies stimu-
5 late innovation, productivity, and economic de-
6 velopment; and

7 “(D) to collect and make available data on
8 regional innovation initiatives in the United
9 States, including data on—

10 “(i) the size, specialization, and com-
11 petitiveness of regional innovation initia-
12 tives;

13 “(ii) the regional domestic product
14 contribution, total jobs and earnings by
15 key occupations, establishment size, nature
16 of specialization, patents, Federal research
17 and development spending, and other rel-
18 evant information for regional innovation
19 initiatives; and

20 “(iii) supply chain product and service
21 flows within and between regional innova-
22 tion initiatives.

23 “(2) RESEARCH GRANTS.—The Secretary may
24 award research grants on a competitive basis to sup-

1 port and further the goals of the program estab-
2 lished under this section.

3 “(3) DISSEMINATION OF INFORMATION.—Data
4 and analysis compiled by the Secretary under the
5 program established in this subsection shall be made
6 available to other Federal agencies, State and local
7 governments, and nonprofit and for-profit entities.

8 “(4) REGIONAL INNOVATION GRANT PRO-
9 GRAM.—The Secretary shall incorporate data and
10 analysis relating to any grant awarded under sub-
11 section (c) into the program established under this
12 subsection.

13 “(e) INTERAGENCY COORDINATION.—

14 “(1) IN GENERAL.—To the maximum extent
15 practicable, the Secretary shall ensure that the ac-
16 tivities carried out under this section are coordinated
17 with, and do not duplicate the efforts of, other pro-
18 grams at the Department of Commerce or at other
19 Federal agencies.

20 “(2) COLLABORATION.—

21 “(A) IN GENERAL.—The Secretary shall
22 explore and pursue collaboration with other
23 Federal agencies, including through multi-agen-
24 cy funding opportunities, on regional innovation
25 strategies.

1 “(B) SMALL BUSINESSES.—The Secretary
2 shall ensure that such collaboration with Fed-
3 eral agencies prioritizes the needs and chal-
4 lenges of small businesses.

5 “(f) EVALUATION.—

6 “(1) IN GENERAL.—Not later than 5 years
7 after Congress first appropriates funds to carry out
8 this section, the Secretary shall competitively award
9 a contract with an independent entity to conduct an
10 evaluation of programs established under this sec-
11 tion.

12 “(2) REQUIREMENTS.—The evaluation con-
13 ducted under paragraph (1) shall include—

14 “(A) an assessment of whether the pro-
15 gram is achieving its goals;

16 “(B) the program’s efficacy in providing
17 awards to geographically diverse entities;

18 “(C) any recommendations for how the
19 program may be improved; and

20 “(D) a recommendation as to whether the
21 program should be continued or terminated.

22 “(g) REPORTING REQUIREMENT.—Not later than 5
23 years after the first grant is awarded under subsection (c),
24 and every 5 years thereafter until 5 years after the last
25 grant recipient completes the regional innovation initiative

1 for which such grant was awarded, the Secretary shall
2 submit a report to Congress that describes the outcome
3 of each regional innovation initiative that was completed
4 during the previous 5 years.

5 “(h) FUNDING.—From amounts appropriated by
6 Congress for economic development assistance authorized
7 under section 27 of the Stevenson-Wydler Technology In-
8 novation Act of 1980 (15 U.S.C. 3722), the Secretary may
9 use up to \$50,000,000 in each of the fiscal years 2020
10 through 2024 to carry out this section.”.

11 **SEC. 6010. REPORT ON NATIONAL GUARD AND UNITED**
12 **STATES NORTHERN COMMAND CAPACITY TO**
13 **MEET HOMELAND DEFENSE AND SECURITY**
14 **INCIDENTS.**

15 Not later than September 30, 2020, the Chief of the
16 National Guard Bureau shall, in consultation with the
17 Commander of United States Northern Command, submit
18 to the congressional defense committees a report setting
19 forth the following:

20 (1) A clarification of the roles and missions,
21 structure, capabilities, and training of the National
22 Guard and the United States Northern Command,
23 and an identification of emerging gaps and shortfalls
24 in light of current homeland security threats to our
25 country.

1 (2) A list of the resources that each State and
2 Territory National Guard has at its disposal that
3 are available to respond to a homeland defense or
4 security incident, with particular focus on a multi-
5 State electromagnetic pulse event.

6 (3) The readiness and resourcing status of
7 forces listed pursuant to paragraph (2).

8 (4) The current strengths and areas of improve-
9 ment in working with State and Federal interagency
10 partners.

11 (5) The current assessments that address Na-
12 tional Guard readiness and resourcing of regular
13 United States Northern Command forces postured
14 to respond to homeland defense and security inci-
15 dents.

16 (6) A roadmap to 2040 that addresses readi-
17 ness across the spectrum of long-range emerging
18 threats facing the United States.

19 **SEC. 6011. COMPTROLLER GENERAL OF THE UNITED**
20 **STATES REPORT ON THE EFFECTS OF CON-**
21 **TINUING RESOLUTIONS ON READINESS AND**
22 **PLANNING OF THE DEPARTMENT OF DE-**
23 **FENSE.**

24 (a) REPORT REQUIRED.—Not later than 180 days
25 after the date of the enactment of this Act, the Comp-

1 troller General of the United States shall submit to the
2 congressional defense committees a report setting forth a
3 description and assessment of the effects of continuing
4 resolutions on readiness and planning of the Department
5 of Defense.

6 (b) ELEMENTS.—The report required by subsection
7 (a) shall address the following:

8 (1) The extent to which the acquisition of goods
9 and services, the support of operational systems, and
10 the stewardship of installations and facilities by the
11 Department of Defense are impacted by continuing
12 resolutions, including the following:

13 (A) The extent to which continuing resolu-
14 tions negatively impact contract fidelity, includ-
15 ing Department purchasing power, and Depart-
16 ment leverage in non-pecuniary contract terms
17 such as contract type and delivery date.

18 (B) The extent to which the Department
19 pays more, all other things being equal, because
20 of frequent continuing resolutions.

21 (C) An estimate of the total decrease in
22 Department purchasing power as a result of
23 continuing resolutions.

1 (D) The extent to which continuing resolu-
2 tions negatively impact Department mainte-
3 nance work.

4 (2) The effects of preparations for and oper-
5 ations of Department personnel under continuing
6 resolutions, including the following:

7 (A) The time spent by Senior Executive
8 Service personnel and general and flag officers
9 in preparations for and responses to the enact-
10 ment of continuing resolutions, set forth by av-
11 erage per year and average per continuing reso-
12 lution.

13 (B) The time spent by other Department
14 personnel in preparations for and implementa-
15 tion of continuing resolutions.

16 (C) The extent to which Department per-
17 sonnel take more time to focus on budget exe-
18 cution under a continuing resolution when com-
19 pared with a full year appropriation.

20 (D) The extent to which continuing resolu-
21 tions negatively impact the ability of managers
22 at the Department to hire.

23 (3) The funding issues of the Department asso-
24 ciated with continuing resolutions, including the ex-
25 tent to which the Department has requested so-

1 called “anomalies” or exceptions to limitations on
2 duration, amount, or purposes of funds that other-
3 wise apply to interim funding under continuing reso-
4 lutions, including the following (beginning with fiscal
5 year 2010):

6 (A) The number and absolute value of pro-
7 grams affected by continuing resolutions re-
8 strictions on new starts.

9 (B) The number and absolute value of pro-
10 grams affected by continuing resolutions re-
11 strictions on production increases.

12 (C) The number and absolute value of
13 such exceptions requested by the Department.

14 (D) The percentage of such exceptions, in
15 both numbers and dollar amount, included in
16 continuing resolutions.

17 (E) The total cumulative delay due to con-
18 tinuing resolutions in programs funded through
19 procurement or research, development, test, and
20 evaluation.

21 (F) The amount by which the budget of
22 the Department has been misaligned either be-
23 tween or within accounts due to continuing res-
24 olutions, set forth by budget category 050 and

1 amount, together with adjustments for length of
2 the continuing resolution concerned.

3 (c) CONTINUING RESOLUTION DEFINED.—In this
4 section, the term “continuing resolution” means a con-
5 tinuing resolution or similar partial-year appropriation
6 providing funds for the Department of Defense pending
7 enactment of a full-year appropriation for the Depart-
8 ment.

9 **SEC. 6012. INTEGRATED PUBLIC ALERT AND WARNING SYS-**
10 **TEM.**

11 (a) DEFINITIONS.—In this section—

12 (1) the term “Administrator” means the Ad-
13 ministrator of the Agency;

14 (2) the term “Agency” means the Federal
15 Emergency Management Agency;

16 (3) the term “public alert and warning system”
17 means the integrated public alert and warning sys-
18 tem of the United States described in section 526 of
19 the Homeland Security Act of 2002 (6 U.S.C.
20 321o);

21 (4) the term “Secretary” means the Secretary
22 of Homeland Security; and

23 (5) the term “State” means any State of the
24 United States, the District of Columbia, the Com-
25 monwealth of Puerto Rico, the Virgin Islands,

1 Guam, American Samoa, the Commonwealth of the
2 Northern Mariana Islands, and any possession of the
3 United States.

4 (b) INTEGRATED PUBLIC ALERT AND WARNING SYS-
5 TEM.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date of enactment of this Act, the Administrator
8 shall develop minimum requirements for State, Trib-
9 al, and local governments to participate in the public
10 alert and warning system and that are necessary to
11 maintain the integrity of the public alert and warn-
12 ing system, including—

13 (A) guidance on the categories of public
14 emergencies and appropriate circumstances that
15 warrant an alert and warning from State, Trib-
16 al, and local governments using the public alert
17 and warning system;

18 (B) the procedures for State, Tribal, and
19 local government officials to authenticate civil
20 emergencies and initiate, modify, and cancel
21 alerts transmitted through the public alert and
22 warning system, including protocols and tech-
23 nology capabilities for—

1 (i) the initiation, or prohibition on the
2 initiation, of alerts by a single authorized
3 or unauthorized individual;

4 (ii) testing a State, Tribal, or local
5 government incident management and
6 warning tool without accidentally initiating
7 an alert through the public alert and warn-
8 ing system; and

9 (iii) steps a State, Tribal, or local gov-
10 ernment official should take to mitigate
11 the possibility of the issuance of a false
12 alert through the public alert and warning
13 system;

14 (C) the standardization, functionality, and
15 interoperability of incident management and
16 warning tools used by State, Tribal, and local
17 governments to notify the public of an emer-
18 gency through the public alert and warning sys-
19 tem;

20 (D) the annual training and recertification
21 of emergency management personnel on re-
22 quirements for originating and transmitting an
23 alert through the public alert and warning sys-
24 tem;

1 (E) the procedures, protocols, and guid-
2 ance concerning the protective action plans that
3 State, Tribal, and local governments shall issue
4 to the public following an alert issued under the
5 public alert and warning system;

6 (F) the procedures, protocols, and guid-
7 ance concerning the communications that State,
8 Tribal, and local governments shall issue to the
9 public following a false alert issued under the
10 public alert and warning system;

11 (G) a plan by which State, Tribal, and
12 local government officials may, during an emer-
13 gency, contact each other as well as Federal of-
14 ficials and participants in the Emergency Alert
15 System and the Wireless Emergency Alert Sys-
16 tem, when appropriate and necessary, by tele-
17 phone, text message, or other means of commu-
18 nication regarding an alert that has been dis-
19 tributed to the public; and

20 (H) any other procedure the Administrator
21 considers appropriate for maintaining the integ-
22 rity of and providing for public confidence in
23 the public alert and warning system.

24 (2) COORDINATION WITH NATIONAL ADVISORY
25 COUNCIL REPORT.—The Administrator shall ensure

1 that the minimum requirements developed under
2 paragraph (1) do not conflict with recommendations
3 made for improving the public alert and warning
4 system provided in the report submitted by the Na-
5 tional Advisory Council under section 2(b)(7)(B) of
6 the Integrated Public Alert and Warning System
7 Modernization Act of 2015 (Public Law 114–143;
8 130 Stat. 332).

9 (3) PUBLIC CONSULTATION.—In developing the
10 minimum requirements under paragraph (1), the
11 Administrator shall ensure appropriate public con-
12 sultation and, to the extent practicable, coordinate
13 the development of the requirements with stake-
14 holders of the public alert and warning system, in-
15 cluding—

16 (A) appropriate personnel from Federal
17 agencies, including the National Institute of
18 Standards and Technology, the Agency, and the
19 Federal Communications Commission;

20 (B) representatives of State and local gov-
21 ernments and emergency services personnel,
22 who shall be selected from among individuals
23 nominated by national organizations rep-
24 resenting those governments and personnel;

1 (C) representatives of Federally recognized
2 Indian tribes and national Indian organizations;

3 (D) communications service providers;

4 (E) vendors, developers, and manufactur-
5 ers of systems, facilities, equipment, and capa-
6 bilities for the provision of communications
7 services;

8 (F) third-party service bureaus;

9 (G) the national organization representing
10 the licensees and permittees of noncommercial
11 broadcast television stations;

12 (H) technical experts from the broad-
13 casting industry;

14 (I) educators from the Emergency Man-
15 agement Institute; and

16 (J) other individuals with technical exper-
17 tise as the Administrator determines appro-
18 priate.

19 (4) INAPPLICABILITY OF FACA.—The Federal
20 Advisory Committee Act (5 U.S.C. App.) shall not
21 apply to the public consultation with stakeholders
22 under paragraph (3).

23 (c) INCIDENT MANAGEMENT AND WARNING TOOL
24 VALIDATION.—

1 (1) IN GENERAL.—The Administrator shall es-
2 tablish a process to ensure that an incident manage-
3 ment and warning tool used by a State, Tribal, or
4 local government to originate and transmit an alert
5 through the public alert and warning system meets
6 the requirements developed by the Administrator
7 under subsection (b)(1).

8 (2) REQUIREMENTS.—The process required to
9 be established under paragraph (1) shall include—

10 (A) the ability to test an incident manage-
11 ment and warning tool in the public alert and
12 warning system lab;

13 (B) the ability to certify that an incident
14 management and warning tool complies with
15 the applicable cyber frameworks of the Depart-
16 ment of Homeland Security and the National
17 Institute of Standards and Technology;

18 (C) a process to certify developers of emer-
19 gency management software; and

20 (D) requiring developers to provide the Ad-
21 ministrator with a copy of and rights of use for
22 ongoing testing of each version of incident man-
23 agement and warning tool software before the
24 software is first used by a State, Tribal, or local
25 government.

1 (d) REVIEW AND UPDATE OF MEMORANDA OF UN-
2 DERSTANDING.—

3 (1) IN GENERAL.—The Administrator shall re-
4 view the memoranda of understanding between the
5 Agency and State, Tribal, and local governments
6 with respect to the public alert and warning system
7 to ensure that all agreements ensure compliance
8 with the requirements developed by the Adminis-
9 trator under subsection (b)(1).

10 (e) FUTURE MEMORANDA.—The Administrator shall
11 ensure that any new memorandum of understanding en-
12 tered into between the Agency and a State, Tribal, or local
13 government on or after the date of enactment of this Act
14 with respect to the public alert and warning system en-
15 sures that the agreement requires compliance with the re-
16 quirements developed by the Administrator under sub-
17 section (b)(1).

18 (f) MISSILE ALERT AND WARNING AUTHORITIES.—

19 (1) IN GENERAL.—

20 (A) AUTHORITY.—On and after the date
21 that is 120 days after the date of enactment of
22 this Act, the authority to originate an alert
23 warning the public of a missile launch directed
24 against a State using the public alert and warn-

1 ing system shall reside primarily with the Fed-
2 eral Government.

3 (B) DELEGATION OF AUTHORITY.—The
4 Secretary may delegate the authority described
5 in subparagraph (A) to a State, Tribal, or local
6 entity if, not later than 180 days after the date
7 of enactment of this Act, the Secretary submits
8 a report to the Committee on Homeland Secu-
9 rity and Governmental Affairs of the Senate
10 and the Committee on Homeland Security of
11 the House of Representatives that—

12 (i) it is not feasible for the Federal
13 Government to alert the public of a missile
14 threat against a State; or

15 (ii) it is not in the national security
16 interest of the United States for the Fed-
17 eral Government to alert the public of a
18 missile threat against a State.

19 (C) ACTIVATION OF SYSTEM.—Upon
20 verification of a missile threat, the President,
21 utilizing established authorities, protocols and
22 procedures, may activate the public alert and
23 warning system.

24 (D) RULE OF CONSTRUCTION.—Nothing in
25 this paragraph shall be construed to change the

1 command and control relationship between enti-
2 ties of the Federal Government with respect to
3 the identification, dissemination, notification, or
4 alerting of information of missile threats
5 against the United States that was in effect on
6 the day before the date of enactment of this
7 Act.

8 (2) REQUIRED PROCESSES.—The Secretary,
9 acting through the Administrator, shall establish a
10 process to promptly notify a State warning point,
11 and any State entities that the Administrator deter-
12 mines appropriate, following the issuance of an alert
13 described in paragraph (1)(A) so the State may take
14 appropriate action to protect the health, safety, and
15 welfare of the residents of the State.

16 (3) GUIDANCE.—The Secretary, acting through
17 the Administrator, shall work with the Governor of
18 a State warning point to develop and implement ap-
19 propriate protective action plans to respond to an
20 alert described in paragraph (1)(A) for that State.

21 (4) STUDY AND REPORT.—Not later than 1
22 year after the date of enactment of this Act, the
23 Secretary shall—

24 (A) examine the feasibility of establishing
25 an alert designation under the public alert and

1 warning system that would be used to alert and
 2 warn the public of a missile threat while con-
 3 currently alerting a State warning point so that
 4 a State may activate related protective action
 5 plans; and

6 (B) submit a report of the findings under
 7 subparagraph (A), including of the costs and
 8 timeline for taking action to implement an alert
 9 designation described in subparagraph (A), to—

10 (i) the Subcommittee on Homeland
 11 Security of the Committee on Appropria-
 12 tions of the Senate;

13 (ii) the Committee on Homeland Se-
 14 curity and Governmental Affairs of the
 15 Senate;

16 (iii) the Subcommittee on Homeland
 17 Security of the Committee on Appropria-
 18 tions of the House of Representatives; and

19 (iv) the Committee on Homeland Se-
 20 curity of the House of Representatives.

21 (g) USE OF INTEGRATED PUBLIC ALERT AND WARN-
 22 ING SYSTEM LAB.—Not later than 1 year after the date
 23 of enactment of this Act, the Administrator shall—

24 (1) develop a program to increase the utiliza-
 25 tion of the public alert and warning system lab of

1 the Agency by State, Tribal, and local governments
2 to test incident management and warning tools and
3 train emergency management professionals on alert
4 origination protocols and procedures; and

5 (2) submit to the Committee on Homeland Se-
6 curity and Governmental Affairs of the Senate and
7 the Committee on Homeland Security of the House
8 of Representatives a report describing—

9 (A) the impact on utilization of the public
10 alert and warning system lab by State, Tribal,
11 and local governments resulting from the pro-
12 gram developed under paragraph (1); and

13 (B) any further recommendations that the
14 Administrator would make for additional statu-
15 tory or appropriations authority necessary to
16 increase the utilization of the public alert and
17 warning system lab by State, Tribal, and local
18 governments.

19 (h) AWARENESS OF ALERTS AND WARNINGS.—Not
20 later than 1 year after the date of enactment of this Act,
21 the Administrator shall—

22 (1) conduct a review of the National Watch
23 Center and each Regional Watch Center of the
24 Agency; and

1 (2) submit to the Committee on Homeland Se-
2 curity and Governmental Affairs of the Senate and
3 the Committee on Homeland Security of the House
4 of Representatives a report on the review conducted
5 under paragraph (1), which shall include—

6 (A) an assessment of the technical capa-
7 bility of the National and Regional Watch Cen-
8 ters described in paragraph (1) to be notified of
9 alerts and warnings issued by a State through
10 the public alert and warning system;

11 (B) a determination of which State alerts
12 and warnings the National and Regional Watch
13 Centers described in paragraph (1) should be
14 aware of; and

15 (C) recommendations for improving the
16 ability of the National and Regional Watch
17 Centers described in paragraph (1) to receive
18 any State alerts and warnings that the Admin-
19 istrator determines are appropriate.

20 (i) **TIMELINE FOR COMPLIANCE.**—Each State shall
21 be given a reasonable amount of time to comply with any
22 new rules, regulations, or requirements imposed under this
23 section.

1 **SEC. 6013. REPORT ON IMPACT OF LIBERIAN NATIONALS**
2 **ON THE NATIONAL SECURITY, FOREIGN POL-**
3 **ICY, AND ECONOMIC AND HUMANITARIAN IN-**
4 **TERESTS OF THE UNITED STATES AND A JUS-**
5 **TIFICATION FOR ADJUSTMENT OF STATUS OF**
6 **QUALIFYING LIBERIANS TO THAT OF LAWFUL**
7 **PERMANENT RESIDENTS.**

8 (a) FINDINGS.—Congress makes the following find-
9 ings:

10 (1) In 1989, a seven-year civil war broke out in
11 Liberia that—

12 (A) claimed the lives of an estimated
13 200,000 people;

14 (B) displaced over $\frac{1}{2}$ of the Liberian popu-
15 lation;

16 (C) halted food production; and

17 (D) destroyed the infrastructure and econ-
18 omy of Liberia.

19 (2) A second civil war then followed from 1999
20 to 2003, further destabilizing Liberia and creating
21 more turmoil and hardship for Liberians.

22 (3) In total, the two civil wars in Liberia killed
23 up to an estimated $\frac{1}{4}$ million individuals.

24 (4) From 2014 to 2016, Liberia faced an Ebola
25 virus outbreak that devastated the fragile health sys-
26 tem of Liberia and killed nearly 5,000 individuals.

1 (5) As a result of these devastating events,
2 thousands of Liberians sought refuge in the United
3 States, living and working here under Temporary
4 Protected Status (TPS) and Deferred Enforced De-
5 parture (DED), extended under both Republican
6 and Democratic administrations beginning in 1991
7 with the administration of President George H. W.
8 Bush.

9 (6) These law-abiding and taxpaying Liberians
10 have made homes in the United States, have worked
11 hard, played by the rules, paid their dues, and sub-
12 mitted to rigorous vetting. Many such Liberians
13 have United States citizen children who have served
14 in the Armed Forces, and in some cases have them-
15 selves served in that capacity.

16 (7) The Liberian community in the United
17 States has also contributed greatly to private sector
18 investment and socioeconomic assistance in Liberia
19 by providing remittances to relatives in Liberia.

20 (8) While there was a positive development in
21 2017 with the first democratic transfer of power in
22 more than 70 years, the Department of State has
23 identified the capital and most populous city of Libe-
24 ria, Monrovia, as being a critical-threat location for
25 crime. Access to healthcare remains limited, critical

1 infrastructure is lacking, and widespread corruption
2 coupled with low wages and a weak economic recovery
3 has left the country vulnerable to civil unrest.

4 (b) REPORT.—

5 (1) IN GENERAL.—Not later than December 31,
6 2019, the Secretary of Defense, in consultation with
7 the Secretary of State, shall submit to the congressional
8 defense committees a report on the impact of
9 Liberian nationals on the national security, foreign
10 policy, and economic, and humanitarian interests of
11 the United States and a justification for adjustment
12 of status of qualifying Liberians to that of lawful
13 permanent residents.

14 (2) ELEMENTS.—The report required by paragraph
15 (1) shall include the following:

16 (A) The number of current or former Liberian
17 nationals and their children who have
18 served or are currently serving in the Armed
19 Forces.

20 (B) The amount of remittances sent by
21 current or former Liberian nationals to relatives
22 in Liberia and an assessment of the impact on
23 the economic development of Liberia if these remittances
24 were to cease.

1 (C) The economic and tax contributions
2 that Liberian nationals and their children have
3 made to the United States.

4 (D) An assessment of the impact on the
5 United States of adjusting the status of Libe-
6 rian nationals who have continuous physical
7 presence in the United States beginning on No-
8 vember 20, 2014, and ending on the date of the
9 enactment of this Act, or for adjusting the sta-
10 tus of the spouses, children, and unmarried
11 sons or daughters of such Liberian nationals.

12 (c) QUALIFYING LIBERIAN.—

13 (1) IN GENERAL.—In this section, the term
14 “qualifying Liberian” means an alien (as defined in
15 section 101(a) of the Immigration and Nationality
16 Act (8 U.S.C. 1101(a)) who—

17 (A)(i) is a national of Liberia; and

18 (ii) has been continuously present in the
19 United States during the period beginning on
20 November 20, 2014, and ending on the date of
21 the enactment of this Act;

22 (B) is the spouse, child, or unmarried son
23 or daughter of an alien described in subpara-
24 graph (A);

1 (C) is otherwise eligible to receive an immi-
2 grant visa; and

3 (D) is admissible to the United States for
4 permanent residence, except that the grounds of
5 inadmissibility specified in paragraphs (4), (5),
6 (6)(A), and (7)(A) of section 212(a) of the Im-
7 migration and Nationality Act (8 U.S.C.
8 1182(a)) shall not apply.

9 (2) EXCEPTIONS.—The term “qualifying Libe-
10 rian” does not include any alien who—

11 (A) has been convicted of any aggravated
12 felony;

13 (B) has been convicted of 2 or more crimes
14 involving moral turpitude (other than a purely
15 political offense); or

16 (C) has ordered, incited, assisted, or other-
17 wise participated in the persecution of any per-
18 son on account of race, religion, nationality,
19 membership in a particular social group, or po-
20 litical opinion.

21 (3) DETERMINATION OF CONTINUOUS PHYS-
22 ICAL PRESENCE.—For purposes of establishing the
23 period of continuous physical presence referred to in
24 paragraph (1)(A)(ii), an alien shall not be consid-
25 ered to have failed to maintain continuous physical

1 presence based on 1 or more absences from the
2 United States for 1 or more periods amounting, in
3 the aggregate, to not more than 180 days.

4 **SEC. 6014. IMPROVING QUALITY OF INFORMATION IN**
5 **BACKGROUND INVESTIGATION REQUEST**
6 **PACKAGES.**

7 (a) REPORT ON METRICS AND BEST PRACTICES.—
8 Not later than 180 days after the date of the enactment
9 of this Act, the Director of the Defense Counterintel-
10 ligence and Security Agency, which serves as the primary
11 executive branch service provider for background inves-
12 tigations for eligibility for access to classified information,
13 eligibility to hold a sensitive position, and for suitability
14 and fitness for other matters pursuant to Executive Order
15 13467 (50 U.S.C. 3161 note; relating to reforming proc-
16 esses related to suitability for Government employment,
17 fitness for contractor employees, and eligibility for access
18 to classified national security information), shall, in con-
19 sultation with the Security, Suitability, and Credentialing
20 Performance Accountability Council established under
21 such executive order, submit to Congress a report on—
22 (1) metrics for assessing the completeness and
23 quality of packages for background investigations
24 submitted by agencies requesting background inves-

1 tigations from the Defense Counterintelligence and
2 Security Agency;

3 (2) rejection rates of background investigation
4 submission packages due to incomplete or erroneous
5 data, by agency; and

6 (3) best practices for ensuring full and complete
7 information in background investigation requests.

8 (b) ANNUAL REPORT ON PERFORMANCE.—Not later
9 than 270 days after the date of the enactment of this Act
10 and not less frequently than once each year thereafter, the
11 Security, Suitability, and Credentialing Performance Ac-
12 countability Council shall submit to Congress a report on
13 performance against the metrics and return rates identi-
14 fied in paragraphs (1) and (2) of subsection (a).

15 (c) IMPROVEMENT PLANS.—

16 (1) IDENTIFICATION.—Not later than one year
17 after the date of the enactment of this Act, executive
18 agents under Executive Order 13467 (50 U.S.C.
19 3161 note) shall identify agencies in need of im-
20 provement with respect to the quality of the infor-
21 mation in the background investigation submissions
22 of the agencies as reported in subsection (b).

23 (2) PLANS.—Not later than 90 days after an
24 agency is identified under paragraph (1), the head
25 of the agency shall provide the executive agents re-

1 ferred to in such paragraph with a plan to improve
 2 the performance of the agency with respect to the
 3 quality of the information in the agency’s back-
 4 ground investigation submissions.

5 **SEC. 6015. LIMITATION ON CERTAIN ROLLING STOCK PRO-**
 6 **CUREMENTS; CYBERSECURITY CERTIFI-**
 7 **CATION FOR RAIL ROLLING STOCK AND OP-**
 8 **ERATIONS.**

9 Section 5323 of title 49, United States Code, is
 10 amended by adding at the end the following:

11 “(u) LIMITATION ON CERTAIN ROLLING STOCK PRO-
 12 CUREMENTS.—

13 “(1) IN GENERAL.—Except as provided in para-
 14 graph (5), financial assistance made available under
 15 this chapter shall not be used in awarding a contract
 16 or subcontract to an entity on or after the date of
 17 enactment of this subsection for the procurement of
 18 rolling stock for use in public transportation if the
 19 manufacturer of the rolling stock—

20 “(A) is incorporated in or has manufac-
 21 turing facilities in the United States; and

22 “(B) is owned or controlled by, is a sub-
 23 sidiary of, or is otherwise related legally or fi-
 24 nancially to a corporation based in a country
 25 that—

1 “(i) is identified as a nonmarket econ-
2 omy country (as defined in section 771(18)
3 of the Tariff Act of 1930 (19 U.S.C.
4 1677(18))) as of the date of enactment of
5 this subsection;

6 “(ii) was identified by the United
7 States Trade Representative in the most
8 recent report required by section 182 of
9 the Trade Act of 1974 (19 U.S.C. 2242)
10 as a priority foreign country under sub-
11 section (a)(2) of that section; and

12 “(iii) is subject to monitoring by the
13 Trade Representative under section 306 of
14 the Trade Act of 1974 (19 U.S.C. 2416).

15 “(2) EXCEPTION.—For purposes of paragraph
16 (1), the term ‘otherwise related legally or financially’
17 does not include a minority relationship or invest-
18 ment.

19 “(3) INTERNATIONAL AGREEMENTS.—This sub-
20 section shall be applied in a manner consistent with
21 the obligations of the United States under inter-
22 national agreements.

23 “(4) CERTIFICATION FOR RAIL ROLLING
24 STOCK.—

1 “(A) IN GENERAL.—Except as provided in
2 paragraph (5), as a condition of financial as-
3 sistance made available in a fiscal year under
4 section 5337, a recipient that operates rail fixed
5 guideway service shall certify in that fiscal year
6 that the recipient will not award any contract
7 or subcontract for the procurement of rail roll-
8 ing stock for use in public transportation with
9 a rail rolling stock manufacturer described in
10 paragraph (1).

11 “(B) SEPARATE CERTIFICATION.—The cer-
12 tification required under this paragraph shall be
13 in addition to any certification the Secretary es-
14 tablishes to ensure compliance with the require-
15 ments of paragraph (1).

16 “(5) EXCEPTION.—This subsection, including
17 the certification requirement under paragraph (4),
18 shall not apply to the award of a contract or sub-
19 contract made by a public transportation agency
20 with a rail rolling stock manufacturer described in
21 paragraph (1) if the manufacturer and the public
22 transportation agency have a contract for rail rolling
23 stock that was executed before the date of enact-
24 ment of this subsection.

1 “(v) CYBERSECURITY CERTIFICATION FOR RAIL
2 ROLLING STOCK AND OPERATIONS.—

3 “(1) CERTIFICATION.—As a condition of finan-
4 cial assistance made available under this chapter, a
5 recipient that operates a rail fixed guideway public
6 transportation system shall certify that the recipient
7 has established a process to develop, maintain, and
8 execute a written plan for identifying and reducing
9 cybersecurity risks.

10 “(2) COMPLIANCE.—For the process required
11 under paragraph (1), a recipient of assistance under
12 this chapter shall—

13 “(A) utilize the approach described by the
14 voluntary standards and best practices devel-
15 oped under section 2(c)(15) of the National In-
16 stitute of Standards and Technology Act (15
17 U.S.C. 272(c)(15)), as applicable;

18 “(B) identify hardware and software that
19 the recipient determines should undergo third-
20 party testing and analysis to mitigate cyberse-
21 curity risks, such as hardware or software for
22 rail rolling stock under proposed procurements;
23 and

24 “(C) utilize the approach described in any
25 voluntary standards and best practices for rail

1 fixed guideway public transportation systems
 2 developed under the authority of the Secretary
 3 of Homeland Security, as applicable.

4 “(3) LIMITATIONS ON STATUTORY CONSTRU-
 5 TION.—Nothing in this subsection shall be construed
 6 to interfere with the authority of—

7 “(A) the Secretary of Homeland Security
 8 to publish or ensure compliance with require-
 9 ments or standards concerning cybersecurity for
 10 rail fixed guideway public transportation sys-
 11 tems; or

12 “(B) the Secretary of Transportation
 13 under section 5329 to address cybersecurity
 14 issues as those issues relate to the safety of rail
 15 fixed guideway public transportation systems.”.

16 **SEC. 6016. SENSE OF CONGRESS ON THE NAMING OF A**
 17 **NAVAL VESSEL IN HONOR OF SENIOR CHIEF**
 18 **PETTY OFFICER SHANNON KENT.**

19 (a) FINDINGS.—Congress makes the following find-
 20 ings:

21 (1) Senior Chief Petty Officer Shannon M.
 22 Kent was born in Owego, New York.

23 (2) Senior Chief Petty Officer Kent enlisted in
 24 the United States Navy on December 10, 2003.

1 (3) Senior Chief Petty Officer Kent was fluent
2 in four languages and four dialects of Arabic.

3 (4) Senior Chief Petty Officer Kent served five
4 combat tours throughout 15 years of service in the
5 Navy.

6 (5) On January 16, 2019, at 35 years of age,
7 Senior Chief Petty Officer Kent was killed in a sui-
8 cide bombing in Manbij, Syria, while supporting
9 Joint Task Force-Operation Inherent Resolve.

10 (6) Senior Chief Petty Officer Kent was the re-
11 cipient of the Bronze Star, the Purple Heart, two
12 Joint Service Commendation Medals, the Navy and
13 Marine Corps Commendation Medal, the Army Com-
14 mendation Medal, and the Joint Service Achieve-
15 ment Medal, among other decorations and awards.

16 (7) Senior Chief Petty Officer Kent was among
17 the first women to deploy with Special Operations
18 Forces and was the first female to graduate from
19 the hard skills program for non-SEALs.

20 (8) Senior Chief Petty Officer Kent is survived
21 by her husband and two children.

22 (b) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that the Secretary of the Navy should name the next
24 available naval vessel appropriate for such name in honor
25 of Senior Chief Petty Officer Shannon Kent.

1 **SEC. 6017. AUTHORIZATION OF APPROPRIATIONS FOR DE-**
2 **ENSE PRODUCTION ACT OF 1950.**

3 Section 711 of the Defense Production Act of 1950
4 (50 U.S.C. 4561) is amended by striking “\$133,000,000”
5 and all that follows and inserting the following: “for the
6 carrying out of the provisions and purposes of this Act
7 by the President and such agencies as he may designate
8 or create—

9 “(1) \$250,000,000 for each of fiscal years 2020
10 through 2024; and

11 “(2) \$133,000,000 for fiscal year 2025 and
12 each fiscal year thereafter.”.

13 **SEC. 6018. INVESTMENT IN SUPPLY CHAIN SECURITY**
14 **UNDER DEFENSE PRODUCTION ACT OF 1950.**

15 (a) IN GENERAL.—Section 303 of the Defense Pro-
16 duction Act of 1950 (50 U.S.C. 4533) is amended by add-
17 ing at the end the following:

18 “(h) INVESTMENT IN SUPPLY CHAIN SECURITY.—

19 “(1) IN GENERAL.—The President may make
20 available to an eligible entity described in paragraph
21 (2) payments to increase the security of supply
22 chains and supply chain activities, if the President
23 certifies to Congress not less than 30 days before
24 making such a payment that the payment is in the
25 national security interests of the United States.

1 “(2) ELIGIBLE ENTITY.—An eligible entity de-
2 scribed in this paragraph is an entity that—

3 “(A) is organized under the laws of the
4 United States or any jurisdiction within the
5 United States; and

6 “(B) produces—

7 “(i) one or more critical components;

8 “(ii) critical technology; or

9 “(iii) one or more products for the in-
10 creased security of supply chains or supply
11 chain activities.

12 “(3) DEFINITIONS.—In this subsection, the
13 terms ‘supply chain’ and ‘supply chain activities’
14 have the meanings given those terms by the Presi-
15 dent by regulation under section 6019(b) of the Na-
16 tional Defense Authorization Act for Fiscal Year
17 2020.”.

18 (b) REGULATIONS.—

19 (1) IN GENERAL.—Not later than 90 days after
20 the date of the enactment of this Act, the President
21 shall prescribe regulations setting forth definitions
22 for the terms “supply chain” and “supply chain ac-
23 tivities” for the purposes of section 303(h) of the
24 Defense Production Act of 1950 (50 U.S.C.
25 4533(h)), as added by subsection (a).

1 (2) SCOPE OF DEFINITIONS.—The definitions
2 required by paragraph (1)—

3 (A) shall encompass—

4 (i) the organization, people, activities,
5 information, and resources involved in the
6 delivery and operation of a product or serv-
7 ice used by the Government; or

8 (ii) critical infrastructure as defined
9 in Presidential Policy Directive 21 (Feb-
10 ruary 12, 2013; relating to critical infra-
11 structure security and resilience); and

12 (B) may include variations for specific sec-
13 tors or Government functions.

14 **SEC. 6019. AVIATION WORKFORCE DEVELOPMENT.**

15 (a) IN GENERAL.—Section 625(c)(1) of the FAA Re-
16 authorization Act of 2018 (Public Law 115–254) is
17 amended—

18 (1) in subparagraph (C), by striking “or” after
19 the semicolon;

20 (2) in subparagraph (D), by striking the period
21 and inserting “; or”; and

22 (3) by adding at the end the following:

23 “(E) an organization representing aircraft
24 users, aircraft owners, or aircraft pilots.”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall take effect as if included in the enact-
3 ment of the FAA Reauthorization Act of 2018 (Public
4 Law 115–254).

5 **SEC. 6020. LITTLE SHELL TRIBE OF CHIPPEWA INDIANS OF**
6 **MONTANA.**

7 (a) FINDINGS.—Congress finds that—

8 (1) the Little Shell Tribe of Chippewa Indians
9 is a political successor to signatories of the Pembina
10 Treaty of 1863, under which a large area of land in
11 the State of North Dakota was ceded to the United
12 States;

13 (2) the Turtle Mountain Band of Chippewa of
14 North Dakota and the Chippewa-Cree Tribe of the
15 Rocky Boy’s Reservation of Montana, which also are
16 political successors to the signatories of the Pembina
17 Treaty of 1863, have been recognized by the Federal
18 Government as distinct Indian tribes;

19 (3) the members of the Little Shell Tribe con-
20 tinue to live in the State of Montana, as their ances-
21 tors have for more than 100 years since ceding land
22 in the State of North Dakota as described in para-
23 graph (1);

24 (4) in the 1930s and 1940s, the Tribe repeat-
25 edly petitioned the Federal Government for reorga-

1 nization under the Act of June 18, 1934 (25 U.S.C.
2 5101 et seq.) (commonly known as the “Indian Re-
3 organization Act”);

4 (5) Federal agents who visited the Tribe and
5 Commissioner of Indian Affairs John Collier at-
6 tested to the responsibility of the Federal Govern-
7 ment for the Tribe and members of the Tribe, con-
8 cluding that members of the Tribe are eligible for,
9 and should be provided with, trust land, making the
10 Tribe eligible for reorganization under the Act of
11 June 18, 1934 (25 U.S.C. 5101 et seq.) (commonly
12 known as the “Indian Reorganization Act”);

13 (6) due to a lack of Federal appropriations dur-
14 ing the Depression, the Bureau of Indian Affairs
15 lacked adequate financial resources to purchase land
16 for the Tribe, and the members of the Tribe were
17 denied the opportunity to reorganize;

18 (7) in spite of the failure of the Federal Gov-
19 ernment to appropriate adequate funding to secure
20 land for the Tribe as required for reorganization
21 under the Act of June 18, 1934 (25 U.S.C. 5101 et
22 seq.) (commonly known as the “Indian Reorganiza-
23 tion Act”), the Tribe continued to exist as a sepa-
24 rate community, with leaders exhibiting clear polit-
25 ical authority;

1 (8) the Tribe, together with the Turtle Moun-
2 tain Band of Chippewa of North Dakota and the
3 Chippewa-Cree Tribe of the Rocky Boy's Reserva-
4 tion of Montana, filed 2 law suits under the Act of
5 August 13, 1946 (60 Stat. 1049) (commonly known
6 as the "Indian Claims Commission Act"), to petition
7 for additional compensation for land ceded to the
8 United States under the Pembina Treaty of 1863
9 and the McCumber Agreement of 1892;

10 (9) in 1971 and 1982, pursuant to Acts of Con-
11 gress, the tribes received awards for the claims de-
12 scribed in paragraph (8);

13 (10) in 1978, the Tribe submitted to the Bu-
14 reau of Indian Affairs a petition for Federal recogni-
15 tion, which is still pending as of the date of enact-
16 ment of this Act; and

17 (11) the Federal Government, the State of
18 Montana, and the other federally recognized Indian
19 tribes of the State have had continuous dealings
20 with the recognized political leaders of the Tribe
21 since the 1930s.

22 (b) DEFINITIONS.—In this section:

23 (1) MEMBER.—The term "member" means an
24 individual who is enrolled in the Tribe pursuant to
25 subsection (f).

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (3) TRIBE.—The term “Tribe” means the Lit-
4 tle Shell Tribe of Chippewa Indians of Montana.

5 (c) FEDERAL RECOGNITION.—

6 (1) IN GENERAL.—Federal recognition is ex-
7 tended to the Tribe.

8 (2) EFFECT OF FEDERAL LAWS.—Except as
9 otherwise provided in this section, all Federal laws
10 (including regulations) of general application to In-
11 dians and Indian tribes, including the Act of June
12 18, 1934 (25 U.S.C. 5101 et seq.) (commonly
13 known as the “Indian Reorganization Act”), shall
14 apply to the Tribe and members.

15 (d) FEDERAL SERVICES AND BENEFITS.—

16 (1) IN GENERAL.—Beginning on the date of en-
17 actment of this Act, the Tribe and each member
18 shall be eligible for all services and benefits provided
19 by the United States to Indians and federally recog-
20 nized Indian tribes, without regard to—

21 (A) the existence of a reservation for the
22 Tribe; or

23 (B) the location of the residence of any
24 member on or near an Indian reservation.

1 (2) SERVICE AREA.—For purposes of the deliv-
2 ery of services and benefits to members, the service
3 area of the Tribe shall be considered to be the area
4 comprised of Blaine, Cascade, Glacier, and Hill
5 Counties in the State of Montana.

6 (e) REAFFIRMATION OF RIGHTS.—

7 (1) IN GENERAL.—Nothing in this section di-
8 minishes any right or privilege of the Tribe or any
9 member that existed before the date of enactment of
10 this Act.

11 (2) CLAIMS OF TRIBE.—Except as otherwise
12 provided in this section, nothing in this section al-
13 ters or affects any legal or equitable claim of the
14 Tribe to enforce any right or privilege reserved by,
15 or granted to, the Tribe that was wrongfully denied
16 to, or taken from, the Tribe before the date of enact-
17 ment of this Act.

18 (f) MEMBERSHIP ROLL.—

19 (1) IN GENERAL.—As a condition of receiving
20 recognition, services, and benefits pursuant to this
21 section, the Tribe shall submit to the Secretary, by
22 not later than 18 months after the date of enact-
23 ment of this Act, a membership roll consisting of the
24 name of each individual enrolled as a member of the
25 Tribe.

1 (2) DETERMINATION OF MEMBERSHIP.—The
 2 qualifications for inclusion on the membership roll of
 3 the Tribe shall be determined in accordance with
 4 sections 1 through 3 of article 5 of the constitution
 5 of the Tribe dated September 10, 1977 (including
 6 amendments to the constitution).

7 (3) MAINTENANCE OF ROLL.—The Tribe shall
 8 maintain the membership roll under this subsection.

9 (g) ACQUISITION OF LAND.—

10 (1) HOMELAND.—The Secretary shall acquire,
 11 for the benefit of the Tribe, trust title to 200 acres
 12 of land within the service area of the Tribe to be
 13 used for a tribal land base.

14 (2) ADDITIONAL LAND.—The Secretary may ac-
 15 quire additional land for the benefit of the Tribe
 16 pursuant to section 5 of the Act of June 18, 1934
 17 (25 U.S.C. 5108) (commonly known as the “Indian
 18 Reorganization Act”).

19 **SEC. 6021. PENSACOLA DAM AND RESERVOIR, GRAND**
 20 **RIVER, OKLAHOMA.**

21 (a) PURPOSE.—The purpose of this section is to clar-
 22 ify Federal authorities and responsibilities relating to the
 23 Pensacola Dam and Reservoir.

24 (b) DEFINITIONS.—In this section:

1 (1) COMMISSION.—The term “Commission”
2 means the Federal Energy Regulatory Commission.

3 (2) CONSERVATION POOL.—The term “con-
4 servation pool” means all land and water of Grand
5 Lake O’ the Cherokees, Oklahoma, below elevation
6 745 feet (Pensacola Datum).

7 (3) FLOOD POOL.—The term “flood pool”
8 means all land and water of Grand Lake O’ the
9 Cherokees, Oklahoma, between elevation 745 feet
10 and elevation 755 feet (Pensacola Datum).

11 (4) PROJECT.—The term “project” means the
12 Pensacola Hydroelectric Project (FERC No. 1494).

13 (5) SECRETARY.—The term “Secretary” means
14 the Secretary of the Army.

15 (c) CONSERVATION POOL MANAGEMENT.—

16 (1) FEDERAL LAND.—Notwithstanding section
17 3(2) of the Federal Power Act (16 U.S.C. 796(2)),
18 Federal land within the project boundary, including
19 any right, title, or interest in or to land held by the
20 United States for any purpose, shall not be consid-
21 ered to be—

22 (A) a reservation for purposes of section
23 4(e) of that Act (16 U.S.C. 797(e));

24 (B) land or other property of the United
25 States for purposes of recompensing the United

1 States for the use, occupancy, or enjoyment of
2 the land under section 10(e)(1) of that Act (16
3 U.S.C. 803(e)(1)); or

4 (C) land of the United States for purposes
5 of section 24 of that Act (16 U.S.C. 818).

6 (2) LICENSE CONDITIONS.—

7 (A) IN GENERAL.—Notwithstanding any
8 other provision of law, the Commission shall not
9 include in any license for the project any condi-
10 tion or other requirement relating to—

11 (i) surface elevations of the conserva-
12 tion pool; or

13 (ii) the flood pool (except to the ex-
14 tent it references flood control require-
15 ments prescribed by the Secretary); or

16 (iii) land or water above an elevation
17 of 750 feet (Pensacola Datum)

18 (B) EXCEPTION.—Notwithstanding sub-
19 paragraph (A)(i), the Commission shall, in con-
20 sultation with the licensee, prescribe flexible
21 target surface elevations of the conservation
22 pool to the extent necessary for the protection
23 of life, health, property, or the environment.

24 (3) PROJECT SCOPE.—

1 (A) LICENSING JURISDICTION.—The li-
2 censing jurisdiction of the Commission for the
3 project shall not extend to any land or water
4 outside the project boundary.

5 (B) OUTSIDE INFRASTRUCTURE.—Any
6 land, water, or physical infrastructure or other
7 improvement outside the project boundary shall
8 not be considered to be part of the project.

9 (C) BOUNDARY AMENDMENT.—

10 (i) IN GENERAL.—The Commission
11 shall amend the project boundary only on
12 request of the project licensee.

13 (ii) DENIAL OF REQUEST.—The Com-
14 mission may deny a request to amend a
15 project boundary under clause (i) if the
16 Commission determines that the request is
17 inconsistent with the requirements of part
18 I of the Federal Power Act (16 U.S.C. 792
19 et seq.).

20 (d) FLOOD POOL MANAGEMENT.—

21 (1) EXCLUSIVE JURISDICTION.—Notwith-
22 standing any other provision of law, the Secretary
23 shall have exclusive jurisdiction and responsibility
24 for management of the flood pool for flood control
25 operations at Grand Lake O' the Cherokees.

1 (2) PROPERTY ACQUISITION.—If a feasibility
2 study or other investigation determines that flood
3 control operations at or associated with Pensacola
4 Dam, including any backwater effect, may result in
5 the inundation of, or damage to, land outside the
6 project boundary to which the United States does
7 not hold flowage rights or holds insufficient flowage
8 rights, the project licensee shall not have any obliga-
9 tion to obtain or enhance those flowage rights.

10 (e) SAVINGS PROVISION.—Nothing in this section af-
11 fects, with respect to the project—

12 (1) any authority or obligation of the Secretary
13 or the Chief of Engineers pursuant to section 2 of
14 the Act of June 28, 1938 (commonly known as the
15 “Flood Control Act of 1938”) (33 U.S.C. 701c–1);

16 (2) any authority of the Secretary or the Chief
17 of Engineers pursuant to section 7 of the Act of De-
18 cember 22, 1944 (commonly known as the “Flood
19 Control Act of 1944”) (33 U.S.C. 709);

20 (3) any obligation of the United States to ob-
21 tain flowage or other property rights pursuant to the
22 Act of July 31, 1946 (60 Stat. 743, chapter 710);

23 (4) any obligation of the United States to ac-
24 quire flowage or other property rights for additional
25 reservoir storage pursuant to Executive Order 9839

1 (12 Fed. Reg. 2447; relating to the Grand River
2 Dam Project);

3 (5) any authority of the Secretary to acquire
4 real property interest pursuant to section 560 of the
5 Water Resources Development Act of 1996 (Public
6 Law 104–303; 110 Stat. 3783);

7 (6) any obligation of the Secretary to conduct
8 and pay the cost of a feasibility study pursuant to
9 section 449 of the Water Resources Development
10 Act of 2000 (Public Law 106–541; 114 Stat. 2641);

11 (7) the National Flood Insurance Program es-
12 tablished under the National Flood Insurance Act of
13 1968 (42 U.S.C. 4001 et seq.), including any policy
14 issued under that Act; or

15 (8) any disaster assistance made available
16 under the Robert T. Stafford Disaster Relief and
17 Emergency Assistance Act (42 U.S.C. 5121 et seq.)
18 or other Federal disaster assistance program.

19 **TITLE LXII—MATTERS RELAT-**
20 **ING TO FOREIGN NATIONS**

21 **SEC. 6201. STATEMENT OF POLICY AND SENSE OF SENATE**
22 **ON MUTUAL DEFENSE TREATY WITH THE RE-**
23 **PUBLIC OF THE PHILIPPINES.**

24 (a) STATEMENT OF POLICY.—It is the policy of the
25 United States that—

1 (1) while the United States has long adopted an
2 approach that takes no position on the ultimate dis-
3 position of the disputed sovereignty claims in the
4 South China Sea, disputing States should—

5 (A) resolve their disputes peacefully with-
6 out the threat or use of force; and

7 (B) ensure that their maritime claims are
8 consistent with international law; and

9 (2) an attack on the armed forces, public ves-
10 sels, or aircraft of the Republic of the Philippines in
11 the Pacific, including the South China Sea, would
12 trigger the mutual defense obligations of the United
13 States under Article IV of the Mutual Defense Trea-
14 ty between the Republic of the Philippines and the
15 United States of America, done at Washington Au-
16 gust 30, 1951, “to meet common dangers in accord-
17 ance with its constitutional processes”.

18 (b) SENSE OF SENATE.—It is the sense of the Senate
19 that the Secretary of State and the Secretary of Defense
20 should—

21 (1) affirm the commitment of the United States
22 to the Mutual Defense Treaty between the United
23 States and the Republic of the Philippines;

24 (2) preserve and strengthen the alliance of the
25 United States with the Republic of the Philippines;

1 (3) prioritize efforts to develop a shared under-
 2 standing of alliance commitments and defense plan-
 3 ning; and

4 (4) provide appropriate support to the Republic
 5 of the Philippines to strengthen the self-defense ca-
 6 pabilities of the Republic of the Philippines, particu-
 7 larly in the maritime domain.

8 **SEC. 6202. SENSE OF SENATE ON ENHANCED COOPERATION**
 9 **WITH PACIFIC ISLAND COUNTRIES TO ESTAB-**
 10 **LISH OPEN-SOURCE INTELLIGENCE FUSION**
 11 **CENTERS IN THE INDO-PACIFIC REGION.**

12 It is the sense of the Senate that—

13 (1) the Pacific Island countries in the Indo-Pa-
 14 cific region are critical partners of the United
 15 States;

16 (2) the United States should take steps to en-
 17 hance collaboration with Pacific Island countries;

18 (3) United States Indo-Pacific Command
 19 should pursue the establishment of one or more
 20 open-source intelligence fusion centers in the Indo-
 21 Pacific region to enhance cooperation with Pacific
 22 Island countries, which may include participation in
 23 an existing fusion center of a partner or ally in lieu
 24 of establishing an entirely new fusion center; and

1 (4) the United States should continue to sup-
2 port the political, economic, and security partner-
3 ships among Australia, New Zealand, and other Pa-
4 cific Island countries.

5 **SEC. 6203. TWO-YEAR EXTENSION OF PROGRAM AUTHORITY**
6 **FOR GLOBAL SECURITY CONTINGENCY FUND.**

7 (a) INEFFECTIVENESS OF SECTION 1203.—Section
8 1203, and the amendments made by that section, shall
9 have no force or effect.

10 (b) TWO-YEAR EXTENSION AND AVAILABILITY OF
11 FUNDS.—Section 1207 of the National Defense Author-
12 ization Act for Fiscal Year 2012 (22 U.S.C. 2151 note)
13 is amended—

14 (1) in subsection (i)—

15 (A) in paragraph (1), by striking “Sep-
16 tember 30, 2019” and inserting “September 30,
17 2021”; and

18 (B) by amending paragraph (2) to read as
19 follows:

20 “(2) EXCEPTION.—Amounts appropriated and
21 transferred to the Fund before September 30, 2019,
22 shall remain available for obligation and expenditure
23 after that date, but only for activities under pro-
24 grams commenced under subsection (b) before Sep-
25 tember 30, 2019.”; and

1 (2) in subsection (o)—

2 (A) in the first sentence, by striking “Sep-
3 tember 30, 2019” and inserting “September 30,
4 2021”; and

5 (B) in the second sentence, by striking
6 “through 2019” and inserting “through 2021”.

7 **SEC. 6204. REPEAL OF PROHIBITION ON TRANSFER OF AR-**
8 **TICLES ON THE UNITED STATES MUNITIONS**
9 **LIST TO THE REPUBLIC OF CYPRUS.**

10 (a) SENSE OF THE SENATE ON CYPRUS.—It is the
11 sense of the Senate that—

12 (1) allowing for the export, re-export or trans-
13 fer of arms subject to the United States Munitions
14 List (part 121 of title 22, Code of Federal Regula-
15 tions) to the Republic of Cyprus would advance
16 United States security interests in Europe by help-
17 ing to reduce the dependence of the Government of
18 the Republic of Cyprus on other countries, including
19 countries that pose challenges to United States in-
20 terests around the world, for defense-related mate-
21 riel; and

22 (2) it is in the interest of the United States—

23 (A) to continue to support United Nations-
24 facilitated efforts toward a comprehensive solu-
25 tion to the division of Cyprus; and

1 (B) for the Republic of Cyprus to join
2 NATO's Partnership for Peace program.

3 (b) MODIFICATION OF PROHIBITION.—Section
4 620C(e) of the Foreign Assistance Act of 1961 (22 U.S.C.
5 2373(e)) is amended—

6 (1) in paragraph (1), by striking “Any agree-
7 ment” and inserting “Except as provided in para-
8 graph (3), any agreement”; and

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

11 “(3) The requirement under paragraph (1) shall not
12 apply to any sale or other provision of any defense article
13 or defense service to Cyprus if the end-user of such de-
14 fense article or defense service is the Government of the
15 Republic of Cyprus.”.

16 (c) EXCLUSION OF THE GOVERNMENT OF THE RE-
17 PUBLIC OF CYPRUS FROM CERTAIN RELATED REGULA-
18 TIONS.—

19 (1) IN GENERAL.—Subject to subsection (d)
20 and except as provided in paragraph (2), beginning
21 on the date of the enactment of this Act, the Sec-
22 retary of State shall not apply a policy of denial for
23 exports, re-exports, or transfers of defense articles
24 and defense services destined for or originating in
25 the Republic of Cyprus if—

1 (A) the request is made by or on behalf of
2 the Government of the Republic of Cyprus; and

3 (B) the end-user of such defense articles or
4 defense services is the Government of the Re-
5 public of Cyprus.

6 (2) EXCEPTION.—This exclusion shall not apply
7 to any denial based upon credible human rights con-
8 cerns.

9 (d) LIMITATIONS ON THE TRANSFER OF ARTICLES
10 ON THE UNITED STATES MUNITIONS LIST TO THE RE-
11 PUBLIC OF CYPRUS.—

12 (1) IN GENERAL.—The policy of denial for ex-
13 ports, re-exports, or transfers of defense articles on
14 the United States Munitions List to the Republic of
15 Cyprus shall remain in place unless the President
16 determines and certifies to the appropriate congres-
17 sional committees not less than annually that—

18 (A) the Government of the Republic of Cy-
19 prus is continuing to cooperate with the United
20 States Government in efforts to implement re-
21 forms on anti-money laundering regulations and
22 financial regulatory oversight; and

23 (B) the Government of the Republic of Cy-
24 prus has made and is continuing to take the

1 steps necessary to deny Russian military vessels
2 access to ports for refueling and servicing.

3 (2) WAIVER.—The President may waive the
4 limitations contained in this subsection for one fiscal
5 year if the President determines that it is essential
6 to the national security interests of the United
7 States to do so.

8 (3) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES DEFINED.—In this section, the term “appro-
10 priate congressional committees” means—

11 (A) the Committee on Foreign Relations
12 and the Committee on Armed Services of the
13 Senate; and

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

17 **SEC. 6205. UNITED STATES-INDIA DEFENSE COOPERATION**
18 **IN THE WESTERN INDIAN OCEAN.**

19 (a) REPORT.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, the Sec-
22 retary of Defense shall submit to the relevant con-
23 gressional committees a report on defense coopera-
24 tion between the United States and India in the
25 Western Indian Ocean.

1 (2) MATTERS TO BE INCLUDED.—The report
2 required by paragraph (1) shall include the fol-
3 lowing:

4 (A) A description of military activities of
5 the United States and India, separately, in the
6 Western Indian Ocean.

7 (B) A description of military cooperation
8 activities between the United States and India
9 in the areas of humanitarian assistance, counter
10 terrorism, counter piracy, maritime security,
11 and other areas as the Secretary determines ap-
12 propriate.

13 (C) A description of how the relevant geo-
14 graphic combatant commands coordinate their
15 activities with the Indian military in the West-
16 ern Indian Ocean.

17 (D) A description of the mechanisms in
18 place to ensure the relevant geographic combat-
19 ant commands maximize defense cooperation
20 with India in the Western Indian Ocean.

21 (E) Areas of future opportunity to increase
22 military engagement with India in the Western
23 Indian Ocean.

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

4 (b) MILITARY COOPERATION AGREEMENTS; CON-
 5 DUCT OF REGULAR JOINT MILITARY TRAINING AND OP-
 6 ERATIONS.—The Secretary of Defense is authorized to
 7 enter into military cooperation agreements and to conduct
 8 regular joint military training and operations with India
 9 in the Western Indian Ocean on behalf of the United
 10 States Government, and after consultation with the Sec-
 11 retary of State.

12 (c) MECHANISMS TO MAXIMIZE DEFENSE COOPERA-
 13 TION.—The Secretary of Defense shall ensure that the rel-
 14 evant geographic combatant commands have proper mech-
 15 anisms in place to maximize defense cooperation with
 16 India in the Western Indian Ocean.

17 (d) DEFINITIONS.—In this section:

18 (1) RELEVANT CONGRESSIONAL COMMIT-
 19 TEES.—The term “relevant congressional commit-
 20 tees” means—

21 (A) the Committee on Foreign Affairs, the
 22 Committee on Armed Services, and the Com-
 23 mittee on Appropriations of the House of Rep-
 24 resentatives; and

1 (B) the Committee on Foreign Relations,
2 the Committee on Armed Services, and the
3 Committee on Appropriations of the Senate.

4 (2) RELEVANT GEOGRAPHIC COMBATANT COM-
5 MANDS.—The term “relevant geographic combatant
6 commands” means the United States Indo-Pacific
7 Command, United States Central Command, and
8 United States Africa Command.

9 (3) WESTERN INDIAN OCEAN.—The term
10 “Western Indian Ocean” means the area in the In-
11 dian Ocean extending from the west coast of India
12 to the east coast of Africa.

13 **SEC. 6206. EXPANSION OF AVAILABILITY OF FINANCIAL AS-**
14 **SETS OF IRAN TO VICTIMS OF TERRORISM.**

15 (a) FINDINGS.—Congress makes the following find-
16 ings:

17 (1) On October 23, 1983, terrorists sponsored
18 by the Government of Iran bombed the United
19 States Marine barracks in Beirut, Lebanon. The ter-
20 rorists killed 241 servicemen and injured scores
21 more.

22 (2) Those servicemen were killed or injured
23 while on a peacekeeping mission.

1 (3) Terrorism sponsored by the Government of
2 Iran threatens the national security of the United
3 States.

4 (4) The United States has a vital interest in en-
5 suring that members of the Armed Forces killed or
6 injured by such terrorism, and the family members
7 of such members, are able to seek justice.

8 (b) AMENDMENTS.—Section 502 of the Iran Threat
9 Reduction and Syria Human Rights Act of 2012 (22
10 U.S.C. 8772) is amended—

11 (1) in subsection (a)(1)—

12 (A) in subparagraph (A), by striking “in
13 the United States” and inserting “by or”;

14 (B) in subparagraph (B), by inserting “,
15 or an asset that would be blocked if the asset
16 were located in the United States,” after
17 “unblocked”); and

18 (C) in the flush text at the end—

19 (i) by inserting after “in aid of execu-
20 tion” the following: “, or to an order di-
21 recting that the asset be brought to the
22 State in which the court is located and
23 subsequently to execution or attachment in
24 aid of execution,”; and

1 (ii) by inserting “, without regard to
 2 concerns relating to international comity”
 3 after “resources for such an act”;

4 (2) in subsection (b)—

5 (A) by striking “that are identified” and
 6 inserting the following: “that are—
 7 “(1) identified”;

8 (B) by striking the period at the end and
 9 inserting “; and”; and

10 (C) by adding at the end the following:

11 “(2) identified in and the subject of proceedings
 12 in the United States District Court for the Southern
 13 District of New York in Peterson et al. v. Islamic
 14 Republic of Iran et al., Case No. 13 Civ. 9195
 15 (LAP).”; and

16 (3) by striking subsection (e).

17 **SEC. 6207. REPORT ON EXPORT OF CERTAIN SATELLITES**
 18 **TO ENTITIES WITH CERTAIN BENEFICIAL**
 19 **OWNERSHIP STRUCTURES.**

20 (a) IN GENERAL.—Not later than 180 days after the
 21 date of the enactment of this Act, the Secretary of Com-
 22 merce, in consultation with the heads of appropriate agen-
 23 cies, shall submit to the appropriate congressional commit-
 24 tees a report on addressing the threat or potential threat
 25 posed by the export, reexport, or in-country transfer of

1 satellites described in section 1261(c)(1) of the National
2 Defense Authorization Act for Fiscal Year 2013 (Public
3 Law 112–239; 22 U.S.C. 2778 note) to entities described
4 in subsection (b).

5 (b) ENTITIES DESCRIBED.—

6 (1) IN GENERAL.—An entity described in this
7 subsection is an entity the beneficial owner of which
8 is—

9 (A) an individual who is a citizen or na-
10 tional of a country described in section
11 1261(c)(2) of the National Defense Authoriza-
12 tion Act for Fiscal Year 2013;

13 (B) an entity organized under the laws of
14 or otherwise subject to the jurisdiction of such
15 a country;

16 (C) the government of such a country; or

17 (D) any other individual or entity the Sec-
18 retary determines may detrimentally affect the
19 national security of the United States.

20 (2) DETERMINATION OF BENEFICIAL OWNER-
21 SHIP.—For purposes of paragraph (1), the Secretary
22 shall identify a person as the beneficial owner of an
23 entity—

24 (A) in a manner that is not less stringent
25 than the manner set forth in section 240.13d–

1 3 of title 17, Code of Federal Regulations (as
2 in effect on the date of the enactment of this
3 Act); and

4 (B) based on a threshold, to be determined
5 by the Secretary, based on an assessment of
6 whether the person's position would give the
7 person an opportunity to control the use of a
8 satellite described in section 1261(c)(1) of the
9 National Defense Authorization Act for Fiscal
10 Year 2013 and exported, reexported, or trans-
11 ferred in country to the entity.

12 (c) ELEMENTS.—The report required by subsection
13 (a) shall include the following:

14 (1) An evaluation of whether satellites described
15 in section 1261(c)(1) of the National Defense Au-
16 thorization Act for Fiscal Year 2013 have been ex-
17 ported, reexported, or transferred in-country, di-
18 rectly or indirectly, to entities described in sub-
19 section (b).

20 (2) An examination of the effect on national se-
21 curity of the potential export, reexport, or in-country
22 transfer of satellites in compliance with section
23 1261(c) of the National Defense Authorization Act
24 for Fiscal Year 2013 in circumstances in which the
25 services, bandwidth, or functions of the satellites

1 could subsequently be leased or sold to, or otherwise
2 used by, an entity described in subsection (b).

3 (3) An examination of the effect on national se-
4 curity of not limiting the export, reexport, or in-
5 country transfer of such satellites to entities de-
6 scribed in subsection (b).

7 (4) Recommendations for, and an assessment of
8 the effectiveness of, a licensing condition that would
9 prohibit or limit the export, reexport, or in-country
10 transfer of such satellites to, or the use of such sat-
11 ellites by, entities described in subsection (b).

12 (5) An assessment, based on realistic and jus-
13 tifiable assumptions and forecasts, of the economic
14 implications of and potential harm caused by a li-
15 censing condition described in paragraph (4) on the
16 United States industries that develop or produce sat-
17 ellites and commercial telecommunications equip-
18 ment that do not have direct national security ties,
19 including any costs identified under paragraph (3).

20 (6) An evaluation of the resources necessary to
21 ensure the ability of the Bureau of Industry and Se-
22 curity of the Department of Commerce—

23 (A) to adequately identify and analyze the
24 beneficial owners of entities in decisions relating
25 to—

1 (i) issuing licenses for the export, re-
2 export, or in-country transfer of such sat-
3 ellites to such entities; or

4 (ii) the ultimate end uses and end-
5 users of such satellites; and

6 (B) when evaluating such a decision—

7 (i) to have full knowledge of the po-
8 tential end-user of the satellite and the
9 current beneficial owner of the entity; and

10 (ii) to be able to determine whether
11 issuing the license would be inconsistent
12 with the goal of preventing entities de-
13 scribed in subsection (b) from accessing or
14 using such satellites.

15 (d) FORM.—The report required by subsection (a)
16 shall be submitted in unclassified form, but may include
17 a classified annex.

18 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
19 FINED.—In this section, the term “appropriate congres-
20 sional committees” means—

21 (1) the Committee on Armed Services, the
22 Committee on Banking, Housing, and Urban Af-
23 fairs, the Committee on Commerce, Science, and
24 Transportation, the Committee on Foreign Rela-

1 tions, and the Select Committee on Intelligence of
2 the Senate; and

3 (2) the Committee on Armed Services, the
4 Committee on Financial Services, the Committee on
5 Energy and Commerce, the Committee on Foreign
6 Affairs, and the Permanent Select Committee on In-
7 telligence of the House of Representatives.

8 **SEC. 6208. SENSE OF CONGRESS ON HONG KONG PORT VIS-**
9 **ITS.**

10 It is the sense of Congress that the Department of
11 Defense should continue to make regular requests to the
12 Government of the People's Republic of China for the
13 Navy to conduct port calls to Hong Kong, including
14 United States aircraft carrier visits.

15 **SEC. 6209. SENSE OF CONGRESS ON POLICY TOWARD HONG**
16 **KONG.**

17 (a) FINDINGS.—Congress makes the following find-
18 ings:

19 (1) The United States policy toward Hong
20 Kong is guided by the United States-Hong Kong
21 Policy Act of 1992 (Public Law 102–383; 106 Stat.
22 1448) (referred to in this section as the “Act”),
23 which reaffirms that “The Hong Kong Special Ad-
24 ministrative Region of the People's Republic of
25 China, beginning on July 1, 1997, will continue to

1 enjoy a high degree of autonomy on all matters
2 other than defense and foreign affairs.”.

3 (2) The Act furthermore states that “The
4 human rights of the people of Hong Kong are of
5 great importance to the United States and are di-
6 rectly relevant to United States interests in Hong
7 Kong.”.

8 (3) Pursuant to section 301 of the Act (22
9 U.S.C. 5731), the annual report issued by the De-
10 partment of State on developments in Hong Kong
11 (referred to in this section as the “Report”), re-
12 leased on March 21, 2019, states that “Cooperation
13 between the United States Government and the
14 Hong Kong government remains broad and effective
15 in many areas, providing significant benefits to the
16 United States economy and homeland security.”.

17 (4) The Report states that “the Chinese main-
18 land central government implemented or instigated a
19 number of actions that appeared inconsistent with
20 China’s commitments in the Basic Law, and in the
21 Sino-British Joint Declaration of 1984, to allow
22 Hong Kong to exercise a high degree of autonomy.”.

23 (5) The Report furthermore states that the
24 “Hong Kong authorities took actions aligned with
25 mainland priorities at the expense of human rights

1 and fundamental freedoms. There were particular
2 setbacks in democratic electoral processes, freedom
3 of expression, and freedom of association.”.

4 (6) On June 10, 2019, the spokesperson for the
5 Department of State issued a statement expressing
6 “grave concern about the Hong Kong government’s
7 proposed amendments to its Fugitive Offenders Or-
8 dinance, which, if passed, would permit Chinese au-
9 thorities to request the extradition of individuals to
10 mainland China.”.

11 (7) According to media reports, in June 2019,
12 over 1,000,000 residents of Hong Kong have taken
13 part in demonstrations against the proposed amend-
14 ments to the Fugitive Offenders Ordinance.

15 (b) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that—

17 (1) the government of the People’s Republic of
18 China and the Hong Kong Special Administrative
19 Region of the People’s Republic of China authorities
20 should immediately cease taking all actions that un-
21 dermine Hong Kong’s autonomy and negatively im-
22 pact the protections of fundamental human rights,
23 freedoms, and democratic values of the people of
24 Hong Kong, as enshrined in the Act, Hong Kong’s

1 Basic Law of 1997, and the Sino-British Joint Dec-
2 laration of 1984;

3 (2) the Hong Kong Special Administrative Re-
4 gion of the People's Republic of China authorities
5 should immediately withdraw from consideration the
6 proposed amendments to its Fugitive Offenders Or-
7 dinance and refrain from any unwarranted use of
8 force against the protestors that is inconsistent with
9 internationally recognized law enforcement best
10 practices; and

11 (3) the United States should impose financial
12 sanctions, visa bans, and other punitive economic
13 measures against all individuals or entities violating
14 the fundamental human rights and freedoms of the
15 people of Hong Kong, consistent with United States
16 and international law.

17 **SEC. 6210. EXTENSION AND MODIFICATION OF LIMITATION**
18 **ON MILITARY COOPERATION BETWEEN THE**
19 **UNITED STATES AND THE RUSSIAN FEDERA-**
20 **TION.**

21 Section 1232(a) of the National Defense Authoriza-
22 tion Act for Fiscal Year 2017 (Public Law 114–328; 130
23 Stat. 2488), as most recently amended by section 1247
24 of the John S. McCain National Defense Authorization

1 Act for Fiscal Year 2019 (Public Law 115–232), is fur-
2 ther amended—

3 (1) in the matter preceding paragraph (1), by
4 striking “fiscal year 2017, 2018, or 2019” and in-
5 serting “fiscal year 2017, 2018, 2019, or 2020”;

6 (2) in paragraph (1) by striking “; and”;

7 (3) in paragraph (2) by striking the period at
8 the end and inserting “; and”; and

9 (4) by adding at the end the following new
10 paragraph:

11 “(3) the Russian Federation has released the
12 24 Ukrainian sailors captured in the Kerch Strait on
13 November 25, 2018.”.

14 **SEC. 6211. REVIEW AND REPORT ON OBLIGATIONS OF THE**
15 **UNITED STATES UNDER TAIWAN RELATIONS**
16 **ACT.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) Taiwan is a vital partner of the United
20 States and a critical element of the free and open
21 Indo-Pacific region;

22 (2) for 40 years, the Taiwan Relations Act (22
23 U.S.C. 3301 et seq.) has secured peace, stability,
24 and prosperity and provided enormous benefits to

1 the United States, Taiwan, and the Indo-Pacific re-
2 gion; and

3 (3) the United States should reaffirm that the
4 policy of the United States toward diplomatic rela-
5 tions with the People's Republic of China rests upon
6 the expectation that the future of Taiwan will be de-
7 termined by peaceful means, as described in that Act
8 (22 U.S.C. 3301 et seq.).

9 (b) REVIEW.—The Secretary of Defense, in coordina-
10 tion with the Secretary of State, shall conduct a review
11 of—

12 (1) whether, and the means by which, as appli-
13 cable, the Government of the People's Republic of
14 China is affecting, including through military, eco-
15 nomic, information, digital, diplomatic, or any other
16 form of coercion—

17 (A) the security, or the social and eco-
18 nomic system, of the people of Taiwan;

19 (B) the military balance of power between
20 the People's Republic of China and Taiwan; or

21 (C) the expectation that the future of Tai-
22 wan will continue to be determined by peaceful
23 means; and

24 (2) the role of United States policy toward Tai-
25 wan with respect to the implementation of the 2017

1 National Security Strategy and the 2018 National
2 Defense Strategy.

3 (c) REPORT.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of Defense, in coordination with the Secretary
7 of State, shall provide to the appropriate committees
8 of Congress a report on the review under subsection
9 (b).

10 (2) MATTERS TO BE INCLUDED.—The report
11 under paragraph (1) shall include the following:

12 (A) Recommendations on legislative
13 changes or Department of Defense or Depart-
14 ment of State policy changes necessary to en-
15 sure that the United States continues to meets
16 its obligations to Taiwan under the Taiwan Re-
17 lations Act (22 U.S.C. 3301 et seq.).

18 (B) Guidelines for—

19 (i) new defense requirements, includ-
20 ing requirements relating to information
21 and digital space;

22 (ii) exchanges between senior-level ci-
23 vilian and military officials of the United
24 States and Taiwan; and

1 (iii) the regular transfer of defense ar-
2 ticles, especially defense articles that are
3 mobile, survivable, and cost effective, to
4 most effectively deter attacks and support
5 the asymmetric defense strategy of Tai-
6 wan.

7 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
8 FINED.—In this section, the term “appropriate commit-
9 tees of Congress” means—

10 (1) the Committee on Armed Services and the
11 Committee on Foreign Relations of the Senate; and

12 (2) the Committee on Armed Services and the
13 Committee on Foreign Affairs of the House of Rep-
14 resentatives.

15 **SEC. 6212. IMPLEMENTATION OF THE ASIA REASSURANCE**
16 **INITIATIVE ACT WITH REGARD TO TAIWAN**
17 **ARMS SALES.**

18 (a) FINDINGS.—Congress makes the following find-
19 ings:

20 (1) The Department of Defense Indo-Pacific
21 Strategy Report, released on June 1, 2019, states:
22 “[T]he Asia Reassurance Initiative Act, a major bi-
23 partisan legislation, was signed into law by Presi-
24 dent Trump on December 31, 2018. This legislation
25 enshrines a generational whole-of-government policy

1 framework that demonstrates U.S. commitment to a
2 free and open Indo-Pacific region and includes ini-
3 tiatives that promote sovereignty, rule of law, de-
4 mocracy, economic engagement, and regional secu-
5 rity.”.

6 (2) The Indo-Pacific Strategy Report further
7 states: “The United States has a vital interest in up-
8 holding the rules-based international order, which in-
9 cludes a strong, prosperous, and democratic Tai-
10 wan. . .The Department [of Defense] is committed
11 to providing Taiwan with defense articles and serv-
12 ices in such quantity as may be necessary to enable
13 Taiwan to maintain a sufficient self-defense capa-
14 bility.”.

15 (3) Section 209(b) of the Asia Reassurance Ini-
16 tiative Act of 2018 (Public Law 115–409), signed
17 into law on December 31, 2018—

18 (A) builds on longstanding commitments
19 enshrined in the Taiwan Relations Act (22
20 U.S.C. 3301 et seq.) to provide Taiwan with de-
21 fense articles; and

22 (B) states: “The President should conduct
23 regular transfers of defense articles to Taiwan
24 that are tailored to meet the existing and likely
25 future threats from the People’s Republic of

1 China, including supporting the efforts of Tai-
2 wan to develop and integrate asymmetric capa-
3 bilities, as appropriate, including mobile, surviv-
4 able, and cost-effective capabilities, into its mili-
5 tary forces.”.

6 (b) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that—

8 (1) the Asia Reassurance Initiative Act of 2018
9 (Public Law 115–409) has recommitted the United
10 States to support the close, economic, political, and
11 security relationship between the United States and
12 Taiwan; and

13 (2) the United States should fully implement
14 the provisions of that Act with regard to regular de-
15 fensive arms sales to Taiwan.

16 (c) BRIEFING.—Not later than 30 days after the date
17 of the enactment of this Act, the Secretary of State and
18 the Secretary of Defense, or their designees, shall brief
19 the appropriate committees of Congress on the efforts to
20 implement section 209(b) of the Asia Reassurance Initia-
21 tive Act of 2018 (Public Law 115–409).

22 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
23 FINED.—In this section, the term “appropriate commit-
24 tees of Congress” means—

1 (1) the Committee on Armed Services and the
2 Committee on Foreign Relations of the Senate; and
3 (2) the Committee on Armed Services and the
4 Committee on Foreign Affairs of the House of Rep-
5 resentatives.

6 **SEC. 6213. NORTH ATLANTIC TREATY ORGANIZATION JOINT**
7 **FORCES COMMAND.**

8 (a) IN GENERAL.—Subchapter II of chapter 16 of
9 title 10, United States Code, is amended by adding at the
10 end the following new section:

11 **“§ 314 North Atlantic Treaty Organization Joint**
12 **Forces Command**

13 “(a) AUTHORIZATION.—The Secretary of Defense
14 shall authorize the establishment of, and the participation
15 by members of the armed forces in, the North Atlantic
16 Treaty Organization Joint Forces Command (in this sec-
17 tion referred to as the ‘Joint Forces Command’), to be
18 established in the United States.

19 “(b) USE OF DEPARTMENT OF DEFENSE FACILITIES
20 AND EQUIPMENT.—The Secretary may use facilities and
21 equipment of the Department of Defense to support the
22 Joint Forces Command.

23 “(c) AVAILABILITY OF FUNDS.—Amounts authorized
24 to be appropriated to the Department of Defense for fiscal

1 year 2020 shall be available to carry out the purposes of
2 this section.”.

3 (b) CONFORMING AMENDMENT.—The table of sec-
4 tions at the beginning of subchapter II of chapter 16 of
5 title 10, United States Code, is amended by adding at the
6 end the following new item:

“314. North Atlantic Treaty Organization Joint Forces Command.”.

7 **SEC. 6214. REPORT ON MILITARY ACTIVITIES OF THE RUS-**
8 **SIAN FEDERATION AND THE PEOPLE’S RE-**
9 **PUBLIC OF CHINA IN THE ARCTIC REGION.**

10 (a) IN GENERAL.—Not later than 180 days after the
11 date of the enactment of this Act, the Secretary of De-
12 fense, in consultation with the Secretary of State and the
13 Director of National Intelligence, shall submit to the ap-
14 propriate committees of Congress the following:

15 (1) A report on the military activities of the
16 Russian Federation in the Arctic region.

17 (2) A report on the military activities of the
18 People’s Republic of China in the Arctic region.

19 (b) MATTERS TO BE INCLUDED.—The reports under
20 subsection (a) shall include, with respect to the Russian
21 Federation or the People’s Republic of China, as applica-
22 ble, the following:

23 (1) A description of military activities of such
24 country in the Arctic region, including—

1 (A) the emplacement of military infrastruc-
2 ture, equipment, or forces;

3 (B) any exercises or other military activi-
4 ties; and

5 (C) activities that are non-military in na-
6 ture, but are considered to have military impli-
7 cations.

8 (2) An assessment of—

9 (A) the intentions of such activities;

10 (B) the extent to which such activities af-
11 fect or threaten the interests of the United
12 States and allies in the Arctic region; and

13 (C) any response to such activities by the
14 United States or allies.

15 (3) A description of future plans and require-
16 ments with respect to such activities.

17 (c) FORM.—Each report under subsection (a) shall
18 be submitted in classified form, but may include an un-
19 classified executive summary.

20 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
21 FINED.—In this section, the term “appropriate commit-
22 tees of Congress” means—

23 (1) the Committee on Armed Services, the
24 Committee on Foreign Relations, the Committee on

1 Appropriations, and the Select Committee on Intel-
2 ligence of the Senate; and

3 (2) the Committee on Armed Services, the
4 Committee on Foreign Affairs, the Committee on
5 Appropriations, and the Permanent Select Com-
6 mittee on Intelligence of the House of Representa-
7 tives.

8 **SEC. 6215. EFFORTS TO ENSURE MEANINGFUL PARTICIPA-**
9 **TION OF AFGHAN WOMEN IN PEACE NEGO-**
10 **TIATIONS IN AFGHANISTAN.**

11 (a) IN GENERAL.—The Secretary of State, in coordi-
12 nation with the Secretary of Defense, shall carry out ac-
13 tivities to ensure the meaningful participation of Afghan
14 women in the ongoing peace process in Afghanistan in a
15 manner consistent with the Women, Peace, and Security
16 Act of 2017 (22 U.S.C. 2151 note; Public Law 115–68),
17 which shall include—

18 (1) continued United States Government advo-
19 cacy for the inclusion of Afghan women leaders in
20 ongoing and future negotiations to end the conflict
21 in Afghanistan; and

22 (2) support for the inclusion of constitutional
23 protections on women’s and girls’ human rights that
24 ensure their freedom of movement, rights to edu-
25 cation and work, political participation, and access

1 to healthcare and justice in any agreement reached
2 through intra-Afghan negotiations, including nego-
3 tiations with the Taliban.

4 (b) REPORT.—Not later than 180 days after the date
5 of the enactment of this Act, the Secretary of State, in
6 coordination with the Secretary of Defense, shall submit
7 to the appropriate committees of Congress a report de-
8 scribing the steps taken to fulfill the duties of the Sec-
9 retary of State and the Secretary of Defense under sub-
10 section (a).

11 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
12 FINED.—In this section, the term “appropriate commit-
13 tees of Congress” means—

14 (1) the Committee on Armed Services and the
15 Committee on Foreign Relations of the Senate; and

16 (2) the Committee on Armed Services and the
17 Committee on Foreign Affairs of the House of Rep-
18 resentatives.

19 **SEC. 6216. UPDATED STRATEGY TO COUNTER THE THREAT**
20 **OF MALIGN INFLUENCE BY THE RUSSIAN**
21 **FEDERATION AND OTHER COUNTRIES.**

22 (a) IN GENERAL.—The Secretary of Defense and the
23 Secretary of State, in coordination with the appropriate
24 United States Government officials, shall jointly update,
25 with the additional elements described in subsection (b),

1 the comprehensive strategy to counter the threat of malign
2 influence developed pursuant to section 1239A of the Na-
3 tional Defense Authorization Act for Fiscal Year 2018
4 (Public Law 115–91; 131 Stat. 1667).

5 (b) ADDITIONAL ELEMENTS.—The updated strategy
6 required under subsection (a) shall include the following:

7 (1) With respect to each element specified in
8 paragraphs (1) through (7) of subsection (b) of such
9 section 1239A, actions to counter the threat of ma-
10 lign influence operations by the People’s Republic of
11 China and any other country engaged in significant
12 malign influence operations.

13 (2) A description of the interagency organiza-
14 tional structures and procedures for coordinating the
15 implementation of the comprehensive strategy for
16 countering malign influence by the Russian Federa-
17 tion, the People’s Republic of China, and any other
18 country engaged in significant malign influence op-
19 erations.

20 (c) REPORT.—Not later than 180 days after the date
21 of the enactment of this Act, the Secretary of Defense and
22 the Secretary of State shall jointly submit to the appro-
23 priate committees of Congress a report detailing the up-
24 dated strategy required under subsection (a).

1 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
 2 FINED.—In this section, the term “appropriate commit-
 3 tees of Congress” has the meaning given the term in sub-
 4 section (e) of such section 1239A.

5 **SEC. 6217. MODIFICATION OF SEMIANNUAL REPORT ON EN-**
 6 **HANCING SECURITY AND STABILITY IN AF-**
 7 **GHANISTAN.**

8 Paragraph (1) of section 1225(b) of the Carl Levin
 9 and Howard P. “Buck” McKeon National Defense Au-
 10 thorization Act for Fiscal Year 2015 (Public Law 113–
 11 291; 127 Stat. 3550) is amended—

12 (1) in the paragraph heading by inserting “AND
 13 TAKING INTO ACCOUNT THE AUGUST 2017 STRATEGY
 14 OF THE UNITED STATES” after “2014”; and

15 (2) in subparagraph (B)—

16 (A) by striking the period at the end and
 17 inserting a semicolon;

18 (B) by striking “in the assessment of any
 19 such” and inserting “in the assessment of—

20 “(i) any such”; and

21 (C) by adding at the end the following new
 22 clauses:

23 “(ii) the United States counterter-
 24 rorism mission; and

1 “(iii) efforts by the Department of
 2 Defense to support reconciliation efforts
 3 and develop conditions for the expansion of
 4 the reach of the Government of Afghani-
 5 stan throughout Afghanistan.”.

6 **SEC. 6218. SENSE OF CONGRESS ON ACQUISITION BY TUR-**
 7 **KEY OF S-400 AIR DEFENSE SYSTEM.**

8 It is the sense of Congress that—

9 (1) Turkey is an important North Atlantic
 10 Treaty Organization ally and military partner;

11 (2) the acquisition by the Government of Tur-
 12 key of the S-400 air defense system from the Rus-
 13 sian Federation—

14 (A) undermines—

15 (i) the security interests of the United
 16 States; and

17 (ii) the air defense of Turkey;

18 (B) weakens the interoperability of the
 19 North Atlantic Treaty Organization; and

20 (C) is incompatible with the plan of the
 21 Government of Turkey—

22 (i) to accept delivery of and operate
 23 the F-35 aircraft; and

24 (ii) to continue to participate in F-35
 25 aircraft production and maintenance;

1 (3) the United States and other member coun-
2 tries of the North Atlantic Treaty Organization have
3 put forth several viable and competitive proposals to
4 protect the vulnerable airspace of Turkey and to en-
5 sure the security and integrity of Turkey as a North
6 Atlantic Treaty Organization ally;

7 (4) Russian Federation aggression on the pe-
8 riphery of Turkey, including in Georgia, Ukraine,
9 the Black Sea, and Syria, and especially the indis-
10 criminate bombing by the Russian Federation of the
11 Idlib province of Syria on the border of Turkey and
12 the incursions of Russian Federation warplanes into
13 the airspace of Turkey on November 24, 2015, and
14 other occasions, endangers the security of Turkey;

15 (5) the termination of the participation of Tur-
16 key in the F-35 program and supply chain, which
17 may still be avoided if the Government of Turkey
18 abandons its planned acquisition of the S-400 air
19 defense system, would cause significant harm to the
20 growing defense industry and economy of Turkey;
21 and

22 (6) if the Government of Turkey accepts deliv-
23 ery of the S-400 air defense system—

24 (A) such acceptance would—

1 (i) constitute a significant transaction
2 within the meaning of section 231(a) of
3 the Countering Russian Influence in Eu-
4 rope and Eurasia Act of 2017 (22 U.S.C.
5 9525(a));

6 (ii) endanger the integrity of the
7 North Atlantic Treaty Organization Alli-
8 ance and pose a significant threat to Tur-
9 key;

10 (iii) adversely affect ongoing oper-
11 ations of the United States Armed Forces,
12 including coalition operations in which the
13 United States Armed Forces participate;

14 (iv) result in a significant impact to
15 defense cooperation between the United
16 States and Turkey; and

17 (v) significantly increase the risk of
18 compromising United States defense sys-
19 tems and operational capabilities; and

20 (B) the President should fully implement
21 the Countering Russian Influence in Europe
22 and Eurasia Act of 2017 (Public Law 115–44;
23 131 Stat. 886) by imposing and applying sanc-
24 tions under section 235 of that Act (22 U.S.C.
25 9529) with respect to any individual or entity

1 determined to have engaged in such significant
 2 transaction as if such person were a sanctioned
 3 person for purposes of such section.

4 **SEC. 6219. MODIFICATION OF INITIATIVE TO SUPPORT PRO-**
 5 **TECTION OF NATIONAL SECURITY ACADEMIC**
 6 **RESEARCHERS FROM UNDUE INFLUENCE**
 7 **AND OTHER SECURITY THREATS.**

8 Paragraph (2) of section 1286(c) of the John S.
 9 McCain National Defense Authorization Act for Fiscal
 10 Year 2019 (Public Law 115–232) is amended to read as
 11 follows:

12 “(2) Training, developed and delivered in con-
 13 sultation with academic institutions, and other sup-
 14 port to academic institutions to promote security
 15 and limit undue influence on institutions and per-
 16 sonnel, including financial support for execution for
 17 such activities, that—

18 “(A) emphasizes best practices for protec-
 19 tion of sensitive national security information;
 20 and

21 “(B) includes the dissemination of unclas-
 22 sified publications and resources for identifying
 23 and protecting against emerging threats to aca-
 24 demic research institutions, including specific
 25 counterintelligence guidance developed for fac-

1 ulty and academic researchers based on specific
2 threats.”.

3 **SEC. 6231. PROHIBITION ON AVAILABILITY OF FUNDS RE-**
4 **LATING TO SOVEREIGNTY OF THE RUSSIAN**
5 **FEDERATION OVER CRIMEA.**

6 The text of subsection (a) of section 1231 is hereby
7 deemed to read as follows:

8 “(a) PROHIBITION.—None of the funds authorized to
9 be appropriated by this Act for fiscal year 2020 for the
10 Department of Defense may be obligated or expended to
11 implement any activity that recognizes the sovereignty of
12 the Russian Federation over Crimea, and the Department
13 may not otherwise implement any such activity.”.

14 **SEC. 6236. LIMITATION ON TRANSFER OF F-35 AIRCRAFT**
15 **TO THE REPUBLIC OF TURKEY.**

16 The text of subsection (a) of section 1236 preceding
17 paragraph (1) is hereby deemed to read as follows:

18 “(a) LIMITATION.—Except as provided in subsection
19 (b), none of the funds authorized to be appropriated by
20 this Act for fiscal year 2020 for the Department of De-
21 fense, may be used to do the following, and the Depart-
22 ment may not otherwise do the following:”.

TITLE LXIV—OTHER AUTHORIZATIONS

SEC. 6401. ASSESSMENT OF RARE EARTH SUPPLY CHAIN ISSUES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Defense Logistics Agency, shall submit to Congress a report assessing issues relating to the supply chain for rare earth materials.

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

(1) An assessment of the rare earth materials in the reserves held by the United States.

(2) A estimate of the needs of the United States for such materials—

(A) in general; and

(B) to support a major near-peer conflict such as is outlined in war game scenarios included in the 2018 National Defense Strategy.

(3) An assessment of the extent to which substitutes for such materials are available.

SEC. 6422. EXPANSION OF ELIGIBILITY FOR RESIDENCE AT THE ARMED FORCE RETIREMENT HOME.

Section 1422, and the amendments made by that section, shall have no force or effect.

1 **TITLE LXV—AUTHORIZATION OF**
2 **ADDITIONAL APPROPRIA-**
3 **TIONS FOR OVERSEAS CON-**
4 **TINGENCY OPERATIONS**

5 **Subtitle A—General Provisions**

6 **SEC. 6501. REVIEW OF JOINT IMPROVISED-THREAT DEFEAT**
7 **ORGANIZATION RESEARCH RELATING TO HU-**
8 **MANITARIAN DEMINING EFFORTS.**

9 (a) IN GENERAL.—Not later than 180 days after the
10 date of the enactment of this Act, the Secretary of Defense
11 shall conduct a review of the research of the Joint Impro-
12 vised-Threat Defeat Organization to identify information
13 that may be released to United States humanitarian
14 demining organizations for the purpose of improving the
15 efficiency and effectiveness of humanitarian demining ef-
16 forts.

17 (b) REPORT TO CONGRESS.—The Secretary shall
18 submit a report to the congressional defense committees
19 detailing the research identified under subsection (a).

**Subtitle B—Inspectors General
Matters**

**SEC. 6511. ESTABLISHMENT OF LEAD INSPECTOR GENERAL
FOR AN OVERSEAS CONTINGENCY OPER-
ATION BASED ON SECRETARY OF DEFENSE
NOTIFICATION.**

(a) NOTIFICATION ON COMMENCEMENT OF OCO.—

Section 113 of title 10, United States Code, is amended
by adding at the end the following new subsection:

“(n) NOTIFICATION OF CERTAIN OVERSEAS CONTIN-
GENCY OPERATIONS FOR PURPOSES OF INSPECTOR GEN-
ERAL ACT OF 1978.—The Secretary of Defense shall pro-
vide the Chair of the Council of Inspectors General on In-
tegrity and Efficiency written notification of the com-
mencement or designation of a military operation as an
overseas contingency operation upon the earlier of—

“(1) a determination by the Secretary that the
overseas contingency operation is expected to exceed
60 days; or

“(2) the date on which the overseas contingency
operation exceeds 60 days.”.

(b) ESTABLISHMENT OF LEAD INSPECTOR GENERAL
BASED ON NOTIFICATION.—Section 8L of the Inspector
General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (a)—

1 (A) by striking “Upon the commencement”
2 and all that follows through “the Chair” and
3 inserting “The Chair”; and

4 (B) by inserting before the period at the
5 end the following: “upon the earlier of—

6 “(1) the commencement or designation of a
7 military operation as an overseas contingency oper-
8 ation that exceeds 60 days; or

9 “(2) receipt of a notification under section
10 113(n) of title 10, United States Code, with respect
11 to an overseas contingency operation”; and

12 (2) in subsection (d)(1), by striking “the com-
13 mencement or designation of the military operation
14 concerned as an overseas contingency operation that
15 exceeds 60 days” and inserting “the earlier of—

16 “(A) the commencement or designation of
17 the military operation concerned as an overseas
18 contingency operation that exceeds 60 days; or

19 “(B) receipt of a notification under section
20 113(n) of title 10, United States Code, with re-
21 spect to an overseas contingency operation”.

1 **SEC. 6512. CLARIFICATION OF AUTHORITY OF INSPECTORS**
2 **GENERAL FOR OVERSEAS CONTINGENCY OP-**
3 **ERATIONS.**

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

6 (1) in subparagraph (D)—

7 (A) in clause (i), by striking “to exercise”
8 and all that follows through “such matter” and
9 inserting “to identify and coordinate with the
10 Inspector General who has principal jurisdiction
11 over the matter to ensure effective oversight”;
12 and

13 (B) by adding at the end the following:

14 “(iii)(I) Upon written request by the In-
15 spector General with principal jurisdiction over
16 a matter with respect to the contingency oper-
17 ation, and with the approval of the lead Inspec-
18 tor General, an Inspector General specified in
19 subsection (c) may provide investigative support
20 or conduct an independent investigation of an
21 allegation of criminal activity by any United
22 States personnel, contractor, subcontractor,
23 grantee, or vendor in the applicable theater of
24 operations.

25 “(II) In the case of a determination by the
26 lead Inspector General that no Inspector Gen-

1 eral has principal jurisdiction over a matter
2 with respect to the contingency operation, the
3 lead Inspector General may—

4 “(aa) conduct an independent inves-
5 tigation of an allegation described in sub-
6 clause (I); or

7 “(bb) request that an Inspector Gen-
8 eral specified in subsection (c) conduct
9 such investigation.”; and

10 (2) by adding at the end the following:

11 “(I) To enhance cooperation among In-
12 spectors General and encourage comprehensive
13 oversight of the contingency operation, any In-
14 spector General responsible for conducting over-
15 sight of any program or operation performed in
16 support of the contingency operation may, to
17 the maximum extent practicable and consistent
18 with the duties, responsibilities, policies, and
19 procedures of such Inspector General—

20 “(i) coordinate such oversight activi-
21 ties with the lead Inspector General; and

22 “(ii) provide information requested by
23 the lead Inspector General relating to the
24 responsibilities of the lead Inspector Gen-

1 eral described in subparagraphs (B), (C),
2 and (G).”.

3 **SEC. 6513. EMPLOYMENT STATUS OF ANNUITANTS FOR IN-**
4 **SPECTORS GENERAL FOR OVERSEAS CONTIN-**
5 **GENCY OPERATIONS.**

6 Section 8L(d) of the Inspector General Act of 1978
7 (5 U.S.C. App.) is amended—

8 (1) in paragraph (2)(E), by inserting “(without
9 regard to subsection (b)(2) of such section)” after
10 “United States Code,”;

11 (2) in paragraph (3), by amending subpara-
12 graph (C) to read as follows:

13 “(C)(i) An annuitant receiving an annuity
14 under the Foreign Service Retirement and Disability
15 System or the Foreign Service Pension System
16 under chapter 8 of title I of the Foreign Service Act
17 of 1980 (22 U.S.C. 4041 et seq.) who is reemployed
18 under this subsection—

19 “(I) shall continue to receive the annuity;
20 and

21 “(II) shall not be considered a participant
22 for purposes of chapter 8 of title I of the For-
23 eign Service Act of 1980 (22 U.S.C. 4041 et
24 seq.) or an employee for purposes of subchapter

1 III of chapter 83 or chapter 84 of title 5,
2 United States Code.

3 “(ii) An annuitant described in clause (i) may
4 elect in writing for the reemployment of the annu-
5 itant under this subsection to be subject to section
6 824 of the Foreign Service Act of 1980 (22 U.S.C.
7 4064). A reemployed annuitant shall make an elec-
8 tion under this clause not later than 90 days after
9 the date of the reemployment of the annuitant.”;
10 and

11 (3) by adding at the end the following:

12 “(5)(A) A person employed by a lead Inspector Gen-
13 eral for an overseas contingency operation under this sec-
14 tion shall acquire competitive status for appointment to
15 any position in the competitive service for which the em-
16 ployee possesses the required qualifications upon the com-
17 pletion of 2 years of continuous service as an employee
18 under this section.

19 “(B) No person who is first employed as described
20 in subparagraph (A) more than 2 years after the date of
21 the enactment of the National Defense Authorization Act
22 for Fiscal Year 2020 may acquire competitive status
23 under subparagraph (A).”.

1 **TITLE LXVI—STRATEGIC PRO-**
2 **GRAMS, CYBER, AND INTEL-**
3 **LIGENCE MATTERS**

4 **SEC. 6601. ANNUAL REPORT ON DEVELOPMENT OF**
5 **GROUND-BASED STRATEGIC DETERRENT**
6 **WEAPON.**

7 (a) REPORT REQUIRED.—Not later than February
8 15, 2020, and annually thereafter until the date on which
9 the ground-based strategic deterrent weapon receives Mile-
10 stone C approval (as defined in section 2366 of title 10,
11 United States Code), the Secretary of the Air Force, in
12 coordination with the Administrator for Nuclear Security
13 and the Chairman of the Nuclear Weapons Council, shall
14 submit to the congressional defense committees a report
15 describing the joint development of the ground-based stra-
16 tegic deterrent weapon, including the missile developed by
17 the Air Force and the W87–1 warhead modification pro-
18 gram conducted by the National Nuclear Security Admin-
19 istration.

20 (b) ELEMENTS.—The report required by subsection
21 (a) shall include the following:

22 (1) An estimate of the date on which the
23 ground-based strategic deterrent weapon will reach
24 initial operating capability.

1 (2) A description of any development milestones
2 for the missile developed by the Air Force or the
3 warhead developed by the National Nuclear Security
4 Administration that depend on corresponding
5 progress at the other agency.

6 (3) A description of coordination efforts be-
7 tween the Air Force and the National Nuclear Secu-
8 rity Administration during the year preceding sub-
9 mission of the report.

10 (4) A description of any schedule delays pro-
11 jected by the Air Force or the National Nuclear Se-
12 curity Administration, including delays related to in-
13 frastructure capacity and subcomponent production,
14 and the anticipated effect such delays would have on
15 the schedule of work of the other agency.

16 (5) Plans to mitigate the effects of any delays
17 described in paragraph (4).

18 (6) A description of any ways, including
19 through the availability of additional funding or au-
20 thorities, in which the development milestones de-
21 scribed in paragraph (2) or the estimated date of
22 initial operating capability referred to in paragraph
23 (1) could be achieved more quickly.

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

4 **SEC. 6602. SENSE OF SENATE ON SUPPORT FOR A ROBUST**
5 **AND MODERN ICBM FORCE TO MAXIMIZE**
6 **THE VALUE OF THE NUCLEAR TRIAD OF THE**
7 **UNITED STATES.**

8 (a) FINDINGS.—The Senate makes the following
9 findings:

10 (1) Land-based intercontinental ballistic mis-
11 siles (in this section referred to as “ICBMs”) have
12 been a critical part of the strategic deterrent of the
13 United States for 6 decades in conjunction with air
14 and sea-based strategic delivery systems.

15 (2) President John F. Kennedy referred to the
16 deployment of the first Minuteman missile during
17 the Cuban Missile Crisis as his “ace in the hole”.

18 (3) The Minuteman III missile entered service
19 in 1970 and is still deployed in 2019, well beyond
20 its originally intended service life.

21 (4) The ICBM force of the United States
22 peaked at more than 1,200 deployed missiles during
23 the Cold War.

24 (5) The ICBM force of the United States cur-
25 rently consists of approximately 400 Minuteman III

1 missiles deployed across 450 operational missile
2 silos, each carrying a single warhead.

3 (6) The Russian Federation currently deploys
4 at least 300 ICBMs with multiple warheads loaded
5 on each missile and has announced plans to replace
6 its Soviet-era systems with modernized ICBMs.

7 (7) The People's Republic of China currently
8 deploys at least 75 ICBMs and plans to grow its
9 ICBM force through the deployment of modernized,
10 road-mobile ICBMs that carry multiple warheads.

11 (8) The Russian Federation and the People's
12 Republic of China deploy nuclear weapons across a
13 variety of platforms in addition to their ICBM
14 forces.

15 (9) Numerous countries possess or are seeking
16 to develop nuclear weapons capabilities that pose
17 challenges to the nuclear deterrence of the United
18 States.

19 (10) The nuclear deterrent of the United States
20 is comprised of a triad of delivery systems for nu-
21 clear weapons, including submarine-launched bal-
22 listic missiles (in this subsection referred to as
23 "SLBMs"), air-delivered gravity bombs and cruise
24 missiles, and land-based ballistic missiles that pro-

1 vide interlocking and mutually reinforcing attributes
2 that enhance strategic deterrence.

3 (11) Weakening one leg of the triad limits the
4 deterrent value of the other legs of the triad.

5 (12) In the nuclear deterrent of the United
6 States, ICBMs provide commanders with the most
7 prompt response capability, SLBMs provide stealth
8 and survivability, and aircraft armed with nuclear
9 weapons provide flexibility.

10 (13) The ICBM force of the United States
11 forces any would-be attacker to confront more than
12 400 discrete targets, thus creating an effectively in-
13 surmountable targeting problem for a potential ad-
14 versary.

15 (14) The size, dispersal, and global reach of the
16 ICBM force of the United States ensures that no
17 adversary can escalate a crisis beyond the ability of
18 the United States to respond.

19 (15) A potential attacker would be forced to ex-
20 pend far more warheads to destroy the ICBMs of
21 the United States than the United States would lose
22 in an attack, because of the deployment of a single
23 warhead on each ICBM of the United States.

24 (16) The ICBM force provides a persistent de-
25 terrent capability that reinforces strategic stability.

1 (17) ICBMs are the cheapest delivery system
2 for nuclear weapons for the United States to operate
3 and maintain.

4 (18) United States Strategic Command has
5 validated military requirements for the unique capa-
6 bilities of ICBMs.

7 (19) In a 2014 analysis of alternatives, the Air
8 Force concluded that replacing the Minuteman III
9 missile would provide upgraded capabilities at lower
10 cost when compared with extending the service life
11 of the Minuteman III missile.

12 (20) The Minuteman III replacement program,
13 known as the ground-based strategic deterrent, is
14 expected to provide a land-based strategic deterrent
15 capability for 5 decades after the program enters
16 service.

17 (b) SENSE OF THE SENATE.—It is the sense of the
18 Senate that—

19 (1) land-based ICBMs have certain characteris-
20 tics, including responsiveness, persistence, and dis-
21 persal, that enhance strategic stability and magnify
22 the deterrent value of the air and sea-based legs of
23 the nuclear triad of the United States;

1 (2) ICBMs have played and continue to play a
2 role in deterring attacks on the United States and
3 its allies;

4 (3) while arms control agreements have reduced
5 the size of the ICBM force of the United States, ad-
6 versaries of the United States continue to enhance,
7 enlarge, and modernize their ICBM forces;

8 (4) the modernization of the ICBM force of the
9 United States through the ground-based strategic
10 deterrent program should be supported;

11 (5) ICBMs have the lowest operation, mainte-
12 nance, and modernization costs of any part of the
13 nuclear deterrent of the United States; and

14 (6) unilaterally reducing the size of the ICBM
15 force of the United States or delaying the implemen-
16 tation of the ground-based strategic deterrent pro-
17 gram would degrade the deterrent capabilities of a
18 fully operational and modernized nuclear triad and
19 should not take place at the present time.

20 **SEC. 6603. REPORTS BY MILITARY DEPARTMENTS ON OP-**
21 **ERATION OF CONVENTIONAL FORCES UNDER**
22 **EMPLOYMENT OR THREAT OF EMPLOYMENT**
23 **OF NUCLEAR WEAPONS.**

24 (a) IN GENERAL.—Not later than one year after the
25 date of the enactment of this Act, the Secretary of the

1 Air Force, the Secretary of the Army, the Secretary of
2 the Navy, and the Commandant of the Marine Corps shall
3 each submit to the congressional defense committees a re-
4 port detailing the measures taken by the appropriate Sec-
5 retary or the Commandant to ensure the ability of conven-
6 tional forces to operate effectively under employment or
7 threat of employment of nuclear weapons by the United
8 States, an ally of the United States, or an adversary of
9 the United States.

10 (b) FORM OF REPORT.—Each report required by
11 subsection (a) shall be submitted in classified form but
12 shall be accompanied by an unclassified summary appro-
13 priate for release to the public.

14 **SEC. 6604. REPORTS BY UNITED STATES EUROPEAN COM-**
15 **MAND AND UNITED STATES INDO-PACIFIC**
16 **COMMAND ON OPERATION OF CERTAIN CON-**
17 **VENTIONAL FORCES UNDER EMPLOYMENT**
18 **OR THREAT OF EMPLOYMENT OF NUCLEAR**
19 **WEAPONS.**

20 (a) IN GENERAL.—Not later than one year after the
21 date of the enactment of this Act, the Commander of the
22 United States European Command and the Commander
23 of the United States Indo-Pacific Command, in consulta-
24 tion with the Commander of the United States Strategic
25 Command, shall each submit to the congressional defense

1 committees a report detailing the measures taken by the
2 Commander to ensure the ability of conventional forces
3 under the authority of the Commander to execute contin-
4 gency plans under employment or threat of employment
5 of nuclear weapons by the United States, an ally of the
6 United States, or an adversary of the United States.

7 (b) FORM OF REPORT.—The report required by sub-
8 section (a) shall be submitted in classified form but shall
9 be accompanied by an unclassified summary appropriate
10 for release to the public.

11 **SEC. 6605. JOINT ASSESSMENT OF DEPARTMENT OF DE-**
12 **FENSE CYBER RED TEAM CAPABILITIES, CA-**
13 **PACITY, DEMAND, AND REQUIREMENTS.**

14 (a) JOINT ASSESSMENT REQUIRED.—Not later than
15 180 days after the date of the enactment of this Act, the
16 Secretary of Defense shall, in coordination with the Chief
17 Information Officer of the Department of Defense, Prin-
18 cipal Cyber Advisor, and the Director of Operational Test
19 and Evaluation—

20 (1) conduct a joint assessment of Department
21 cyber red team capabilities, capacity, demand, and
22 future requirements that affect the Department's
23 ability to develop, test, and maintain secure systems
24 in a cyber environment; and

1 (2) brief the congressional defense committees
2 on the results of the joint assessment.

3 (b) ELEMENTS.—The joint assessment required by
4 subsection (a)(1) shall—

5 (1) specify demand for cyber red team support
6 for acquisition and operations;

7 (2) specify shortfalls in meeting demand and
8 future requirements, disaggregated by the Depart-
9 ment of Defense and by each of the military depart-
10 ments;

11 (3) examine funding and retention initiatives to
12 increase cyber red team capacity to meet demand
13 and future requirements identified to support the
14 testing, training, and development communities;

15 (4) examine the feasibility and benefit of devel-
16 oping and procuring a common Red Team Inte-
17 grated Capabilities Stack that better utilizes in-
18 creased capacity of cyber ranges and better models
19 the capabilities and tactics, techniques, and proce-
20 dures of adversaries;

21 (5) examine the establishment of oversight and
22 assessment metrics for Department cyber red teams;

23 (6) assess the implementation of common devel-
24 opment for tools, techniques, and training;

1 (7) assess potential industry and academic part-
2 nerships and services;

3 (8) assess the mechanisms and procedures in
4 place to deconflict red-team activities and defensive
5 cyber operations on active networks;

6 (9) assess the use of Department cyber per-
7 sonnel in training as red team support;

8 (10) assess the use of industry and academic
9 partners and contractors as red team support and
10 the cost- and resource-effectiveness of such support;
11 and

12 (11) assess the need for permanent, high-end
13 dedicated red-teaming activities to model sophisti-
14 cated adversaries' attacking critical Department sys-
15 tems and infrastructure.

16 **SEC. 6606. REPORT ON THE EXPANDED PURVIEW OF THE**
17 **DEFENSE COUNTERINTELLIGENCE AND SE-**
18 **CURITY AGENCY.**

19 (a) REPORT REQUIRED.—Not later than 90 days
20 after the date of the enactment of this Act, the Secretary
21 of Defense shall submit to Congress a report on the De-
22 fense Counterintelligence and Security Agency.

23 (b) CONTENTS.—The report submitted under sub-
24 section (a) shall include the following:

1 (1) Identification of the resources and authori-
2 ties appropriate for the Inspector General for the ex-
3 panded purview of the Defense Counterintelligence
4 and Security Agency.

5 (2) Identification of the resources and authori-
6 ties needed to perform the civil liberties and privacy
7 officer function of the Defense Counterintelligence
8 and Security Agency.

9 (3) An assessment of the security protocols in
10 effect for personally identifiable information held by
11 the Defense Counterintelligence and Security Agen-
12 cy.

13 (4) An assessment of the governance structure
14 of the Defense Counterintelligence and Security
15 Agency as it relates to the Department of Defense,
16 including with respect to status, authorities, and
17 leadership.

18 (5) An assessment of the governance structure
19 of the Defense Counterintelligence and Security
20 Agency as it relates to interagency partners, includ-
21 ing the Office of Management and Budget, the Of-
22 fice of the Director of National Intelligence, and the
23 Office of Personnel Management.

24 (6) The methodology the Defense Counterintel-
25 ligence and Security Agency will prioritize requests

1 for background investigation requests from govern-
2 ment agencies and industry.

3 **SEC. 6664. PROHIBITION ON REDUCTION OF THE INTER-**
4 **CONTINENTAL BALLISTIC MISSILES OF THE**
5 **UNITED STATES.**

6 The text of subsection (a) of section 1664 is hereby
7 deemed to read as follows:

8 “(a) PROHIBITION.—Except as provided in sub-
9 section (b), none of the funds authorized to be appro-
10 priated by this Act for fiscal year 2020 for the Depart-
11 ment of Defense may be obligated or expended for the fol-
12 lowing, and the Department may not otherwise take any
13 action to do the following:

14 “(1) Reduce, or prepare to reduce, the respon-
15 siveness or alert level of the intercontinental ballistic
16 missiles of the United States.

17 “(2) Reduce, or prepare to reduce, the quantity
18 of deployed intercontinental ballistic missiles of the
19 United States to a number less than 400.”.

1 **TITLE LXVII—PFAS RELEASE**
 2 **DISCLOSURE, DETECTION,**
 3 **AND SAFE DRINKING WATER**
 4 **ASSISTANCE**

5 **SEC. 6701. DEFINITION OF ADMINISTRATOR.**

6 In this title, the term “Administrator” means the Ad-
 7 ministrator of the Environmental Protection Agency.

8 **Subtitle A—PFAS Release**
 9 **Disclosure**

10 **SEC. 6711. ADDITIONS TO TOXICS RELEASE INVENTORY.**

11 (a) DEFINITION OF TOXICS RELEASE INVENTORY.—

12 In this section, the term “toxics release inventory” means
 13 the toxics release inventory under section 313(c) of the
 14 Emergency Planning and Community Right-To-Know Act
 15 of 1986 (42 U.S.C. 11023(c)).

16 (b) IMMEDIATE INCLUSION.—

17 (1) IN GENERAL.—Subject to subsection (e),
 18 beginning January 1 of the calendar year following
 19 the date of enactment of this Act, the following
 20 chemicals shall be deemed to be included in the
 21 toxics release inventory:

22 (A) Perfluorooctanoic acid (commonly re-
 23 ferred to as “PFOA”) (Chemical Abstracts
 24 Service No. 335–67–1).

1 (B) The salt associated with the chemical
2 described in subparagraph (A) (Chemical Ab-
3 stracts Service No. 3825–26–1).

4 (C) Perfluorooctane sulfonic acid (com-
5 monly referred to as “PFOS”) (Chemical Ab-
6 stracts Service No. 1763–23–1).

7 (D) The salts associated with the chemical
8 described in subparagraph (C) (Chemical Ab-
9 stract Service Nos. 45298–90–6, 29457–72–5,
10 56773–42–3, 29081–56–9, 4021–47–0,
11 111873–33–7, and 91036–71–4).

12 (E) A perfluoroalkyl or polyfluoroalkyl sub-
13 stance or class of perfluoroalkyl or
14 polyfluoroalkyl substances that is—

15 (i) listed as an active chemical sub-
16 stance in the February 2019 update to the
17 inventory under section 8(b)(1) of the
18 Toxic Substances Control Act (15 U.S.C.
19 2607(b)(1)); and

20 (ii) on the date of enactment of this
21 Act, subject to the provisions of—

22 (I) section 721.9582 of title 40,
23 Code of Federal Regulations; or

24 (II) section 721.10536 of title
25 40, Code of Federal Regulations.

1 (2) THRESHOLD FOR REPORTING.—

2 (A) IN GENERAL.—Subject to subpara-
3 graph (B), the threshold for reporting the
4 chemicals described in paragraph (1) under sec-
5 tion 313(f)(1) of the Emergency Planning and
6 Community Right-To-Know Act of 1986 (42
7 U.S.C. 11023(f)(1)) is 100 pounds.

8 (B) REVISIONS.—Not later than 5 years
9 after the date of enactment of this Act, the Ad-
10 ministrator shall—

11 (i) determine whether revision of the
12 threshold under subparagraph (A) is war-
13 ranted; and

14 (ii) if the Administrator determines a
15 revision to be warranted under clause (i),
16 initiate a revision under section 313(f)(2)
17 of the Emergency Planning and Commu-
18 nity Right-To-Know Act of 1986 (42
19 U.S.C. 11023(f)(2)).

20 (c) INCLUSION FOLLOWING ASSESSMENT.—

21 (1) IN GENERAL.—Subject to subsection (e), a
22 perfluoroalkyl or polyfluoroalkyl substance or class
23 of perfluoroalkyl or polyfluoroalkyl substances shall
24 be automatically included in the toxics release inven-

1 tory beginning January 1 of the calendar year after
2 any of the following dates:

3 (A) ESTABLISHMENT OF TOXICITY
4 VALUE.—The date on which the Administrator
5 establishes a toxicity value for the
6 perfluoroalkyl or polyfluoroalkyl substance or
7 class of perfluoroalkyl or polyfluoroalkyl sub-
8 stances.

9 (B) SIGNIFICANT NEW USE RULE.—The
10 date on which the Administrator finalizes a sig-
11 nificant new use rule under subsection (a)(2) of
12 section 5 of the Toxic Substances Control Act
13 (15 U.S.C. 2604), except a significant new use
14 rule promulgated in connection with an order
15 issued under subsection (e) of that section, for
16 the perfluoroalkyl or polyfluoroalkyl substance
17 or class of perfluoroalkyl or polyfluoroalkyl sub-
18 stances.

19 (C) ADDITION TO EXISTING SIGNIFICANT
20 NEW USE RULE.—The date on which the
21 perfluoroalkyl or polyfluoroalkyl substance or
22 class of perfluoroalkyl or polyfluoroalkyl sub-
23 stances is added to a list of substances covered
24 by a significant new use rule previously promul-
25 gated under subsection (a)(2) of section 5 of

1 the Toxic Substances Control Act (15 U.S.C.
2 2604), except a significant new use rule pro-
3 mulgated in connection with an order issued
4 under subsection (e) of that section.

5 (D) ADDITION AS ACTIVE CHEMICAL SUB-
6 STANCE.—The date on which the perfluoroalkyl
7 or polyfluoroalkyl substance or class of
8 perfluoroalkyl or polyfluoroalkyl substances that
9 is on a list of substances covered by a signifi-
10 cant new use rule under subsection (a)(2) of
11 section 5 of the Toxic Substances Control Act
12 (15 U.S.C. 2604), except a significant new use
13 rule promulgated in connection with an order
14 issued under subsection (e) of that section, is—

15 (i) added to the inventory under sub-
16 section (b)(1) of section 8 of the Toxic
17 Substances Control Act (15 U.S.C. 2607)
18 and designated as an active chemical sub-
19 stance under subsection (b)(5)(A) of that
20 section; or

21 (ii) designated as an active chemical
22 substance on the inventory in accordance
23 with subsection (b)(5)(B) of that section.

24 (2) THRESHOLD FOR REPORTING.—

1 (A) IN GENERAL.—Subject to subpara-
2 graph (B), the threshold for reporting under
3 section 313(f)(1) of the Emergency Planning
4 and Community Right-To-Know Act of 1986
5 (42 U.S.C. 11203(f)(1)) the substances and
6 classes of substances included in the toxics re-
7 lease inventory under paragraph (1) is 100
8 pounds.

9 (B) REVISIONS.—Not later than 5 years
10 after the date of enactment of this Act, the Ad-
11 ministrator shall—

12 (i) determine whether revision of the
13 thresholds under subparagraph (A) is war-
14 ranted; and

15 (ii) if the Administrator determines a
16 revision to be warranted under clause (i),
17 initiate a revision under section 313(f)(2)
18 of the Emergency Planning and Commu-
19 nity Right-To-Know Act of 1986 (42
20 U.S.C. 11023(f)(2)).

21 (d) INCLUSION FOLLOWING DETERMINATION.—

22 (1) IN GENERAL.—To the extent not already
23 subject to subsection (b), not later than 2 years
24 after the date of enactment of this Act, the Adminis-
25 trator shall determine whether the substances and

1 classes of substances described in paragraph (2)
2 meet the criteria described in section 313(d)(2) of
3 the Emergency Planning and Community Right-To-
4 Know Act of 1986 (42 U.S.C. 11023(d)(2)) for in-
5 clusion in the toxics release inventory.

6 (2) SUBSTANCES DESCRIBED.—The substances
7 and classes of substances referred to in paragraph
8 (1) are perfluoroalkyl and polyfluoroalkyl substances
9 and classes of perfluoroalkyl and polyfluoroalkyl sub-
10 stances, including—

11 (A) hexafluoropropylene oxide dimer acid
12 (Chemical Abstracts Service No. 13252–13–6);

13 (B) the compounds associated with the
14 chemical described in subparagraph (A) (Chem-
15 ical Abstracts Service Nos. 62037–80–3 and
16 2062–98–8);

17 (C) perfluoro[(2-pentafluoroethoxy-
18 ethoxy)acetic acid] ammonium salt (Chemical
19 Abstracts Service No. 908020–52–0);

20 (D) 2,3,3,3-tetrafluoro 2-(1,1,2,3,3,3-
21 hexafluoro)-2-(trifluoromethoxy) propanoyl fluo-
22 ride (Chemical Abstracts Service No. 2479–75–
23 6);

1 (E) 2,3,3,3-tetrafluoro 2-(1,1,2,3,3,3-
2 hexafluoro)-2-(trifluoromethoxy) propionic acid
3 (Chemical Abstracts Service No. 2479-73-4);

4 (F) 3H-perfluoro-3-[(3-methoxy-propoxy)
5 propanoic acid] (Chemical Abstracts Service
6 No. 919005-14-4);

7 (G) the salts associated with the chemical
8 described in subparagraph (F) (Chemical Ab-
9 stracts Service Nos. 958445-44-8, 1087271-
10 46-2, and NOCAS__892452);

11 (H) 1-octanesulfonic acid
12 3,3,4,4,5,5,6,6,7,7,8,8-tridecafluoro-potassium
13 salt (Chemical Abstracts Service No. 59587-
14 38-1);

15 (I) perfluorobutanesulfonic acid (Chemical
16 Abstracts Service No. 375-73-5);

17 (J) 1-Butanesulfonic acid,
18 1,1,2,2,3,3,4,4,4-nonafluoro-potassium salt
19 (Chemical Abstracts Service No. 29420-49-3);

20 (K) the component associated with the
21 chemical described in subparagraph (J) (Chem-
22 ical Abstracts Service No. 45187-15-3);

23 (L) heptafluorobutyric acid (Chemical Ab-
24 stracts Service No. 375-22-4);

1 (M) perfluorohexanoic acid (Chemical Ab-
2 stracts Service No. 307-24-4);

3 (N) each perfluoroalkyl or polyfluoroalkyl
4 substance or class of perfluoroalkyl or
5 polyfluoroalkyl substances for which a method
6 to measure levels in drinking water has been
7 validated by the Administrator; and

8 (O) a perfluoroalkyl and polyfluoroalkyl
9 substance or class of perfluoroalkyl or
10 polyfluoroalkyl substances other than the
11 chemicals described in subparagraphs (A)
12 through (N) that is used to manufacture
13 fluoropolymers, as determined by the Adminis-
14 trator.

15 (3) ADDITION TO TOXICS RELEASE INVEN-
16 TORY.—Subject to subsection (e), if the Adminis-
17 trator determines under paragraph (1) that a sub-
18 stance or a class of substances described in para-
19 graph (2) meets the criteria described in section
20 313(d)(2) of the Emergency Planning and Commu-
21 nity Right-To-Know Act of 1986 (42 U.S.C.
22 11023(d)(2)), the Administrator shall revise the
23 toxics release inventory to include that substance or
24 class of substances not later than 2 years after the

1 date on which the Administrator makes the deter-
2 mination.

3 (e) CONFIDENTIAL BUSINESS INFORMATION.—

4 (1) IN GENERAL.—Prior to including on the
5 toxics release inventory pursuant to subsection
6 (b)(1), (c)(1), or (d)(3) any perfluoroalkyl or
7 polyfluoroalkyl substance or class of perfluoroalkyl
8 or polyfluoroalkyl substances the chemical identity of
9 which is subject to a claim of a person of protection
10 from disclosure under subsection (a) of section 552
11 of title 5, United States Code, pursuant to sub-
12 section (b)(4) of that section, the Administrator
13 shall—

14 (A) review that claim of protection from
15 disclosure; and

16 (B) require that person to reassert and
17 substantiate or resubstantiate that claim in ac-
18 cordance with section 14(f) of the Toxic Sub-
19 stances Control Act (15 U.S.C. 2613(f)).

20 (2) NONDISCLOSURE OF PROTECTION INFORMA-
21 TION.—If the Administrator determines that the
22 chemical identity of a perfluoroalkyl or
23 polyfluoroalkyl substance or class of perfluoroalkyl
24 or polyfluoroalkyl substances qualifies for protection
25 from disclosure under paragraph (1), the Adminis-

1 trator shall include the substance or class of sub-
 2 stances, as applicable, on the toxics release inventory
 3 in a manner that does not disclose the protected in-
 4 formation.

5 (f) EMERGENCY PLANNING AND COMMUNITY RIGHT-
 6 TO-KNOW ACT OF 1986.—Section 313(c) of the Emer-
 7 gency Planning and Community Right-To-Know Act of
 8 1986 (42 U.S.C. 11023(c)) is amended—

9 (1) by striking the period at the end and insert-
 10 ing “; and”;

11 (2) by striking “are those chemicals” and in-
 12 serting the following: “are—

13 “(1) the chemicals”; and

14 (3) by adding at the end the following:

15 “(2) the chemicals included under subsections
 16 (b)(1), (c)(1), and (d)(3) of section 6711 of the Na-
 17 tional Defense Authorization Act for Fiscal Year
 18 2020.”.

19 **Subtitle B—Drinking Water**

20 **SEC. 6721. NATIONAL PRIMARY DRINKING WATER REGULA-** 21 **TIONS FOR PFAS.**

22 Section 1412(b)(2) of the Safe Drinking Water Act
 23 (42 U.S.C. 300g–1(b)(2)) is amended by adding at the
 24 end the following:

1 “(D) PERFLUOROALKYL AND
2 POLYFLUOROALKYL SUBSTANCES.—

3 “(i) IN GENERAL.—Not later than 2
4 years after the date of enactment of this
5 subparagraph, the Administrator shall pro-
6 mulgate a national primary drinking water
7 regulation for perfluoroalkyl and
8 polyfluoroalkyl substances, which shall, at
9 a minimum, include standards for—

10 “(I) perfluorooctanoic acid (com-
11 monly referred to as ‘PFOA’); and

12 “(II) perfluorooctane sulfonic
13 acid (commonly referred to as
14 ‘PFOS’).

15 “(ii) ALTERNATIVE PROCEDURES.—

16 “(I) IN GENERAL.—Not later
17 than 1 year after the validation by the
18 Administrator of an equally effective
19 quality control and testing procedure
20 to ensure compliance with that na-
21 tional primary drinking water regula-
22 tion to measure the levels described in
23 subclause (II) or other methods to de-
24 tect and monitor perfluoroalkyl and
25 polyfluoroalkyl substances in drinking

1 water, the Administrator shall add the
2 procedure or method as an alternative
3 to the quality control and testing pro-
4 cedure described in that national pri-
5 mary drinking water regulation by
6 publishing the procedure or method in
7 the Federal Register.

8 “(II) LEVELS DESCRIBED.—The
9 levels referred to in subclause (I)
10 are—

11 “(aa) the level of a
12 perfluoroalkyl or polyfluoroalkyl
13 substance;

14 “(bb) the total levels of
15 perfluoroalkyl and polyfluoroalkyl
16 substances; and

17 “(cc) the total levels of or-
18 ganic fluorine.

19 “(iii) INCLUSIONS.—The Adminis-
20 trator may include a perfluoroalkyl or
21 polyfluoroalkyl substance or class of
22 perfluoroalkyl or polyfluoroalkyl substances
23 on—

1 “(I) the list of contaminants for
2 consideration of regulation under
3 paragraph (1)(B)(i); and

4 “(II) the list of unregulated con-
5 taminants to be monitored under sec-
6 tion 1445(a)(2)(B)(i).

7 “(iv) MONITORING.—When estab-
8 lishing monitoring requirements for public
9 water systems as part of a national pri-
10 mary drinking water regulation under
11 clause (i) or clause (vi)(II), the Adminis-
12 trator shall tailor the monitoring require-
13 ments for public water systems that do not
14 detect or are reliably and consistently
15 below the maximum contaminant level (as
16 defined in section 1418(b)(2)(B)) for the
17 perfluoroalkyl or polyfluoroalkyl substance
18 or class of perfluoroalkyl or polyfluoroalkyl
19 substances subject to the national primary
20 drinking water regulation.

21 “(v) HEALTH RISK REDUCTION AND
22 COST ANALYSIS.—In meeting the require-
23 ments of paragraph (3)(C), the Adminis-
24 trator may rely on information available to
25 the Administrator with respect to 1 or

1 more specific perfluoroalkyl or
 2 polyfluoroalkyl substances to extrapolate
 3 reasoned conclusions regarding the health
 4 risks and effects of a class of
 5 perfluoroalkyl or polyfluoroalkyl substances
 6 of which the specific perfluoroalkyl or
 7 polyfluoroalkyl substances are a part.

8 “(vi) REGULATION OF ADDITIONAL
 9 SUBSTANCES.—

10 “(I) DETERMINATION.—The Ad-
 11 ministrator shall make a determina-
 12 tion under paragraph (1)(A), using
 13 the criteria described in clauses (i)
 14 through (iii) of that paragraph,
 15 whether to include a perfluoroalkyl or
 16 polyfluoroalkyl substance or class of
 17 perfluoroalkyl or polyfluoroalkyl sub-
 18 stances in the national primary drink-
 19 ing water regulation under clause (i)
 20 not later than 18 months after the
 21 later of—

22 “(aa) the date on which the
 23 perfluoroalkyl or polyfluoroalkyl
 24 substance or class of
 25 perfluoroalkyl or polyfluoroalkyl

1 substances is listed on the list of
2 contaminants for consideration of
3 regulation under paragraph
4 (1)(B)(i); and

5 “(bb) the date on which—

6 “(AA) the Adminis-
7 trator has received the re-
8 sults of monitoring under
9 section 1445(a)(2)(B) for
10 the perfluoroalkyl or
11 polyfluoroalkyl substance or
12 class of perfluoroalkyl or
13 polyfluoroalkyl substance; or

14 “(BB) the Adminis-
15 trator has received finished
16 water data or finished water
17 monitoring surveys for the
18 perfluoroalkyl or
19 polyfluoroalkyl substance or
20 class of perfluoroalkyl or
21 polyfluoroalkyl substances
22 from a Federal or State
23 agency that the Adminis-
24 trator determines to be suf-
25 ficient to make a determina-

1 tion under paragraph
2 (1)(A).

3 “(II) PRIMARY DRINKING WATER
4 REGULATIONS.—

5 “(aa) IN GENERAL.—For
6 each perfluoroalkyl or
7 polyfluoroalkyl substance or class
8 of perfluoroalkyl or
9 polyfluoroalkyl substances that
10 the Administrator determines to
11 regulate under subclause (I), the
12 Administrator—

13 “(AA) not later than 18
14 months after the date on
15 which the Administrator
16 makes the determination,
17 shall propose a national pri-
18 mary drinking water regula-
19 tion for the perfluoroalkyl or
20 polyfluoroalkyl substance or
21 class of perfluoroalkyl or
22 polyfluoroalkyl substances;
23 and

24 “(BB) may publish the
25 proposed national primary

1 drinking water regulation
2 described in subitem (AA)
3 concurrently with the publi-
4 cation of the determination
5 to regulate the
6 perfluoroalkyl or
7 polyfluoroalkyl substance or
8 class of perfluoroalkyl or
9 polyfluoroalkyl substances.

10 “(bb) DEADLINE.—

11 “(AA) IN GENERAL.—
12 Not later than 1 year after
13 the date on which the Ad-
14 ministrator publishes a pro-
15 posed national primary
16 drinking water regulation
17 under item (aa)(AA) and
18 subject to subitem (BB), the
19 Administrator shall take
20 final action on the proposed
21 national primary drinking
22 water regulation.

23 “(BB) EXTENSION.—
24 The Administrator, on publi-
25 cation of notice in the Fed-

1 eral Register, may extend
 2 the deadline under subitem
 3 (AA) by not more than 6
 4 months.

5 “(vii) LIFETIME DRINKING WATER
 6 HEALTH ADVISORY.—

7 “(I) IN GENERAL.—Subject to
 8 subclause (II), the Administrator shall
 9 publish a health advisory under para-
 10 graph (1)(F) for a perfluoroalkyl or
 11 polyfluoroalkyl substance or class of
 12 perfluoroalkyl or polyfluoroalkyl sub-
 13 stances not later than 1 year after the
 14 later of—

15 “(aa) the date on which the
 16 Administrator finalizes a toxicity
 17 value for the perfluoroalkyl or
 18 polyfluoroalkyl substance or class
 19 of perfluoroalkyl or
 20 polyfluoroalkyl substances; and

21 “(bb) the date on which the
 22 Administrator validates an effec-
 23 tive quality control and testing
 24 procedure for the perfluoroalkyl
 25 or polyfluoroalkyl substance or

1 class of perfluoroalkyl or
2 polyfluoroalkyl substance, if such
3 a procedure did not exist on the
4 date on which the toxicity value
5 described in item (aa) was final-
6 ized.

7 “(II) WAIVER.—The Adminis-
8 trator may waive the requirements of
9 subclause (I) with respect to a
10 perfluoroalkyl or polyfluoroalkyl sub-
11 stance or class of perfluoroalkyl and
12 polyfluoroalkyl substances if the Ad-
13 ministrator determines that there is a
14 substantial likelihood that the
15 perfluoroalkyl or polyfluoroalkyl sub-
16 stance or class of perfluoroalkyl or
17 polyfluoroalkyl substances will not
18 occur in drinking water.”.

19 **SEC. 6722. MONITORING AND DETECTION.**

20 (a) MONITORING PROGRAM FOR UNREGULATED
21 CONTAMINANTS.—

22 (1) IN GENERAL.—The Administrator shall in-
23 clude each substance described in paragraph (2) in
24 the fifth publication of the list of unregulated con-
25 taminants to be monitored under section

1 1445(a)(2)(B)(i) of the Safe Drinking Water Act
2 (42 U.S.C. 300j-4(a)(2)(B)(i)).

3 (2) SUBSTANCES DESCRIBED.—The substances
4 referred to in paragraph (1) are perfluoroalkyl and
5 polyfluoroalkyl substances and classes of
6 perfluoroalkyl and polyfluoroalkyl substances—

7 (A) for which a method to measure the
8 level in drinking water has been validated by
9 the Administrator; and

10 (B) that are not subject to a national pri-
11 mary drinking water regulation under clause (i)
12 or (vi)(II) of subparagraph (D) of section
13 1412(b)(2) of the Safe Drinking Water Act (42
14 U.S.C. 300g-1(b)(2)).

15 (3) EXCEPTION.—The perfluoroalkyl and
16 polyfluoroalkyl substances and classes of
17 perfluoroalkyl and polyfluoroalkyl substances in-
18 cluded in the list of unregulated contaminants to be
19 monitored under section 1445(a)(2)(B)(i) of the
20 Safe Drinking Water Act (42 U.S.C. 300j-
21 4(a)(2)(B)(i)) under paragraph (1) shall not count
22 towards the limit of 30 unregulated contaminants to
23 be monitored by public water systems under that
24 section.

25 (b) APPLICABILITY.—

1 (1) IN GENERAL.—The Administrator shall—

2 (A) require public water systems serving
3 more than 10,000 persons to monitor for the
4 substances described in subsection (a)(2);

5 (B) subject to paragraph (2) and the avail-
6 ability of appropriations, require public water
7 systems serving not fewer than 3,300 and not
8 more than 10,000 persons to monitor for the
9 substances described in subsection (a)(2); and

10 (C) subject to paragraph (2) and the avail-
11 ability of appropriations, ensure that only a
12 representative sample of public water systems
13 serving fewer than 3,300 persons are required
14 to monitor for the substances described in sub-
15 section (a)(2).

16 (2) REQUIREMENT.—If the Administrator de-
17 termines that there is not sufficient laboratory ca-
18 pacity to carry out the monitoring required under
19 subparagraphs (B) and (C) of paragraph (1), the
20 Administrator may waive the monitoring require-
21 ments in those subparagraphs.

22 (3) FUNDS.—The Administrator shall pay the
23 reasonable cost of such testing and laboratory anal-
24 ysis as is necessary to carry out the monitoring re-
25 quired under paragraph (1) from—

1 (A) funds made available under subsection
2 (a)(2)(H) or (j)(5) of section 1445 of the Safe
3 Drinking Water Act (42 U.S.C. 300j-4); or
4 (B) any other funds made available for
5 that purpose.

6 **SEC. 6723. ENFORCEMENT.**

7 Notwithstanding any other provision of law, the Ad-
8 ministrator may not impose financial penalties for the vio-
9 lation of a national primary drinking water regulation (as
10 defined in section 1401 of the Safe Drinking Water Act
11 (42 U.S.C. 300f)) with respect to a perfluoroalkyl or
12 polyfluoroalkyl substance or class of perfluoroalkyl or
13 polyfluoroalkyl substances for which a national primary
14 drinking water regulation has been promulgated under
15 clause (i) or (vi) of subparagraph (D) of section
16 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C.
17 300g-1(b)(2)) earlier than the date that is 5 years after
18 the date on which the Administrator promulgates the na-
19 tional primary drinking water regulation.

20 **SEC. 6724. DRINKING WATER STATE REVOLVING FUNDS.**

21 Section 1452 of the Safe Drinking Water Act (42
22 U.S.C. 300j-12) is amended—

23 (1) in subsection (a)(2), by adding at the end
24 the following:

25 “(G) EMERGING CONTAMINANTS.—

1 “(i) IN GENERAL.—Notwithstanding
 2 any other provision of law and subject to
 3 clause (ii), amounts deposited under sub-
 4 section (t) in a State loan fund established
 5 under this section may only be used to pro-
 6 vide grants for the purpose of addressing
 7 emerging contaminants, with a focus on
 8 perfluoroalkyl and polyfluoroalkyl sub-
 9 stances.

10 “(ii) REQUIREMENTS.—

11 “(I) SMALL AND DISADVAN-
 12 TAGED COMMUNITIES.—Not less than
 13 25 percent of the amounts described
 14 in clause (i) shall be used to provide
 15 grants to—

16 “(aa) disadvantaged commu-
 17 nities (as defined in subsection
 18 (d)(3)); or

19 “(bb) public water systems
 20 serving fewer than 25,000 per-
 21 sons.

22 “(II) PRIORITIES.—In selecting
 23 the recipient of a grant using amounts
 24 described in clause (i), a State shall

1 use the priorities described in sub-
 2 section (b)(3)(A).

3 “(iii) NO INCREASED BONDING AU-
 4 THORITY.—The amounts deposited in the
 5 State loan fund of a State under sub-
 6 section (t) may not be used as a source of
 7 payment of, or security for (directly or in-
 8 directly), in whole or in part, any obliga-
 9 tion the interest on which is exempt from
 10 the tax imposed under chapter 1 of the In-
 11 ternal Revenue Code of 1986.”;

12 (2) in subsection (m)(1), in the matter pre-
 13 ceding subparagraph (A), by striking “this section”
 14 and inserting “this section, except for subsections
 15 (a)(2)(G) and (t)”;

16 (3) by adding at the end the following:

17 “(t) EMERGING CONTAMINANTS.—

18 “(1) IN GENERAL.—Amounts made available
 19 under this subsection shall be allotted to a State as
 20 if allotted under subsection (a)(1)(D) as a capital-
 21 ization grant, for deposit into the State loan fund of
 22 the State, for the purposes described in subsection
 23 (a)(2)(G).

24 “(2) AUTHORIZATION OF APPROPRIATIONS.—

25 There is authorized to be appropriated to carry out

1 this subsection \$100,000,000 for each of fiscal years
2 2020 through 2024, to remain available until ex-
3 pended.”.

4 **Subtitle C—PFAS Detection**

5 **SEC. 6731. DEFINITIONS.**

6 In this subtitle:

7 (1) DIRECTOR.—The term “Director” means
8 the Director of the United States Geological Survey.

9 (2) PERFLUORINATED COMPOUND.—

10 (A) IN GENERAL.—The term
11 “perfluorinated compound” means a
12 perfluoroalkyl substance or a polyfluoroalkyl
13 substance that is manmade with at least 1 fully
14 fluorinated carbon atom.

15 (B) DEFINITIONS.—In this definition:

16 (i) FULLY FLUORINATED CARBON
17 ATOM.—The term “fully fluorinated carbon
18 atom” means a carbon atom on which all
19 the hydrogen substituents have been re-
20 placed by fluorine.

21 (ii) NONFLUORINATED CARBON
22 ATOM.—The term “nonfluorinated carbon
23 atom” means a carbon atom on which no
24 hydrogen substituents have been replaced
25 by fluorine.

1 (iii) PARTIALLY FLUORINATED CAR-
2 BON ATOM.—The term “partially
3 fluorinated carbon atom” means a carbon
4 atom on which some, but not all, of the hy-
5 drogen substituents have been replaced by
6 fluorine.

7 (iv) PERFLUOROALKYL SUBSTANCE.—
8 The term “perfluoroalkyl substance”
9 means a manmade chemical of which all of
10 the carbon atoms are fully fluorinated car-
11 bon atoms.

12 (v) POLYFLUOROALKYL SUB-
13 STANCE.—The term “polyfluoroalkyl sub-
14 stance” means a manmade chemical con-
15 taining a mix of fully fluorinated carbon
16 atoms, partially fluorinated carbon atoms,
17 and nonfluorinated carbon atoms.

18 **SEC. 6732. PERFORMANCE STANDARD FOR THE DETECTION**
19 **OF PERFLUORINATED COMPOUNDS.**

20 (a) IN GENERAL.—The Director shall establish a per-
21 formance standard for the detection of perfluorinated
22 compounds.

23 (b) EMPHASIS.—

24 (1) IN GENERAL.—In developing the perform-
25 ance standard under subsection (a), the Director

1 shall emphasize the ability to detect as many
2 perfluorinated compounds present in the environ-
3 ment as possible using analytical methods that—

4 (A) achieve limits of quantitation (as de-
5 fined in the document of the United States Ge-
6 ological Survey entitled “Analytical Methods for
7 Chemical Analysis of Geologic and Other Mate-
8 rials, U.S. Geological Survey” and dated 2002);
9 and

10 (B) are as sensitive as is feasible and prac-
11 ticable.

12 (2) REQUIREMENT.—In developing the per-
13 formance standard under subsection (a), the Direc-
14 tor may—

15 (A) develop quality assurance and quality
16 control measures to ensure accurate sampling
17 and testing;

18 (B) develop a training program with re-
19 spect to the appropriate method of sample col-
20 lection and analysis of perfluorinated com-
21 pounds; and

22 (C) coordinate with the Administrator, in-
23 cluding, if appropriate, coordinating to develop
24 media-specific, validated analytical methods to

1 detect individual and different perfluorinated
2 compounds simultaneously.

3 **SEC. 6733. NATIONWIDE SAMPLING.**

4 (a) IN GENERAL.—The Director shall carry out a na-
5 tionwide sampling to determine the concentration of
6 perfluorinated compounds in estuaries, lakes, streams,
7 springs, wells, wetlands, rivers, aquifers, and soil using the
8 performance standard developed under section 6732(a).

9 (b) REQUIREMENTS.—In carrying out the sampling
10 under subsection (a), the Director shall—

11 (1) first carry out the sampling at sources of
12 drinking water near locations with known or sus-
13 pected releases of perfluorinated compounds;

14 (2) when carrying out sampling of sources of
15 drinking water under paragraph (1), carry out the
16 sampling prior to any treatment of the water;

17 (3) survey for ecological exposure to
18 perfluorinated compounds, with a priority in deter-
19 mining direct human exposure through drinking
20 water; and

21 (4) consult with—

22 (A) States to determine areas that are a
23 priority for sampling; and

24 (B) the Administrator—

1 (i) to enhance coverage of the sam-
2 pling; and

3 (ii) to avoid unnecessary duplication.

4 (c) REPORT.—Not later than 90 days after the com-
5 pletion of the sampling under subsection (a), the Director
6 shall prepare a report describing the results of the sam-
7 pling and submit the report to—

8 (1) the Committee on Environment and Public
9 Works and the Committee on Energy and Natural
10 Resources of the Senate;

11 (2) the Committee on Energy and Commerce of
12 the House of Representatives;

13 (3) the Senators of each State in which the Di-
14 rector carried out the sampling; and

15 (4) each Member of the House of Representa-
16 tives that represents a district in which the Director
17 carried out the sampling.

18 **SEC. 6734. DATA USAGE.**

19 (a) IN GENERAL.—The Director shall provide the
20 sampling data collected under section 6733 to—

21 (1) the Administrator; and

22 (2) other Federal and State regulatory agencies
23 on request.

24 (b) USAGE.—The sampling data provided under sub-
25 section (a) shall be used to inform and enhance assess-

1 ments of exposure, likely health and environmental im-
 2 pacts, and remediation priorities.

3 **SEC. 6735. COLLABORATION.**

4 In carrying out this subtitle, the Director shall col-
 5 laborate with—

- 6 (1) appropriate Federal and State regulators;
- 7 (2) institutions of higher education;
- 8 (3) research institutions; and
- 9 (4) other expert stakeholders.

10 **SEC. 6736. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated to the Direc-
 12 tor to carry out this subtitle—

- 13 (1) \$5,000,000 for fiscal year 2020; and
- 14 (2) \$10,000,000 for each of fiscal years 2021
 15 through 2024.

16 **Subtitle D—Safe Drinking Water**
 17 **Assistance**

18 **SEC. 6741. DEFINITIONS.**

19 In this subtitle:

- 20 (1) **CONTAMINANT.**—The term “contaminant”
 21 means any physical, chemical, biological, or radio-
 22 logical substance or matter in water.
- 23 (2) **CONTAMINANT OF EMERGING CONCERN;**
 24 **EMERGING CONTAMINANT.**—The terms “contami-

1 nant of emerging concern” and “emerging contami-
2 nant” mean a contaminant—

3 (A) for which the Administrator has not
4 promulgated a national primary drinking water
5 regulation; and

6 (B) that may have an adverse effect on the
7 health of individuals.

8 (3) FEDERAL RESEARCH STRATEGY.—The term
9 “Federal research strategy” means the coordinated
10 cross-agency plan for addressing critical research
11 gaps related to detecting, assessing exposure to, and
12 identifying the adverse health effects of emerging
13 contaminants in drinking water developed by the Of-
14 fice of Science and Technology Policy in response to
15 the report of the Committee on Appropriations of
16 the Senate accompanying S. 1662 of the 115th Con-
17 gress (S. Rept. 115–139).

18 (4) TECHNICAL ASSISTANCE AND SUPPORT.—
19 The term “technical assistance and support” in-
20 cludes—

21 (A) assistance with—

22 (i) identifying appropriate analytical
23 methods for the detection of contaminants;

1 (ii) understanding the strengths and
2 limitations of the analytical methods de-
3 scribed in clause (i);

4 (iii) troubleshooting the analytical
5 methods described in clause (i);

6 (B) providing advice on laboratory certifi-
7 cation program elements;

8 (C) interpreting sample analysis results;

9 (D) providing training with respect to
10 proper analytical techniques;

11 (E) identifying appropriate technology for
12 the treatment of contaminants; and

13 (F) analyzing samples, if—

14 (i) the analysis cannot be otherwise
15 obtained in a practicable manner other-
16 wise; and

17 (ii) the capability and capacity to per-
18 form the analysis is available at a Federal
19 facility.

20 (5) WORKING GROUP.—The term “Working
21 Group” means the Working Group established under
22 section 6742(b)(1).

1 **SEC. 6742. RESEARCH AND COORDINATION PLAN FOR EN-**
2 **HANCED RESPONSE ON EMERGING CONTAMI-**
3 **NANTS.**

4 (a) IN GENERAL.—The Administrator shall—

5 (1) review Federal efforts—

6 (A) to identify, monitor, and assist in the
7 development of treatment methods for emerging
8 contaminants; and

9 (B) to assist States in responding to the
10 human health risks posed by contaminants of
11 emerging concern; and

12 (2) in collaboration with owners and operators
13 of public water systems, States, and other interested
14 stakeholders, establish a strategic plan for improving
15 the Federal efforts referred to in paragraph (1).

16 (b) INTERAGENCY WORKING GROUP ON EMERGING
17 CONTAMINANTS.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of enactment of this Act, the Adminis-
20 trator and the Secretary of Health and Human
21 Services shall jointly establish a Working Group to
22 coordinate the activities of the Federal Government
23 to identify and analyze the public health effects of
24 drinking water contaminants of emerging concern.

25 (2) MEMBERSHIP.—The Working Group shall
26 include representatives of the following:

1 (A) The Environmental Protection Agency,
2 appointed by the Administrator.

3 (B) The following agencies, appointed by
4 the Secretary of Health and Human Services:

5 (i) The National Institutes of Health.

6 (ii) The Centers for Disease Control
7 and Prevention.

8 (iii) The Agency for Toxic Substances
9 and Disease Registry.

10 (C) The United States Geological Survey,
11 appointed by the Secretary of the Interior.

12 (D) Any other Federal agency the assist-
13 ance of which the Administrator determines to
14 be necessary to carry out this subsection, ap-
15 pointed by the head of the respective agency.

16 (3) EXISTING WORKING GROUP.—The Adminis-
17 trator may expand or modify the duties of an exist-
18 ing working group to perform the duties of the
19 Working Group under this subsection.

20 (c) NATIONAL EMERGING CONTAMINANT RESEARCH
21 INITIATIVE.—

22 (1) FEDERAL RESEARCH STRATEGY.—

23 (A) IN GENERAL.—Not later than 180
24 days after the date of enactment of this Act,
25 the Director of the Office of Science and Tech-

1 nology Policy (referred to in this subsection as
2 the “Director”) shall coordinate with the heads
3 of the agencies described in subparagraph (C)
4 to establish a research initiative, to be known as
5 the “National Emerging Contaminant Research
6 Initiative”, that shall—

7 (i) use the Federal research strategy
8 to improve the identification, analysis,
9 monitoring, and treatment methods of con-
10 taminants of emerging concern; and

11 (ii) develop any necessary program,
12 policy, or budget to support the implemen-
13 tation of the Federal research strategy, in-
14 cluding mechanisms for joint agency review
15 of research proposals, for interagency co-
16 funding of research activities, and for in-
17 formation sharing across agencies.

18 (B) RESEARCH ON EMERGING CONTAMI-
19 NANTS.—In carrying out subparagraph (A), the
20 Director shall—

21 (i) take into consideration consensus
22 conclusions from peer-reviewed, pertinent
23 research on emerging contaminants; and

1 (ii) in consultation with the Adminis-
2 trator, identify priority emerging contami-
3 nants for research emphasis.

4 (C) FEDERAL PARTICIPATION.—The agen-
5 cies referred to in subparagraph (A) include—

6 (i) the National Science Foundation;

7 (ii) the National Institutes of Health;

8 (iii) the Environmental Protection
9 Agency;

10 (iv) the National Institute of Stand-
11 ards and Technology;

12 (v) the United States Geological Sur-
13 vey; and

14 (vi) any other Federal agency that
15 contributes to research in water quality,
16 environmental exposures, and public
17 health, as determined by the Director.

18 (D) PARTICIPATION FROM ADDITIONAL
19 ENTITIES.—In carrying out subparagraph (A),
20 the Director shall consult with nongovernmental
21 organizations, State and local governments, and
22 science and research institutions determined by
23 the Director to have scientific or material inter-
24 est in the National Emerging Contaminant Re-
25 search Initiative.

1 (2) IMPLEMENTATION OF RESEARCH REC-
2 OMMENDATIONS.—

3 (A) IN GENERAL.—Not later than 1 year
4 after the date on which the Director and heads
5 of the agencies described in paragraph (1)(C)
6 establish the National Emerging Contaminant
7 Research Initiative under paragraph (1)(A), the
8 head of each agency described in paragraph
9 (1)(C) shall—

10 (i) issue a solicitation for research
11 proposals consistent with the Federal re-
12 search strategy; and

13 (ii) make grants to applicants that
14 submit research proposals selected by the
15 National Emerging Contaminant Research
16 Initiative in accordance with subparagraph
17 (B).

18 (B) SELECTION OF RESEARCH PRO-
19 POSALS.—The National Emerging Contaminant
20 Research Initiative shall select research pro-
21 posals to receive grants under this paragraph
22 on the basis of merit, using criteria identified
23 by the Director, including the likelihood that
24 the proposed research will result in significant

1 progress toward achieving the objectives identi-
2 fied in the Federal research strategy.

3 (C) ELIGIBLE ENTITIES.—Any entity or
4 group of 2 or more entities may submit to the
5 head of each agency described in paragraph
6 (1)(C) a research proposal in response to the
7 solicitation for research proposals described in
8 subparagraph (A)(i), including—

9 (i) State and local agencies;

10 (ii) public institutions, including pub-
11 lic institutions of higher education;

12 (iii) private corporations; and

13 (iv) nonprofit organizations.

14 (d) FEDERAL TECHNICAL ASSISTANCE AND SUP-
15 PORT FOR STATES.—

16 (1) STUDY.—

17 (A) IN GENERAL.—Not later than 1 year
18 after the date of enactment of this Act, the Ad-
19 ministrator shall conduct a study on actions the
20 Administrator can take to increase technical as-
21 sistance and support for States with respect to
22 emerging contaminants in drinking water sam-
23 ples.

1 (B) CONTENTS OF STUDY.—In carrying
2 out the study described in subparagraph (A),
3 the Administrator shall identify—

4 (i) methods and effective treatment
5 options to increase technical assistance and
6 support with respect to emerging contami-
7 nants to States, including identifying op-
8 portunities for States to improve commu-
9 nication with various audiences about the
10 risks associated with emerging contami-
11 nants;

12 (ii) means to facilitate access to quali-
13 fied contract testing laboratory facilities
14 that conduct analyses for emerging con-
15 taminants; and

16 (iii) actions to be carried out at exist-
17 ing Federal laboratory facilities, including
18 the research facilities of the Administrator,
19 to provide technical assistance and support
20 for States that require testing facilities for
21 emerging contaminants.

22 (C) AVAILABILITY OF ANALYTICAL RE-
23 SOURCES.—In carrying out the study described
24 in subparagraph (A), the Administrator shall
25 consider—

1 (i) the availability of—

2 (I) Federal and non-Federal lab-
3 oratory capacity; and

4 (II) validated methods to detect
5 and analyze contaminants; and

6 (ii) other factors determined to be ap-
7 propriate by the Administrator.

8 (2) REPORT.—Not later than 18 months after
9 the date of enactment of this Act, the Administrator
10 shall submit to Congress a report describing the re-
11 sults of the study described in paragraph (1).

12 (3) PROGRAM TO PROVIDE FEDERAL ASSIST-
13 ANCE TO STATES.—

14 (A) IN GENERAL.—Not later than 3 years
15 after the date of enactment of this Act, based
16 on the findings in the report described in para-
17 graph (2), the Administrator shall develop a
18 program to provide technical assistance and
19 support to eligible States for the testing and
20 analysis of emerging contaminants.

21 (B) APPLICATION.—

22 (i) IN GENERAL.—To be eligible for
23 technical assistance and support under this
24 paragraph, a State shall submit to the Ad-
25 ministrator an application at such time, in

1 such manner, and containing such infor-
2 mation as the Administrator may require.

3 (ii) CRITERIA.—The Administrator
4 shall evaluate an application for technical
5 assistance and support under this para-
6 graph on the basis of merit using criteria
7 identified by the Administrator, includ-
8 ing—

9 (I) the laboratory facilities avail-
10 able to the State;

11 (II) the availability and applica-
12 bility of existing analytical methodolo-
13 gies;

14 (III) the potency and severity of
15 the emerging contaminant, if known;
16 and

17 (IV) the prevalence and mag-
18 nitude of the emerging contaminant.

19 (iii) PRIORITIZATION.—In selecting
20 States to receive technical assistance and
21 support under this paragraph, the Admin-
22 istrator—

23 (I) shall give priority to States
24 with affected areas primarily in finan-
25 cially distressed communities;

1 (II) may—

2 (aa) waive the application
3 process in an emergency situa-
4 tion; and

5 (bb) require an abbreviated
6 application process for the con-
7 tinuation of work specified in a
8 previously approved application
9 that continues to meet the cri-
10 teria described in clause (ii); and

11 (III) shall consider the relative
12 expertise and availability of—

13 (aa) Federal and non-Fed-
14 eral laboratory capacity available
15 to the State;

16 (bb) analytical resources
17 available to the State; and

18 (cc) other types of technical
19 assistance available to the State.

20 (C) DATABASE OF AVAILABLE RE-
21 SOURCES.—The Administrator shall establish
22 and maintain a database of resources available
23 through the program developed under subpara-
24 graph (A) to assist States with testing for
25 emerging contaminants that—

1 (i) is—

2 (I) available to States and stake-
3 holder groups determined by the Ad-
4 ministrator to have scientific or mate-
5 rial interest in emerging contami-
6 nants, including—

7 (aa) drinking water and
8 wastewater utilities;

9 (bb) laboratories;

10 (cc) Federal and State emer-
11 gency responders;

12 (dd) State primacy agencies;

13 (ee) public health agencies;

14 and

15 (ff) water associations;

16 (II) searchable; and

17 (III) accessible through the
18 website of the Administrator; and

19 (ii) includes a description of—

20 (I) qualified contract testing lab-
21 oratory facilities that conduct analyses
22 for emerging contaminants; and

23 (II) the resources available in
24 Federal laboratory facilities to test for
25 emerging contaminants.

1 (D) WATER CONTAMINANT INFORMATION
 2 TOOL.—The Administrator shall integrate the
 3 database established under subparagraph (C)
 4 into the Water Contaminant Information Tool
 5 of the Environmental Protection Agency.

6 (4) FUNDING.—Of the amounts available to the
 7 Administrator, the Administrator may use not more
 8 than \$15,000,000 in a fiscal year to carry out this
 9 subsection.

10 (e) REPORT.—Not less frequently than once every 2
 11 years until 2029, the Administrator shall submit to Con-
 12 gress a report that describes the progress made in car-
 13 rying out this subtitle.

14 (f) EFFECT.—Nothing in this section modifies any
 15 obligation of a State, local government, or Indian Tribe
 16 with respect to treatment methods for, or testing or moni-
 17 toring of, drinking water.

18 **Subtitle E—Miscellaneous**

19 **SEC. 6751. PFAS DATA CALL.**

20 Section 8(a) of the Toxic Substances Control Act (15
 21 U.S.C. 2607(a)) is amended by adding at the end the fol-
 22 lowing:

23 “(7) PFAS DATA.—Not later than January 1,
 24 2023, the Administrator shall promulgate a rule in
 25 accordance with this subsection requiring each per-

1 son who has manufactured a chemical substance
2 that is a perfluoroalkyl or polyfluoroalkyl substance
3 in any year since January 1, 2006, to submit to the
4 Administrator a report that includes, for each year
5 since January 1, 2006, the information described in
6 paragraph (2).’’.

7 **SEC. 6752. SIGNIFICANT NEW USE RULE FOR LONG-CHAIN**
8 **PFAS.**

9 Not later than June 22, 2020, the Administrator
10 shall take final action on the significant new use rule pro-
11 posed by the Administrator under the Toxic Substances
12 Control Act (15 U.S.C. 2601 et seq.) in the proposed rule
13 entitled “Long-Chain Perfluoroalkyl Carboxylate and
14 Perfluoroalkyl Sulfonate Chemical Substances; Significant
15 New Use Rule” (80 Fed. Reg. 2885 (January 21, 2015)).

16 **SEC. 6753. PFAS DESTRUCTION AND DISPOSAL GUIDANCE.**

17 (a) IN GENERAL.—Not later than 1 year after the
18 date of enactment of this Act, the Administrator shall
19 publish interim guidance on the destruction and disposal
20 of perfluoroalkyl and polyfluoroalkyl substances and mate-
21 rials containing perfluoroalkyl and polyfluoroalkyl sub-
22 stances, including—

- 23 (1) aqueous film-forming foam;
24 (2) soil and biosolids;

1 (3) textiles treated with perfluoroalkyl and
2 polyfluoroalkyl substances; and

3 (4) spent filters, membranes, and other waste
4 from water treatment.

5 (b) CONSIDERATIONS; INCLUSIONS.—The interim
6 guidance under subsection (a) shall—

7 (1) take into consideration—

8 (A) the potential for releases of
9 perfluoroalkyl and polyfluoroalkyl substances
10 during destruction or disposal, including
11 through volatilization, air dispersion, or leach-
12 ate; and

13 (B) potentially vulnerable populations liv-
14 ing near likely destruction or disposal sites; and

15 (2) provide guidance on testing and monitoring
16 air, effluent, and soil near potential destruction or
17 disposal sites for releases described in paragraph
18 (1)(A).

19 (c) REVISIONS.—The Administrator shall publish re-
20 visions to the interim guidance under subsection (a) as
21 the Administrator determines to be appropriate, but not
22 less frequently than once every 3 years.

1 **SEC. 6754. PFAS RESEARCH AND DEVELOPMENT.**

2 (a) IN GENERAL.—The Administrator, acting
3 through the Assistant Administrator for the Office of Re-
4 search and Development, shall—

5 (1)(A) further examine the effects of
6 perfluoroalkyl and polyfluoroalkyl substances on
7 human health and the environment; and

8 (B) make publicly available information relating
9 to the findings under subparagraph (A);

10 (2) develop a process for prioritizing which
11 perfluoroalkyl and polyfluoroalkyl substances, or
12 classes of perfluoroalkyl and polyfluoroalkyl sub-
13 stances, should be subject to additional research or
14 regulatory efforts that is based on—

15 (A) the potential for human exposure to
16 the substances or classes of substances;

17 (B) the potential toxicity of the substances
18 or classes of substances; and

19 (C) information available about the sub-
20 stances or classes of substances;

21 (3) develop new tools to characterize and iden-
22 tify perfluoroalkyl and polyfluoroalkyl substances in
23 the environment, including in drinking water, waste-
24 water, surface water, groundwater, solids, and the
25 air;

(4) evaluate approaches for the remediation of contamination by perfluoroalkyl and polyfluoroalkyl substances in the environment; and

(5) develop and implement new tools and materials to communicate with the public about perfluoroalkyl and polyfluoroalkyl substances.

(b) FUNDING.—There is authorized to be appropriated to the Administrator to carry out this section \$15,000,000 for each of fiscal years 2020 through 2024.

TITLE LXVIII—SANCTIONS WITH RESPECT TO FOREIGN TRAF- FICKERS OF ILLICIT SYN- THETIC OPIOIDS

SEC. 6801. SHORT TITLE.

This title may be cited as the “Fentanyl Sanctions Act”.

SEC. 6802. FINDINGS.

Congress makes the following findings:

(1) The Centers for Disease Control and Prevention estimate that from September 2017 through September 2018 more than 48,200 people in the United States died from an opioid overdose, with synthetic opioids (excluding methadone), contributing to a record 31,900 overdose deaths. While drug overdose death estimates from methadone,

1 semi-synthetic opioids, and heroin have decreased in
2 recent months, overdose deaths from synthetic
3 opioids have continued to increase.

4 (2) Congress and the President have taken a
5 number of actions to combat the demand for illicit
6 opioids in the United States, including enacting into
7 law the SUPPORT for Patients and Communities
8 Act (Public Law 115–271; 132 Stat. 3894). While
9 new statutes and regulations have reduced the rate
10 of opioid prescriptions in recent years, fully address-
11 ing the United States opioid crisis will involve dra-
12 matically restricting the foreign supply of illicit
13 opioids.

14 (3) The People’s Republic of China is the
15 world’s largest producer of illicit fentanyl, fentanyl
16 analogues, and their immediate precursors. From
17 the People’s Republic of China, those substances are
18 shipped primarily through express consignment car-
19 riers or international mail directly to the United
20 States, or, alternatively, shipped directly to
21 transnational criminal organizations in Mexico, Can-
22 ada, and the Caribbean.

23 (4) The United States and the People’s Repub-
24 lic of China, Mexico, and Canada have made impor-
25 tant strides in combating the illicit flow of opioids

1 through bilateral efforts of their respective law en-
2 forcement agencies.

3 (5) The objective of preventing the proliferation
4 of illicit opioids through existing multilateral and bi-
5 lateral initiatives requires additional efforts to deny
6 illicit actors the financial means to sustain their
7 markets and distribution networks.

8 (6) The implementation on May 1, 2019, of the
9 regulations of the People's Republic of China to
10 schedule all fentanyl analogues as controlled sub-
11 stances is a major step in combating global opioid
12 trafficking and represents a major achievement in
13 United States-China law enforcement dialogues.
14 However, that step will effectively fulfill the commit-
15 ment that President Xi Jinping of the People's Re-
16 public of China made to President Donald Trump at
17 the Group of Twenty meeting in December 2018
18 only if the Government of the People's Republic of
19 China devotes sufficient resources to full implemen-
20 tation and strict enforcement of the new regulations.
21 The effective enforcement of the new regulations
22 should result in diminished trafficking of illicit
23 fentanyl originating from the People's Republic of
24 China into the United States, so it is in the interests
25 of both the United States and the People's Republic

1 of China to support the effective enforcement of the
2 regulations.

3 (7) While the Department of the Treasury used
4 the Foreign Narcotics Kingpin Designation Act (21
5 U.S.C. 1901 et seq.) to sanction the first synthetic
6 opioid trafficking entity in April 2018, additional
7 economic and financial sanctions policy tools are
8 needed to help combat the flow of synthetic opioids
9 into the United States.

10 **SEC. 6803. SENSE OF CONGRESS.**

11 It is the sense of Congress that—

12 (1) the United States should apply economic
13 and other financial sanctions to foreign traffickers of
14 illicit opioids to protect the national security, foreign
15 policy, and economy of the United States and the
16 health of the people of the United States;

17 (2) it is imperative that the People's Republic
18 of China follow through on full implementation of
19 the new regulations, adopted May 1, 2019, to treat
20 all fentanyl analogues as controlled substances under
21 the laws of the People's Republic of China, including
22 by devoting sufficient resources for implementation
23 and strict enforcement of the new regulations; and

24 (3) the effective enforcement of the new regula-
25 tions should result in diminished trafficking of illicit

1 fentanyl originating from the People’s Republic of
2 China into the United States, so it is in the interests
3 of both the United States and the People’s Republic
4 of China to support full, effective, and strict enforce-
5 ment of the regulations.

6 **SEC. 6804. DEFINITIONS.**

7 In this title:

8 (1) ALIEN; NATIONAL; NATIONAL OF THE
9 UNITED STATES.—The terms “alien”, “national”,
10 and “national of the United States” have the mean-
11 ings given those terms in section 101 of the Immi-
12 gration and Nationality Act (8 U.S.C. 1101).

13 (2) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES AND LEADERSHIP.—The term “appropriate
15 congressional committees and leadership” means—

16 (A) the Committee on Appropriations, the
17 Committee on Armed Services, the Committee
18 on Banking, Housing, and Urban Affairs, the
19 Committee on Foreign Relations, the Com-
20 mittee on Homeland Security and Govern-
21 mental Affairs, the Committee on the Judiciary,
22 the Select Committee on Intelligence, and the
23 majority leader and the minority leader of the
24 Senate; and

1 (B) the Committee on Appropriations, the
2 Committee on Armed Services, the Committee
3 on Financial Services, the Committee on For-
4 eign Affairs, the Committee on Homeland Secu-
5 rity, the Committee on the Judiciary, the Per-
6 manent Select Committee on Intelligence, and
7 the Speaker and the minority leader of the
8 House of Representatives.

9 (3) CONTROLLED SUBSTANCE; LISTED CHEM-
10 ICAL.—The terms “controlled substance”, “listed
11 chemical”, “narcotic drug”, and “opioid” have the
12 meanings given those terms in section 102 of the
13 Controlled Substances Act (21 U.S.C. 802).

14 (4) ENTITY.—The term “entity” means a part-
15 nership, joint venture, association, corporation, orga-
16 nization, network, group, or subgroup, or any form
17 of business collaboration.

18 (5) FOREIGN OPIOID TRAFFICKER.—The term
19 “foreign opioid trafficker” means any foreign person
20 that the President determines plays a significant
21 role in opioid trafficking.

22 (6) FOREIGN PERSON.—The term “foreign per-
23 son”—

24 (A) means—

1 (i) any citizen or national of a foreign
2 country; or

3 (ii) any entity not organized under the
4 laws of the United States or a jurisdiction
5 within the United States; and

6 (B) does not include the government of a
7 foreign country.

8 (7) KNOWINGLY.—The term “knowingly”, with
9 respect to conduct, a circumstance, or a result,
10 means that a person has actual knowledge, or should
11 have known, of the conduct, the circumstance, or the
12 result.

13 (8) OPIOID TRAFFICKING.—The term “opioid
14 trafficking” means any illicit activity—

15 (A) to produce, manufacture, distribute,
16 sell, or knowingly finance or transport illicit
17 synthetic opioids, controlled substances that are
18 synthetic opioids, listed chemicals that are syn-
19 thetic opioids, or active pharmaceutical ingredi-
20 ents or chemicals that are used in the produc-
21 tion of controlled substances that are synthetic
22 opioids;

23 (B) to attempt to carry out an activity de-
24 scribed in subparagraph (A); or

1 (C) to assist, abet, conspire, or collude
 2 with other persons to carry out such an activity.

3 (9) PERSON.—The term “person” means an in-
 4 dividual or entity.

5 (10) UNITED STATES PERSON.—The term
 6 “United States person” means—

7 (A) any citizen or national of the United
 8 States;

9 (B) any alien lawfully admitted for perma-
 10 nent residence in the United States;

11 (C) any entity organized under the laws of
 12 the United States or any jurisdiction within the
 13 United States (including a foreign branch of
 14 such an entity); or

15 (D) any person located in the United
 16 States.

17 **Subtitle A—Sanctions With Respect** 18 **to Foreign Opioid Traffickers**

19 **SEC. 6811. IDENTIFICATION OF FOREIGN OPIOID TRAF-** 20 **FICKERS.**

21 (a) PUBLIC REPORT.—

22 (1) IN GENERAL.—The President shall submit
 23 to the appropriate congressional committees and
 24 leadership, in accordance with subsection (c), a re-
 25 port—

1 (A) identifying the foreign persons that the
2 President determines are foreign opioid traf-
3 fickers;

4 (B) detailing progress the President has
5 made in implementing this subtitle; and

6 (C) providing an update on cooperative ef-
7 forts with the Governments of Mexico and the
8 People's Republic of China with respect to com-
9 bating foreign opioid traffickers.

10 (2) IDENTIFICATION OF ADDITIONAL PER-
11 SONS.—If, at any time after submitting a report re-
12 quired by paragraph (1) and before the submission
13 of the next such report, the President determines
14 that a foreign person not identified in the report is
15 a foreign opioid trafficker, the President shall sub-
16 mit to the appropriate congressional committees and
17 leadership an additional report containing the infor-
18 mation required by paragraph (1) with respect to
19 the foreign person.

20 (3) EXCLUSION.—The President shall not be
21 required to include in a report under paragraph (1)
22 or (2) any persons with respect to which the United
23 States has imposed sanctions before the date of the
24 report under this subtitle or any other provision of
25 law with respect to opioid trafficking.

1 (4) FORM OF REPORT.—

2 (A) IN GENERAL.—Each report required
3 by paragraph (1) or (2) shall be submitted in
4 unclassified form but may include a classified
5 annex.

6 (B) AVAILABILITY TO PUBLIC.—The un-
7 classified portion of a report required by para-
8 graph (1) or (2) shall be made available to the
9 public.

10 (b) CLASSIFIED REPORT.—

11 (1) IN GENERAL.—The President shall submit
12 to the appropriate congressional committees and
13 leadership, in accordance with subsection (c), a re-
14 port, in classified form—

15 (A) describing in detail the status of sanc-
16 tions imposed under this subtitle, including the
17 personnel and resources directed toward the im-
18 position of such sanctions during the preceding
19 fiscal year;

20 (B) providing background information with
21 respect to persons newly identified as foreign
22 opioid traffickers and their illicit activities;

23 (C) describing actions the President in-
24 tends to undertake or has undertaken to imple-
25 ment this subtitle; and

1 (D) providing a strategy for identifying ad-
2 ditional foreign opioid traffickers.

3 (2) EFFECT ON OTHER REPORTING REQUIRE-
4 MENTS.—The report required by paragraph (1) is in
5 addition to the obligations of the President to keep
6 Congress fully and currently informed pursuant to
7 the provisions of the National Security Act of 1947
8 (50 U.S.C. 3001 et seq.).

9 (c) SUBMISSION OF REPORTS.—Not later than 180
10 days after the date of the enactment of this Act, and annu-
11 ally thereafter until the date that is 5 years after such
12 date of enactment, the President shall submit the reports
13 required by subsections (a) and (b) to the appropriate con-
14 gressional committees and leadership.

15 (d) EXCLUSION OF CERTAIN INFORMATION.—

16 (1) INTELLIGENCE.—Notwithstanding any
17 other provision of this section, a report required by
18 subsection (a) or (b) shall not disclose the identity
19 of any person if the Director of National Intelligence
20 determines that such disclosure could compromise an
21 intelligence operation, activity, source, or method of
22 the United States.

23 (2) LAW ENFORCEMENT.—Notwithstanding any
24 other provision of this section, a report required by
25 subsection (a) or (b) shall not disclose the identity

1 of any person if the Attorney General, in coordina-
2 tion, as appropriate, with the Director of the Fed-
3 eral Bureau of Investigation, the Administrator of
4 the Drug Enforcement Administration, the Secretary
5 of the Treasury, the Secretary of State, and the
6 head of any other appropriate Federal law enforce-
7 ment agency, determines that such disclosure could
8 reasonably be expected—

9 (A) to compromise the identity of a con-
10 fidential source, including a State, local, or for-
11 eign agency or authority or any private institu-
12 tion that furnished information on a confiden-
13 tial basis;

14 (B) to jeopardize the integrity or success
15 of an ongoing criminal investigation or prosecu-
16 tion;

17 (C) to endanger the life or physical safety
18 of any person; or

19 (D) to cause substantial harm to physical
20 property.

21 (3) NOTIFICATION REQUIRED.—If the Director
22 of National Intelligence makes a determination
23 under paragraph (1) or the Attorney General makes
24 a determination under paragraph (2), the Director
25 or the Attorney General, as the case may be, shall

1 notify the appropriate congressional committees and
2 leadership of the determination and the reasons for
3 the determination.

4 (4) RULE OF CONSTRUCTION.—Nothing in this
5 section may be construed to authorize or compel the
6 disclosure of information determined by the Presi-
7 dent to be law enforcement information, national se-
8 curity information, or other information the disclo-
9 sure of which is prohibited by any other provision of
10 law.

11 (e) PROVISION OF INFORMATION REQUIRED FOR RE-
12 PORTS.—The Secretary of the Treasury, the Attorney
13 General, the Secretary of Defense, the Secretary of State,
14 the Secretary of Homeland Security, and the Director of
15 National Intelligence shall consult among themselves and
16 provide to the President and the Director of the Office
17 of National Drug Control Policy the appropriate and nec-
18 essary information to enable the President to submit the
19 reports required by subsection (a).

20 **SEC. 6812. SENSE OF CONGRESS ON INTERNATIONAL**
21 **OPIOID CONTROL REGIME.**

22 It is the sense of Congress that, in order to apply
23 economic and other financial sanctions to foreign traf-
24 fickers of illicit opioids to protect the national security,
25 foreign policy, and economy of the United States—

1 (1) the President should instruct the Secretary
2 of State to commence immediately diplomatic ef-
3 forts, both in appropriate international fora such as
4 the United Nations, the Group of Seven, the Group
5 of Twenty, and trilaterally and bilaterally with part-
6 ners of the United States, to combat foreign opioid
7 trafficking, including by working to establish a mul-
8 tilateral sanctions regime with respect to foreign
9 opioid trafficking; and

10 (2) the Secretary of State, in consultation with
11 the Secretary of the Treasury, should intensify ef-
12 forts to maintain and strengthen the coalition of
13 countries formed to combat foreign opioid traf-
14 ficking.

15 **SEC. 6813. IMPOSITION OF SANCTIONS.**

16 The President shall impose five or more of the sanc-
17 tions described in section 6814 with respect to each for-
18 eign person that is an entity, and four or more of such
19 sanctions with respect to each foreign person that is an
20 individual, that—

21 (1) is identified as a foreign opioid trafficker in
22 a report submitted under section 6811(a); or

23 (2) the President determines is owned, con-
24 trolled, directed by, knowingly supplying or sourcing

1 precursors for, or acting for or on behalf of, such a
2 foreign opioid trafficker.

3 **SEC. 6814. DESCRIPTION OF SANCTIONS.**

4 (a) IN GENERAL.—The sanctions that may be im-
5 posed with respect to a foreign person under section 6813
6 are the following:

7 (1) LOANS FROM UNITED STATES FINANCIAL
8 INSTITUTIONS.—The United States Government
9 may prohibit any United States financial institution
10 from making loans or providing credits to the for-
11 eign person.

12 (2) PROHIBITIONS ON FINANCIAL INSTITU-
13 TIONS.—The following prohibitions may be imposed
14 with respect to a foreign person that is a financial
15 institution:

16 (A) PROHIBITION ON DESIGNATION AS
17 PRIMARY DEALER.—Neither the Board of Gov-
18 ernors of the Federal Reserve System nor the
19 Federal Reserve Bank of New York may des-
20 ignate, or permit the continuation of any prior
21 designation of, the financial institution as a pri-
22 mary dealer in United States Government debt
23 instruments.

24 (B) PROHIBITION ON SERVICE AS A RE-
25 POSITORY OF GOVERNMENT FUNDS.—The fi-

1 nancial institution may not serve as agent of
2 the United States Government or serve as re-
3 pository for United States Government funds.

4 The imposition of either sanction under subpara-
5 graph (A) or (B) shall be treated as one sanction for
6 purposes of section 6813, and the imposition of both
7 such sanctions shall be treated as 2 sanctions for
8 purposes of that section.

9 (3) PROCUREMENT BAN.—The United States
10 Government may not procure, or enter into any con-
11 tract for the procurement of, any goods or services
12 from the foreign person.

13 (4) FOREIGN EXCHANGE.—The President may,
14 pursuant to such regulations as the President may
15 prescribe, prohibit any transactions in foreign ex-
16 change that are subject to the jurisdiction of the
17 United States and in which the foreign person has
18 any interest.

19 (5) BANKING TRANSACTIONS.—The President
20 may, pursuant to such regulations as the President
21 may prescribe, prohibit any transfers of credit or
22 payments between financial institutions or by,
23 through, or to any financial institution, to the extent
24 that such transfers or payments are subject to the

1 jurisdiction of the United States and involve any in-
2 terest of the foreign person.

3 (6) PROPERTY TRANSACTIONS.—The President
4 may, pursuant to such regulations as the President
5 may prescribe, prohibit any person from—

6 (A) acquiring, holding, withholding, using,
7 transferring, withdrawing, or transporting any
8 property that is subject to the jurisdiction of
9 the United States and with respect to which the
10 foreign person has any interest;

11 (B) dealing in or exercising any right,
12 power, or privilege with respect to such prop-
13 erty; or

14 (C) conducting any transaction involving
15 such property.

16 (7) BAN ON INVESTMENT IN EQUITY OR DEBT
17 OF SANCTIONED PERSON.—The President may, pur-
18 suant to such regulations or guidelines as the Presi-
19 dent may prescribe, prohibit any United States per-
20 son from investing in or purchasing significant
21 amounts of equity or debt instruments of the foreign
22 person.

23 (8) EXCLUSION OF CORPORATE OFFICERS.—
24 The President may direct the Secretary of State to
25 deny a visa to, and the Secretary of Homeland Secu-

1 rity to exclude from the United States, any alien
2 that the President determines is a corporate officer
3 or principal of, or a shareholder with a controlling
4 interest in, the foreign person.

5 (9) SANCTIONS ON PRINCIPAL EXECUTIVE OF-
6 FICERS.—The President may impose on the prin-
7 cipal executive officer or officers of the foreign per-
8 son, or on individuals performing similar functions
9 and with similar authorities as such officer or offi-
10 cers, any of the sanctions described in paragraphs
11 (1) through (8) that are applicable.

12 (b) PENALTIES.—A person that violates, attempts to
13 violate, conspires to violate, or causes a violation of any
14 regulation, license, or order issued to carry out subsection
15 (a) shall be subject to the penalties set forth in subsections
16 (b) and (c) of section 206 of the International Emergency
17 Economic Powers Act (50 U.S.C. 1705) to the same ex-
18 tent as a person that commits an unlawful act described
19 in subsection (a) of that section.

20 (c) EXCEPTIONS.—

21 (1) INTELLIGENCE AND LAW ENFORCEMENT
22 ACTIVITIES.—Sanctions under this section shall not
23 apply with respect to—

1 (A) any activity subject to the reporting
2 requirements under title V of the National Se-
3 curity Act of 1947 (50 U.S.C. 3091 et seq.); or

4 (B) any authorized intelligence and law en-
5 forcement activities of the United States.

6 (2) EXCEPTION TO COMPLY WITH UNITED NA-
7 TIONS HEADQUARTERS AGREEMENT.—Sanctions
8 under subsection (a)(8) shall not apply to an alien
9 if admitting the alien into the United States is nec-
10 essary to permit the United States to comply with
11 the Agreement regarding the Headquarters of the
12 United Nations, signed at Lake Success June 26,
13 1947, and entered into force November 21, 1947,
14 between the United Nations and the United States,
15 the Convention on Consular Relations, done at Vi-
16 enna April 24, 1963, and entered into force March
17 19, 1967, or other applicable international obliga-
18 tions.

19 (d) IMPLEMENTATION; REGULATORY AUTHORITY.—

20 (1) IMPLEMENTATION.—The President may ex-
21 ercise all authorities provided under sections 203
22 and 205 of the International Emergency Economic
23 Powers Act (50 U.S.C. 1702 and 1704) to carry out
24 this section.

1 (2) REGULATORY AUTHORITY.—The President
2 shall issue such regulations, licenses, and orders as
3 are necessary to carry out this section.

4 **SEC. 6815. WAIVERS.**

5 (a) WAIVER FOR STATE-OWNED FINANCIAL INSTI-
6 TUTIONS IN COUNTRIES THAT COOPERATE IN MULTILAT-
7 ERAL ANTI-TRAFFICKING EFFORTS.—

8 (1) IN GENERAL.—The President may waive for
9 a period of not more than 12 months the application
10 of sanctions under this subtitle with respect to a fi-
11 nancial institution that is owned or controlled, di-
12 rectly or indirectly, by a foreign government or any
13 political subdivision, agency, or instrumentality of a
14 foreign government, if, not less than 15 days before
15 the waiver is to take effect, the President certifies
16 to the appropriate congressional committees and
17 leadership that the foreign government is closely co-
18 operating with the United States in efforts to pre-
19 vent opioid trafficking.

20 (2) CERTIFICATION.—The President may cer-
21 tify under paragraph (1) that a foreign government
22 is closely cooperating with the United States in ef-
23 forts to prevent opioid trafficking if that government
24 is—

1 (A) implementing domestic laws to sched-
2 ule all fentanyl analogues as controlled sub-
3 stances; 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
14 foreign 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
23 to take effect, the Director of National Intelligence
24 certifies to the appropriate congressional committees
25 and leadership that the government of the country

1 to which the waiver applies has effectively imple-
2 mented and is effectively enforcing the measures
3 that formed the basis for the certification under
4 paragraph (2).

5 (b) WAIVERS FOR NATIONAL SECURITY AND ACCESS
6 TO PRESCRIPTION MEDICATIONS.—

7 (1) IN GENERAL.—The President may waive
8 the application of sanctions under this subtitle if the
9 President determines that the application of such
10 sanctions would harm—

11 (A) the national security interests of the
12 United States; or

13 (B) subject to paragraph (2), the access of
14 United States persons to prescription medica-
15 tions.

16 (2) MONITORING.—The President shall estab-
17 lish a monitoring program to verify that a person
18 that receives a waiver under paragraph (1)(B) is not
19 trafficking illicit opioids.

20 (3) NOTIFICATION.—Not later than 15 days
21 after making a determination under paragraph (1),
22 the President shall notify the appropriate congres-
23 sional committees and leadership of the determina-
24 tion and 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 cer-
4 tifies to the appropriate congressional committees and
5 leadership that the waiver is necessary for the provision
6 of humanitarian assistance.

7 **SEC. 6816. PROCEDURES FOR JUDICIAL REVIEW OF CLASSI-**
8 **FIED INFORMATION.**

9 (a) IN GENERAL.—If a finding under this subtitle,
10 or a prohibition, condition, or penalty imposed as a result
11 of any such finding, is based on classified information (as
12 defined in section 1(a) of the Classified Information Pro-
13 cedures Act (18 U.S.C. App.)) and a court reviews the
14 finding or the imposition of the prohibition, condition, or
15 penalty, the President may submit such information to the
16 court ex parte and in camera.

17 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
18 tion shall be construed to confer or imply any right to judi-
19 cial review of any finding under this subtitle, or any prohi-
20 bition, condition, or penalty imposed as a result of any
21 such finding.

22 **SEC. 6817. BRIEFINGS ON IMPLEMENTATION.**

23 Not later than 90 days after the date of the enact-
24 ment of the Fentanyl Sanctions Act, and every 180 days
25 thereafter until the date that is 5 years after such date

1 of enactment, the President, acting through the Secretary
 2 of State, in coordination with the Secretary of the Treas-
 3 ury, shall provide to the appropriate congressional com-
 4 mittees and leadership a comprehensive briefing on efforts
 5 to implement this subtitle.

6 **SEC. 6818. INCLUSION OF ADDITIONAL MATERIAL IN**
 7 **INTERNATIONAL NARCOTICS CONTROL**
 8 **STRATEGY REPORT.**

9 Section 489(a) of the Foreign Assistance Act of 1961
 10 (22 U.S.C. 2291(a)) is amended by adding at the end the
 11 following:

12 “(9)(A) An assessment conducted by the Sec-
 13 retary of State, in consultation with the Secretary of
 14 the Treasury, of the extent to which any diplomatic
 15 efforts described in section 6812 of the Fentanyl
 16 Sanctions Act have been successful.

17 “(B) Each assessment required by subpara-
 18 graph (A) shall include an identification of—

19 “(i) the countries the governments of
 20 which have agreed to undertake measures to
 21 apply economic or other financial sanctions to
 22 foreign traffickers of illicit opioids and a de-
 23 scription of those measures; and

24 “(ii) the countries the governments of
 25 which have not agreed to measures described in

1 clause (i), and, with respect to those countries,
 2 other measures the Secretary of State rec-
 3 ommends that the United States take to apply
 4 economic and other financial sanctions to for-
 5 eign traffickers of illicit opioids.”.

6 **Subtitle B—Commission on Com-**
 7 **bating Synthetic Opioid Traf-**
 8 **ficking**

9 **SEC. 6821. COMMISSION ON COMBATING SYNTHETIC**
 10 **OPIOID TRAFFICKING.**

11 (a) ESTABLISHMENT.—

12 (1) IN GENERAL.—There is established a com-
 13 mission to develop a consensus on a strategic ap-
 14 proach to combating the flow of synthetic opioids
 15 into the United States.

16 (2) DESIGNATION.—The commission estab-
 17 lished under paragraph (1) shall be known as the
 18 “Commission on Synthetic Opioid Trafficking” (in
 19 this section referred to as the “Commission”).

20 (b) MEMBERSHIP.—

21 (1) COMPOSITION.—

22 (A) IN GENERAL.—Subject to subpara-
 23 graph (B), the Commission shall be composed
 24 of the following members:

1 (i) The Administrator of the Drug
2 Enforcement Administration.

3 (ii) The Secretary of Homeland Secu-
4 rity.

5 (iii) The Secretary of Defense.

6 (iv) The Secretary of the Treasury.

7 (v) The Secretary of State.

8 (vi) Two members appointed by the
9 majority leader of the Senate, one of whom
10 shall be a Member of the Senate and one
11 of whom shall not be.

12 (vii) Two members appointed by the
13 minority leader of the Senate, one of whom
14 shall be a Member of the Senate and one
15 of whom shall not be.

16 (viii) Two members appointed by the
17 Speaker of the House of Representatives,
18 one of whom shall be a Member of the
19 House of Representatives and one of whom
20 shall not be.

21 (ix) Two members appointed by the
22 minority leader of the House of Represent-
23 atives, one of whom shall be a Member of
24 the House of Representatives and one of
25 whom shall not be.

1 (B)(i) The members of the Commission
2 who are not Members of Congress and who are
3 appointed under clauses (vi) through (ix) of
4 subparagraph (A) shall be individuals who are
5 nationally recognized for expertise, knowledge,
6 or experience in—

7 (I) transnational criminal organiza-
8 tions conducting synthetic opioid traf-
9 ficking;

10 (II) the production, manufacturing,
11 distribution, sale, or transportation of syn-
12 thetic opioids; or

13 (III) relations between—

14 (aa) the United States; and

15 (bb) the People's Republic of
16 China, Mexico, or any other country
17 of concern with respect to trafficking
18 in synthetic opioids.

19 (ii) An official who appoints members of
20 the Commission may not appoint an individual
21 as a member of the Commission if the indi-
22 vidual possesses any personal or financial inter-
23 est in the discharge of any of the duties of the
24 Commission.

1 (iii)(I) All members of the Commission de-
2 scribed in clause (i) shall possess an appro-
3 priate security clearance in accordance with ap-
4 plicable provisions of law concerning the han-
5 dling of classified information.

6 (II) For the purpose of facilitating the ac-
7 tivities of the Commission, the Director of Na-
8 tional Intelligence shall expedite to the fullest
9 degree possible the processing of security clear-
10 ances that are necessary for members of the
11 Commission.

12 (2) CO-CHAIRS.—

13 (A) IN GENERAL.—The Commission shall
14 have 2 co-chairs, selected from among the mem-
15 bers of the Commission, one of whom shall be
16 a member of the majority party and one of
17 whom shall be a member of the minority party.

18 (B) SELECTION.—The individuals who
19 serve as the co-chairs of the Commission shall
20 be jointly agreed upon by the President, the
21 majority leader of the Senate, the minority
22 leader of the Senate, the Speaker of the House
23 of Representatives, and the minority leader of
24 the House of Representatives.

1 (c) DUTIES.—The duties of the Commission are as
2 follows:

3 (1) To define the core objectives and priorities
4 of the strategic approach described in subsection
5 (a)(1).

6 (2) To weigh the costs and benefits of various
7 strategic options to combat the flow of synthetic
8 opioids from the People’s Republic of China, Mexico,
9 and other countries.

10 (3) To evaluate whether the options described
11 in paragraph (2) are exclusive or complementary,
12 the best means for executing such options, and how
13 the United States should incorporate and implement
14 such options within the strategic approach described
15 in subsection (a)(1).

16 (4) To review and make determinations on the
17 difficult choices present within such options, among
18 them what norms-based regimes the United States
19 should seek to establish to encourage the effective
20 regulation of dangerous synthetic opioids.

21 (5) To report on efforts by actors in the Peo-
22 ple’s Republic of China to subvert United States
23 laws and to supply illicit synthetic opioids to persons
24 in the United States, including up-to-date estimates

1 of the scale of illicit synthetic opioids flows from the
2 People's Republic of China.

3 (6) To report on the deficiencies in the regula-
4 tion of pharmaceutical and chemical production of
5 controlled substances and export controls with re-
6 spect to such substances in the People's Republic of
7 China and other countries that allow opioid traf-
8 fickers to subvert such regulations and controls to
9 traffic illicit opioids into the United States.

10 (7) To report on the scale of contaminated or
11 counterfeit drugs originating from the People's Re-
12 public of China and India.

13 (8) To report on how the United States could
14 work more effectively with provincial and local offi-
15 cials in the People's Republic of China and other
16 countries to combat the illicit production of synthetic
17 opioids.

18 (9) In weighing the options for defending the
19 United States against the dangers of trafficking in
20 synthetic opioids, to consider possible structures and
21 authorities that need to be established, revised, or
22 augmented within the Federal Government.

23 (d) FUNCTIONING OF COMMISSION.—The provisions
24 of subsections (c), (d), (e), (g), (h), (i), and (m) of section
25 1652 of the John S. McCain National Defense Authoriza-

tion Act for Fiscal Year 2019 (Public Law 115–232) shall apply to the Commission to the same extent and in the same manner as such provisions apply to the commission established under that section, except that—

(1) subsection (c)(1) of that section shall be applied and administered by substituting “30 days” for “45 days”;

(2) subsection (g)(4)(A) of that section shall be applied and administered by inserting “and the Attorney General” after “Secretary of Defense”; and

(3) subsections (h)(2)(A) and (i)(1)(A) of that section shall be applied and administered by substituting “level V of the Executive Schedule under section 5316” for “level IV of the Executive Schedule under section 5315”.

(e) TREATMENT OF INFORMATION RELATING TO NATIONAL SECURITY.—

(1) 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.

1 (2) INFORMATION PROVIDED BY CONGRESS.—

2 Any information related to the national security of
3 the United States that is provided to the Commis-
4 sion by the appropriate congressional committees
5 and leadership may not be further provided or re-
6 leased without the approval of the chairperson of the
7 committee, or the Member of Congress, as the case
8 may be, that provided the information to the Com-
9 mission.

10 (3) ACCESS AFTER TERMINATION OF COMMIS-
11 SION.—Notwithstanding any other provision of law,
12 after the termination of the Commission under sub-
13 section (h), only the members and designated staff
14 of the appropriate congressional committees and
15 leadership, the Director of National Intelligence (and
16 the designees of the Director), and such other offi-
17 cials of the executive branch as the President may
18 designate shall have access to information related to
19 the national security of the United States that is re-
20 ceived, considered, or used by the Commission.

21 (f) REPORTS.—The Commission shall submit to the
22 appropriate congressional committees and leadership—

23 (1) not later than 270 days after the date of
24 the enactment of this Act, an initial report on the

1 activities and recommendations of the Commission
2 under this section; and

3 (2) not later than 270 days after the submis-
4 sion of the initial report under paragraph (1), a final
5 report on the activities and recommendations of the
6 Commission under this section.

7 (g) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated \$5,000,000 for each of
9 fiscal years 2020 through 2023 to carry out this section.

10 (h) TERMINATION.—

11 (1) IN GENERAL.—The Commission, and all the
12 authorities of this section, shall terminate at the end
13 of the 120-day period beginning on the date on
14 which the final report required by subsection (f)(2)
15 is submitted to the appropriate congressional com-
16 mittees and leadership.

17 (2) WINDING UP OF AFFAIRS.—The Commis-
18 sion may use the 120-day period described in para-
19 graph (1) for the purposes of concluding its activi-
20 ties, including providing testimony to Congress con-
21 cerning the final report required by subsection (f)(2)
22 and disseminating the report.

Subtitle C—Other Matters

SEC. 6831. DIRECTOR OF NATIONAL INTELLIGENCE PROGRAM ON USE OF INTELLIGENCE RESOURCES IN EFFORTS TO SANCTION FOREIGN OPIOID TRAFFICKERS.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Director of National Intelligence shall, with the concurrence of the Director of the Office of National Drug Control Policy, carry out a program to allocate and enhance use of resources of the intelligence community, including intelligence collection and analysis, to assist the Secretary of the Treasury, the Secretary of State, and the Administrator of the Drug Enforcement Administration in efforts to identify and impose sanctions with respect to foreign opioid traffickers under subtitle A.

(2) FOCUS ON ILLICIT FINANCE.—To the extent practicable, efforts described in paragraph (1) shall—

(A) take into account specific illicit finance risks related to narcotics trafficking; and

(B) be developed in consultation with the Undersecretary of the Treasury for Terrorism and Financial Crimes, appropriate officials of

1 the Office of Intelligence and Analysis of the
2 Department of the Treasury, the Director of
3 the Financial Crimes Enforcement Network,
4 and appropriate Federal law enforcement agen-
5 cies.

6 (b) REVIEW OF COUNTERNARCOTICS EFFORTS OF
7 THE INTELLIGENCE COMMUNITY.—The Director of Na-
8 tional Intelligence shall, in coordination with the Director
9 of the Office of National Drug Control Policy, carry out
10 a comprehensive review of the current intelligence collec-
11 tion priorities of the intelligence community for counter-
12 narcotics purposes in order to identify whether such prior-
13 ities are appropriate and sufficient in light of the number
14 of lives lost in the United States each year due to use
15 of illegal drugs.

16 (c) REPORTS.—

17 (1) QUARTERLY REPORTS ON PROGRAM.—Not
18 later than 90 days after the date of the enactment
19 of this Act, and every 90 days thereafter, the Direc-
20 tor of National Intelligence and the Director of the
21 Office of National Drug Control Policy shall jointly
22 submit to the appropriate congressional committees
23 and leadership a report on the status and accom-
24 plishments of the program required by subsection
25 (a) during the 90-day period ending on the date of

1 the report. The first report under this paragraph
2 shall also include a description of the amount of
3 funds devoted by the intelligence community to the
4 efforts described in subsection (a) during each of fis-
5 cal years 2017 and 2018.

6 (2) REPORT ON REVIEW.—Not later than 120
7 days after the date of the enactment of this Act, the
8 Director of National Intelligence and the Director of
9 the Office of National Drug Control Policy shall
10 jointly submit to the appropriate congressional com-
11 mittees and leadership a comprehensive description
12 of the results of the review required by subsection
13 (b), including whether the priorities described in
14 that subsection are appropriate and sufficient in
15 light of the number of lives lost in the United States
16 each year due to use of illegal drugs. If the report
17 concludes that such priorities are not so appropriate
18 and sufficient, the report shall also include a de-
19 scription of the actions to be taken to modify such
20 priorities in order to assure than such priorities are
21 so appropriate and sufficient.

22 (d) INTELLIGENCE COMMUNITY DEFINED.—In this
23 section, the term “intelligence community” has the mean-
24 ing given that term in section 3(4) of the National Secu-
25 rity Act of 1947 (50 U.S.C. 3003(4)).

1 **SEC. 6832. DEPARTMENT OF DEFENSE FUNDING.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—There
3 are authorized to be appropriated to the Secretary of De-
4 fense to carry out the operations and activities described
5 in subsection (b) \$25,000,000 for each of fiscal years
6 2020 through 2025.

7 (b) OPERATIONS AND ACTIVITIES.—The operations
8 and activities described in this subsection are the oper-
9 ations and activities of the Department of Defense in sup-
10 port of any other department or agency of the United
11 States Government solely for purposes of carrying out this
12 title.

13 (c) SUPPLEMENT NOT SUPPLANT.—Amounts made
14 available under subsection (a) shall supplement and not
15 supplant other amounts available to carry out the oper-
16 ations and activities described in subsection (b).

17 (d) NOTIFICATION REQUIREMENT.—Amounts au-
18 thorized to be appropriated by subsection (a) may not be
19 obligated until 15 days after the date on which the Presi-
20 dent notifies the appropriate committees of Congress of
21 the President's intention to obligate such funds.

22 (e) CONCURRENCE OF SECRETARY OF STATE.—Op-
23 erations and activities described in subsection (b) carried
24 out with foreign persons shall be conducted with the con-
25 currence of the Secretary of State.

1 **SEC. 6833. DEPARTMENT OF STATE FUNDING.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—There
3 are authorized to be appropriated to the Secretary of State
4 to carry out the operations and activities described in sub-
5 section (b) \$25,000,000 for each of fiscal years 2020
6 through 2025.

7 (b) OPERATIONS AND ACTIVITIES DESCRIBED.—The
8 operations and activities described in this subsection are
9 the operations and activities of the Department of State
10 in carrying out this title.

11 (c) SUPPLEMENT NOT SUPPLANT.—Amounts au-
12 thorized to be appropriated by subsection (a) shall supple-
13 ment and not supplant other amounts available to carry
14 out the operations and activities described in subsection
15 (b).

16 (d) NOTIFICATION REQUIREMENT.—Amounts au-
17 thorized to be appropriated by subsection (a) may not be
18 obligated until 15 days after the date on which the Presi-
19 dent notifies the appropriate committees of Congress of
20 the President's intention to obligate such funds.

21 **SEC. 6834. DEPARTMENT OF THE TREASURY FUNDING.**

22 (a) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to the Secretary of the
24 Treasury to carry out the operations and activities de-
25 scribed in subsection (b) \$25,000,000 for each of fiscal
26 years 2020 through 2025.

1 (b) OPERATIONS AND ACTIVITIES DESCRIBED.—The
2 operations and activities described in this subsection are
3 the operations and activities of the Department of the
4 Treasury in carrying out this title.

5 (c) SUPPLEMENT NOT SUPPLANT.—Amounts au-
6 thorized to be appropriated by subsection (a) shall supple-
7 ment and not supplant other amounts available to carry
8 out the operations and activities described in subsection
9 (b).

10 (d) NOTIFICATION REQUIREMENT.—Amounts au-
11 thorized to be appropriated by subsection (a) may not be
12 obligated until 15 days after the date on which the Presi-
13 dent notifies the appropriate committees of Congress of
14 the President's intention to obligate such funds.

15 **SEC. 6835. TERMINATION.**

16 The provisions of this title, and any sanctions im-
17 posed pursuant to this title, shall terminate on the date
18 that is 7 years after the date of the enactment of this
19 Act.

20 **SEC. 6836. EXCEPTION RELATING TO IMPORTATION OF**
21 **GOODS.**

22 (a) IN GENERAL.—The authorities and requirements
23 to impose sanctions under this title shall not include the
24 authority or a requirement to impose sanctions on the im-
25 portation of goods.

1 (b) GOOD DEFINED.—In this section, the term
 2 “good” means any article, natural or manmade substance,
 3 material, supply or manufactured product, including in-
 4 spection and test equipment, and excluding technical data.

5 **SEC. 6837. APPROPRIATE COMMITTEES OF CONGRESS DE-**
 6 **FINED.**

7 In this subtitle, the term “appropriate committees of
 8 Congress” means—

9 (1) the Committee on Armed Services, the
 10 Committee on Banking, Housing, and Urban Af-
 11 fairs, the Committee on Foreign Relations, the Se-
 12 lect Committee on Intelligence, and the Committee
 13 on Appropriations of the Senate; and

14 (2) the Committee on Armed Services, the
 15 Committee on Financial Services, the Committee on
 16 Foreign Affairs, the Permanent Select Committee on
 17 Intelligence, and the Committee on Appropriations
 18 of the House of Representatives.

19 **TITLE LXIX—OTTO WARMBIER**
 20 **BANKING RESTRICTIONS IN-**
 21 **VOLVING NORTH KOREA ACT**
 22 **OF 2019**

23 **SEC. 6901. SHORT TITLE.**

24 This title may be cited as the “Otto Warmbier Bank-
 25 ing Restrictions Involving North Korea Act of 2019”.

1 **Subtitle A—Sanctions With Respect**
2 **to North Korea**

3 **SEC. 6911. FINDINGS.**

4 Congress finds the following:

5 (1) Since 2006, the United Nations Security
6 Council has adopted 10 resolutions imposing sanc-
7 tions against North Korea under chapter VII of the
8 United Nations Charter, which—

9 (A) prohibit the use, development, and pro-
10 liferation of weapons of mass destruction by
11 North Korea;

12 (B) prohibit the supply, sale, or transfer of
13 arms and related materiel to or from North
14 Korea;

15 (C) prohibit the transfer of luxury goods to
16 North Korea;

17 (D) restrict access by North Korea to fi-
18 nancial services that could contribute to nu-
19 clear, missile, or other programs related to the
20 development of weapons of mass destruction;

21 (E) restrict North Korean shipping, includ-
22 ing the registration, reflagging, or insuring of
23 North Korean ships;

1 (F) prohibit, with limited exceptions,
2 North Korean exports of coal, precious metals,
3 iron, vanadium, and rare earth minerals;

4 (G) prohibit the transfer to North Korea
5 of rocket, aviation, or jet fuel, as well as gaso-
6 line, condensates, and natural gas liquids;

7 (H) prohibit new work authorization for
8 North Korean laborers and require the repatri-
9 ation of all North Korean laborers by December
10 2019;

11 (I) prohibit exports of North Korean food
12 and agricultural products, including seafood;

13 (J) prohibit joint ventures or cooperative
14 commercial entities or expanding joint ventures
15 with North Korea;

16 (K) prohibit exports of North Korean tex-
17 tiles;

18 (L) require member countries of the
19 United Nations to seize, inspect, and impound
20 any ship in its jurisdiction that is suspected of
21 violating Security Council resolutions with re-
22 spect to North Korea and to interdict and in-
23 spect all cargo heading to or from North Korea
24 by land, sea, or air;

1 (M) limit the transfer to North Korea of
2 refined petroleum products and crude oil;

3 (N) ban the sale or transfer to North
4 Korea of industrial machinery, transportation
5 vehicles, electronics, iron, steel, and other met-
6 als;

7 (O) reduce North Korean diplomatic staff
8 numbers in member countries of the United
9 Nations and expel any North Korean diplomats
10 found to be working on behalf of a person sub-
11 ject to sanctions or assisting in sanctions eva-
12 sion;

13 (P) limit North Korean diplomatic mis-
14 sions abroad with respect to staff size and ac-
15 cess to banking privileges and prohibit com-
16 merce from being conducted out of North Ko-
17 rean consular or diplomatic offices;

18 (Q) require member states of the United
19 Nations to close representative offices, subsidi-
20 aries, and bank accounts in North Korea;

21 (R) prohibit countries from providing or
22 receiving military training to or from North
23 Korea or hosting North Koreans for specialized
24 teaching or training that could contribute to the

1 programs of North Korea related to the devel-
2 opment of weapons of mass destruction;

3 (S) ban countries from granting landing
4 and flyover rights to North Korean aircraft;
5 and

6 (T) prohibit trade in statuary of North Ko-
7 rean origin.

8 (2) The Government of North Korea has
9 threatened to carry out nuclear attacks against the
10 United States, South Korea, and Japan.

11 (3) The Government of North Korea tested its
12 sixth and largest nuclear device on September 3,
13 2017.

14 (4) According to a report by the International
15 Atomic Energy Agency released in August 2018,
16 “The continuation and further development of the
17 DPRK’s nuclear programme and related statements
18 by the DPRK are a cause for grave concern. The
19 DPRK’s nuclear activities, including those in rela-
20 tion to the Yongbyon Experimental Nuclear Power
21 Plant (5 MW(e)) reactor, the use of the building
22 which houses the reported centrifuge enrichment fa-
23 cility and the construction at the light water reactor,
24 as well as the DPRK’s sixth nuclear test, are clear
25 violations of relevant UN Security Council resolu-

1 tions, including resolution 2375 (2017) and are
2 deeply regrettable.”.

3 (5) In July 2018, Secretary of State Mike
4 Pompeo testified to the Committee on Foreign Rela-
5 tions of the Senate that North Korea “continue[s] to
6 produce fissile material” despite public pledges by
7 North Korean leader Kim Jong-un to denuclearize.

8 (6) The 2019 Missile Defense Review conducted
9 by the Department of Defense states that North
10 Korea “continues to pose an extraordinary threat
11 and the United States must remain vigilant. In the
12 past, North Korea frequently issued explicit nuclear
13 missile threats against the United States and allies,
14 all the while working aggressively to field the capa-
15 bility to strike the U.S. homeland with nuclear-
16 armed ballistic missiles. Over the past decade, it has
17 invested considerable resources in its nuclear and
18 ballistic missile programs, and undertaken extensive
19 nuclear and missile testing in order to realize the ca-
20 pability to threaten the U.S. homeland with missile
21 attack. As a result, North Korea has neared the
22 time when it could credibly do so.”.

23 (7) Financial transactions and investments that
24 provide financial resources to the Government of
25 North Korea, and that fail to incorporate adequate

1 safeguards against the misuse of those financial re-
2 sources, pose an undue risk of contributing to—

3 (A) weapons of mass destruction programs
4 of that Government; and

5 (B) efforts to evade restrictions required
6 by the United Nations Security Council on im-
7 ports or exports of arms and related materiel,
8 services, or technology by that Government.

9 (8) The Federal Bureau of Investigation has
10 determined that the Government of North Korea
11 was responsible for cyberattacks against entities in
12 the United States, South Korea, and around the
13 world.

14 (9) In November 2017, President Donald
15 Trump designated the government of North Korea
16 as a state sponsor of terrorism pursuant to authori-
17 ties under the Export Administration Act of 1979
18 (50 U.S.C. App. 2401 et seq.), as continued in effect
19 at the time under the International Emergency Eco-
20 nomic Powers Act (50 U.S.C. 1701 et seq.)), the
21 Foreign Assistance Act of 1961 (22 U.S.C. 2151 et
22 seq.), and the Arms Export Control Act (22 U.S.C.
23 2751 et seq.);

24 (10) On February 22, 2018, the Secretary of
25 State determined that the Government of North

1 Korea was responsible for the lethal nerve agent at-
2 tack in 2017 on Kim Jong Nam, the half-brother of
3 North Korean leader Kim Jong-un, in Malaysia,
4 triggering sanctions required under the Chemical
5 and Biological Weapons Control and Warfare Elim-
6 nation Act of 1991 (22 U.S.C. 5601 et seq.).

7 (11) The strict enforcement of sanctions is es-
8 sential to the efforts of the international community
9 to achieve the peaceful, complete, verifiable, and ir-
10 reversible dismantlement of weapons of mass de-
11 struction programs of the Government of North
12 Korea.

13 **SEC. 6912. SENSE OF CONGRESS.**

14 It is the sense of Congress that—

15 (1) the United States is committed to working
16 with its allies and partners to halt the nuclear and
17 ballistic missile programs of North Korea through a
18 policy of maximum pressure and diplomatic engage-
19 ment;

20 (2) the imposition of sanctions, including those
21 under this title, should not be construed to limit the
22 authority of the President to fully engage in diplo-
23 matic negotiations to further the policy objective de-
24 scribed in paragraph (1);

1 (3) the successful use of sanctions to halt the
2 nuclear and ballistic missile programs of North
3 Korea is part of a broader diplomatic and economic
4 strategy that relies on effective coordination among
5 relevant Federal agencies and officials, as well as
6 with international partners of the United States; and

7 (4) the coordination described in paragraph (3)
8 should include proper vetting of external messaging
9 and communications from all parts of the Executive
10 branch to ensure that those communications are an
11 intentional component of and aligned with the strat-
12 egy of the United States with respect to North
13 Korea.

14 **SEC. 6913. DEFINITIONS.**

15 In this subtitle, the terms “applicable Executive
16 order”, “applicable United Nations Security Council reso-
17 lution”, “appropriate congressional committees”, “Gov-
18 ernment of North Korea”, “North Korea”, and “North
19 Korean financial institution” have the meanings given
20 those terms in section 3 of the North Korea Sanctions
21 and Policy Enhancement Act of 2016 (22 U.S.C. 9202).

**PART I—EXPANSION OF SANCTIONS AND
RELATED MATTERS**

**SEC. 6921. SANCTIONS WITH RESPECT TO FOREIGN FINAN-
CIAL INSTITUTIONS THAT PROVIDE FINAN-
CIAL SERVICES TO CERTAIN SANCTIONED
PERSONS.**

(a) IN GENERAL.—Title II of the North Korea Sanc-
tions and Policy Enhancement Act of 2016 (22 U.S.C.
9221 et seq.) is amended by inserting after the item relat-
ing to section 201A the following:

**“SEC. 201B. SANCTIONS WITH RESPECT TO FOREIGN FINAN-
CIAL INSTITUTIONS THAT PROVIDE FINAN-
CIAL SERVICES TO CERTAIN SANCTIONED
PERSONS.**

“(a) IN GENERAL.—The Secretary of the Treasury
shall impose one or more of the sanctions described in sub-
section (b) with respect to a foreign financial institution
that the Secretary determines, on or after the date that
is 90 days after the date of the enactment of the Otto
Warmbier Banking Restrictions Involving North Korea
Act of 2019, knowingly provides significant financial serv-
ices to any person designated for the imposition of sanc-
tions under—

“(1) subsection (a) or (b) of section 104;

“(2) an applicable Executive order; or

1 “(3) an applicable United Nations Security
2 Council resolution.

3 “(b) SANCTIONS DESCRIBED.—The sanctions that
4 may be imposed with respect to a foreign financial institu-
5 tion subject to subsection (a) are the following:

6 “(1) ASSET BLOCKING.—The Secretary may
7 block and prohibit, pursuant to the International
8 Emergency Economic Powers Act (50 U.S.C. 1701
9 et seq.), all transactions in all property and interests
10 in property of the foreign financial institution if
11 such property and interests in property are in the
12 United States, come within the United States, or are
13 or come within the possession or control of a United
14 States person.

15 “(2) RESTRICTIONS ON CORRESPONDENT AND
16 PAYABLE-THROUGH ACCOUNTS.—The Secretary may
17 prohibit, or impose strict conditions on, the opening
18 or maintaining in the United States of a cor-
19 respondent account or a payable-through account by
20 the foreign financial institution.

21 “(c) IMPLEMENTATION; PENALTIES.—

22 “(1) IMPLEMENTATION.—The President may
23 exercise all authorities provided under sections 203
24 and 205 of the International Emergency Economic

1 Powers Act (50 U.S.C. 1702 and 1704) to carry out
2 this section.

3 “(2) PENALTIES.—A person that violates, at-
4 tempts to violate, conspires to violate, or causes a
5 violation of this section or any regulation, license, or
6 order issued to carry out this section shall be subject
7 to the penalties set forth in subsections (b) and (c)
8 of section 206 of the International Emergency Eco-
9 nomic Powers Act (50 U.S.C. 1705) to the same ex-
10 tent as a person that commits an unlawful act de-
11 scribed in subsection (a) of that section.

12 “(d) REGULATIONS.—Not later than 180 days after
13 the date of the enactment of the Otto Warmbier Banking
14 Restrictions Involving North Korea Act of 2019, the
15 President shall, as appropriate, prescribe regulations to
16 carry out this section.

17 “(e) EXCEPTION RELATING TO IMPORTATION OF
18 GOODS.—

19 “(1) IN GENERAL.—Notwithstanding section
20 404(b) or any provision of this section, the authori-
21 ties and requirements to impose sanctions under this
22 section shall not include the authority or a require-
23 ment to impose sanctions on the importation of
24 goods.

1 “(2) GOOD DEFINED.—In this subsection, the
2 term ‘good’ means any article, natural or manmade
3 substance, material, supply or manufactured prod-
4 uct, including inspection and test equipment, and ex-
5 cluding technical data.

6 “(f) DEFINITIONS.—In this section:

7 “(1) ACCOUNT; CORRESPONDENT ACCOUNT;
8 PAYABLE-THROUGH ACCOUNT.—The terms ‘ac-
9 count’, ‘correspondent account’, and ‘payable-
10 through account’ have the meanings given those
11 terms in section 5318A of title 31, United States
12 Code.

13 “(2) FINANCIAL INSTITUTION.—The term ‘fi-
14 nancial institution’ means a financial institution
15 specified in subparagraph (A), (B), (C), (D), (E),
16 (F), (G), (H), (I), (J), (M), or (Y) of section
17 5312(a)(2) of title 31, United States Code.

18 “(3) FOREIGN FINANCIAL INSTITUTION.—The
19 term ‘foreign financial institution’ shall have the
20 meaning of that term as determined by the Sec-
21 retary of the Treasury.

22 “(4) KNOWINGLY.—The term ‘knowingly’, with
23 respect to conduct, a circumstance, or a result,
24 means that a person has actual knowledge, or should

1 have known, of the conduct, the circumstance, or the
2 result.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 for the North Korea Sanctions and Policy Enhancement
5 Act of 2016 is amended by inserting after the item relat-
6 ing to section 201A the following:

“201B. Sanctions with respect to foreign financial institutions that provide fi-
nancial services to certain sanctioned persons.”.

7 **SEC. 6922. EXTENSION OF APPLICABILITY PERIOD OF PRO-**
8 **LIFERATION PREVENTION SANCTIONS.**

9 Section 203(b)(2) of the North Korea Sanctions and
10 Policy Enhancement Act of 2016 (22 U.S.C. 9223(b)(2))
11 is amended by striking “2 years” and inserting “5 years”.

12 **SEC. 6923. SENSE OF CONGRESS ON IDENTIFICATION AND**
13 **BLOCKING OF PROPERTY OF NORTH KOREAN**
14 **OFFICIALS.**

15 It is the sense of Congress that the President
16 should—

17 (1) encourage international collaboration
18 through the Financial Action Task Force and its
19 global network to utilize its standards and apply
20 means at its disposal to counter the money laun-
21 dering, terrorist financing, and proliferation financ-
22 ing threats emanating from North Korea; and

23 (2) prioritize multilateral efforts to identify and
24 block—

1 (A) any property owned or controlled by a
2 North Korean official; and

3 (B) any significant proceeds of kleptocracy
4 by the Government of North Korea or a North
5 Korean official.

6 **SEC. 6924. MODIFICATION OF REPORT ON IMPLEMENTA-**
7 **TION OF UNITED NATIONS SECURITY COUN-**
8 **CIL RESOLUTIONS BY OTHER GOVERNMENTS.**

9 Section 317 of the Korean Interdiction and Mod-
10 ernization of Sanctions Act (title III of Public Law 115–
11 44; 131 Stat. 950) is amended—

12 (1) in subsection (a)—

13 (A) in the matter preceding paragraph (1),
14 by striking “Not later than 180 days after the
15 date of the enactment of this Act, and annually
16 thereafter for 5 years,” and inserting “Not
17 later than 180 days after the date of the enact-
18 ment of the Otto Warmbier Banking Restric-
19 tions Involving North Korea Act of 2019, and
20 annually thereafter for 5 years,”;

21 (B) in paragraph (3), by striking “; or”
22 and inserting a semicolon;

23 (C) by redesignating paragraph (4) as
24 paragraph (8); and

1 (D) by inserting after paragraph (3) the
2 following:

3 “(4) prohibit, in the territories of such coun-
4 tries or by persons subject to the jurisdiction of such
5 governments, the opening of new joint ventures or
6 cooperative entities with North Korean persons or
7 the expansion of existing joint ventures through ad-
8 ditional investments, whether or not for or on behalf
9 of the Government of North Korea, unless such joint
10 ventures or cooperative entities have been approved
11 by the Committee of the United Nations Security
12 Council established by United Nations Security
13 Council Resolution 1718 (2006);

14 “(5) prohibit the unauthorized clearing of funds
15 by North Korean financial institutions through fi-
16 nancial institutions subject to the jurisdiction of
17 such governments;

18 “(6) prohibit the unauthorized conduct of com-
19 mercial trade with North Korea that is prohibited
20 under applicable United Nations Security Council
21 resolutions;

22 “(7) prevent the provision of financial services
23 to North Korean persons or the transfer of financial
24 services to North Korean persons to, through, or
25 from the territories of such countries or by persons

1 subject to the jurisdiction of such governments; or”;
2 and

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

5 “(c) DEFINITIONS.—In this section:

6 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES AND LEADERSHIP.—The term ‘appropriate
8 congressional committees and leadership’ means—

9 “(A) the Committee on Foreign Relations,
10 the Committee on Banking, Housing, and
11 Urban Affairs, and the majority and minority
12 leaders of the Senate; and

13 “(B) the Committee on Foreign Affairs,
14 the Committee on Financial Services, the Com-
15 mittee on Ways and Means, and the Speaker,
16 the majority leader, and the minority leader of
17 the House of Representatives.

18 “(2) APPLICABLE UNITED NATIONS SECURITY
19 COUNCIL RESOLUTION; NORTH KOREAN FINANCIAL
20 INSTITUTION; NORTH KOREAN PERSON.—The terms
21 ‘applicable United Nations Security Council resolu-
22 tion’, ‘North Korean financial institution’, and
23 ‘North Korean person’ have the meanings given
24 those terms in section 3 of the North Korea Sanc-

1 tions and Policy Enhancement Act of 2016 (22
2 U.S.C. 9202).”.

3 **SEC. 6925. REPORT ON USE BY THE GOVERNMENT OF**
4 **NORTH KOREA OF BENEFICIAL OWNERSHIP**
5 **RULES TO ACCESS THE INTERNATIONAL FI-**
6 **NANCIAL SYSTEM.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, the Secretary of the
9 Treasury shall submit to the appropriate congressional
10 committees a report setting forth the findings of the Sec-
11 retary regarding how the Government of North Korea is
12 exploiting laws with respect to the beneficial owner of an
13 entity in order to access the international financial system.

14 (b) ELEMENTS.—The Secretary shall include in the
15 report required under subsection (a) proposals for such
16 legislative and administrative action as the Secretary con-
17 siders appropriate to combat the abuse by the Government
18 of North Korea of shell companies and other similar enti-
19 ties to avoid or evade sanctions.

20 (c) FORM.—The report required by subsection (a)
21 shall be submitted in unclassified form but may include
22 a classified annex.

1 **PART II—CONGRESSIONAL REVIEW AND**
2 **OVERSIGHT**

3 **SEC. 6931. NOTIFICATION OF TERMINATION OR SUSPEN-**
4 **SION OF SANCTIONS.**

5 Not less than 15 days before taking any action to
6 terminate or suspend the application of sanctions under
7 this subtitle or an amendment made by this subtitle, the
8 President shall notify the appropriate congressional com-
9 mittees of the President’s intent to take the action and
10 the reasons for the action.

11 **SEC. 6932. REPORTS ON CERTAIN LICENSING ACTIONS.**

12 (a) IN GENERAL.—Not later than 180 days after the
13 date of the enactment of this Act, and every 180 days
14 thereafter, the President shall submit to the appropriate
15 congressional committees a report on the operation of the
16 system for issuing licenses for transactions under covered
17 regulatory provisions during the preceding 180-day period
18 that includes—

19 (1) the number and types of such licenses ap-
20 plied for during that period; and

21 (2) the number and types of such licenses
22 issued during that period.

23 (b) COVERED REGULATORY PROVISION DEFINED.—
24 In this section, the term “covered regulatory provision”
25 means any of the following provisions, as in effect on the

1 day before the date of the enactment of this Act and as
2 such provisions relate to North Korea:

3 (1) Part 743, 744, or 746 of title 15, Code of
4 Federal Regulations.

5 (2) Part 510 of title 31, Code of Federal Regu-
6 lations.

7 (3) Any other provision of title 31, Code of
8 Federal Regulations.

9 (c) FORM.—Each report required by subsection (a)
10 shall be submitted in unclassified form but may include
11 a classified annex.

12 **SEC. 6933. BRIEFINGS ON IMPLEMENTATION AND EN-**
13 **FORCEMENT OF SANCTIONS.**

14 Not later than 90 days after the date of the enact-
15 ment of this Act, and every 180 days thereafter, the Sec-
16 retary of the Treasury shall provide to the appropriate
17 congressional committees a briefing on efforts relating to
18 the implementation and enforcement of United States
19 sanctions with respect to North Korea, including appro-
20 priate updates on the efforts of the Department of the
21 Treasury to address compliance with such sanctions by
22 foreign financial institutions.

1 **SEC. 6934. REPORT ON FINANCIAL NETWORKS AND FINAN-**
2 **CIAL METHODS OF THE GOVERNMENT OF**
3 **NORTH KOREA.**

4 (a) REPORT REQUIRED.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, and an-
7 nually thereafter through 2025, the President shall
8 submit to the appropriate congressional committees
9 a report on sources of external support for the Gov-
10 ernment of North Korea that includes—

11 (A) a description of the methods used by
12 the Government of North Korea to deal in,
13 transact in, or conceal the ownership, control,
14 or origin of goods and services exported by
15 North Korea;

16 (B) an assessment of the relationship be-
17 tween the proliferation of weapons of mass de-
18 struction by the Government of North Korea
19 and the financial industry or financial institu-
20 tions;

21 (C) an assessment of the relationship be-
22 tween the acquisition by the Government of
23 North Korea of military expertise, equipment,
24 and technology and the financial industry or fi-
25 nancial institutions;

1 (D) a description of the export by any per-
2 son to the United States of goods, services, or
3 technology that are made with significant
4 amounts of North Korean labor, material, or
5 goods, including minerals, manufacturing, sea-
6 food, overseas labor, or other exports from
7 North Korea;

8 (E) an assessment of the involvement of
9 any person in human trafficking involving citi-
10 zens or nationals of North Korea;

11 (F) a description of how the President
12 plans to address the flow of funds generated by
13 activities described in subparagraphs (A)
14 through (E), including through the use of sanc-
15 tions or other means;

16 (G) an assessment of the extent to which
17 the Government of North Korea engages in
18 criminal activities, including money laundering,
19 to support that Government;

20 (H) information relating to the identifica-
21 tion, blocking, and release of property described
22 in section 201B(b)(1) of the North Korea Sanc-
23 tions and Policy Enhancement Act of 2016, as
24 added by section 1721;

1 (I) a description of the metrics used to
2 measure the effectiveness of law enforcement
3 and diplomatic initiatives of Federal, State, and
4 foreign governments to comply with the provi-
5 sions of applicable United Nations Security
6 Council resolutions; and

7 (J) an assessment of the effectiveness of
8 programs within the financial industry to en-
9 sure compliance with United States sanctions,
10 applicable United Nations Security Council res-
11 olutions, and applicable Executive orders.

12 (2) FORM.—Each report required by paragraph
13 (1) shall be submitted in unclassified form but may
14 include a classified annex.

15 (b) INTERAGENCY COORDINATION.—The President
16 shall ensure that any information collected pursuant to
17 subsection (a) is shared among the Federal departments
18 and agencies involved in investigations described in section
19 102(b) of the North Korea Sanctions and Policy Enhance-
20 ment Act of 2016 (22 U.S.C. 9212(b)).

1 **SEC. 6935. REPORT ON COUNTRIES OF CONCERN WITH RE-**
2 **SPECT TO TRANSSHIPMENT, REEXPOR-**
3 **TATION, OR DIVERSION OF CERTAIN ITEMS**
4 **TO NORTH KOREA.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of the enactment of this Act, and annually thereafter
7 through 2023, the Director of National Intelligence shall
8 submit to the President, the Secretary of Defense, the Sec-
9 retary of Commerce, the Secretary of State, the Secretary
10 of the Treasury, and the appropriate congressional com-
11 mittees a report that identifies all countries that the Di-
12 rector determines are of concern with respect to trans-
13 shipment, reexportation, or diversion of items subject to
14 the provisions of the Export Administration Regulations
15 under subchapter C of chapter VII of title 15, Code of
16 Federal Regulations, to an entity owned or controlled by
17 the Government of North Korea.

18 (b) FORM.—Each report required by subsection (a)
19 shall be submitted in unclassified form but may include
20 a classified annex.

21 **PART III—GENERAL MATTERS**

22 **SEC. 6941. RULEMAKING.**

23 The President shall prescribe such rules and regula-
24 tions as may be necessary to carry out this subtitle and
25 amendments made by this subtitle.

1 **SEC. 6942. AUTHORITY TO CONSOLIDATE REPORTS.**

2 (a) IN GENERAL.—Any and all reports required to
3 be submitted to the appropriate congressional committees
4 under this subtitle or an amendment made by this subtitle
5 that are subject to a deadline for submission consisting
6 of the same unit of time may be consolidated into a single
7 report that is submitted pursuant to that deadline.

8 (b) CONTENTS.—Any reports consolidated under sub-
9 section (a) shall contain all information required under
10 this subtitle or an amendment made by this subtitle and
11 any other elements that may be required by existing law.

12 **SEC. 6943. WAIVERS, EXEMPTIONS, AND TERMINATION.**

13 (a) APPLICATION AND MODIFICATION OF EXEMP-
14 TIONS AND WAIVERS FROM NORTH KOREA SANCTIONS
15 AND POLICY ENHANCEMENT ACT OF 2016.—Section 208
16 of the North Korea Sanctions and Policy Enhancement
17 Act of 2016 (22 U.S.C. 9228) is amended by inserting
18 “201B,” after “201A,” each place it appears.

19 (b) SUSPENSION.—

20 (1) IN GENERAL.—Subject to section 1731, any
21 requirement to impose sanctions under this subtitle
22 or the amendments made by this subtitle, and any
23 sanctions imposed pursuant to this subtitle or any
24 such amendment, may be suspended for up to one
25 year if the President makes the certification de-
26 scribed in section 401 of the North Korea Sanctions

1 and Policy Enhancement Act of 2016 (22 U.S.C.
2 9251) to the appropriate congressional committees.

3 (2) RENEWAL.—A suspension under paragraph
4 (1) may be renewed in accordance with section
5 401(b) of the North Korea Sanctions and Policy En-
6 hancement Act of 2016 (22 U.S.C. 9251(b)).

7 (c) TERMINATION.—Subject to section 1731, any re-
8 quirement to impose sanctions under this subtitle or the
9 amendments made by this subtitle, and any sanctions im-
10 posed pursuant to this subtitle or any such amendment,
11 shall terminate on the date on which the President makes
12 the certification described in section 402 of the North
13 Korea Sanctions and Policy Enhancement Act of 2016 (22
14 U.S.C. 9252).

15 **SEC. 6944. PROCEDURES FOR REVIEW OF CLASSIFIED IN-**
16 **FORMATION.**

17 (a) IN GENERAL.—If a finding under this subtitle or
18 an amendment made by this subtitle, a prohibition, condi-
19 tion, or penalty imposed as a result of any such finding,
20 or a penalty imposed under this subtitle or an amendment
21 made by this subtitle, is based on classified information
22 (as defined in section 1(a) of the Classified Information
23 Procedures Act (18 U.S.C. App.)) and a court reviews the
24 finding or the imposition of the prohibition, condition, or

1 penalty, the Secretary of the Treasury may submit such
2 information to the court ex parte and in camera.

3 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion shall be construed to confer or imply any right to judi-
5 cial review of any finding under this subtitle or an amend-
6 ment made by this subtitle, any prohibition, condition, or
7 penalty imposed as a result of any such finding, or any
8 penalty imposed under this subtitle or an amendment
9 made by this subtitle.

10 **SEC. 6945. BRIEFING ON RESOURCING OF SANCTIONS PRO-**
11 **GRAMS.**

12 Not later than 30 days after the date of the enact-
13 ment of this Act, the Secretary of the Treasury shall pro-
14 vide to the appropriate congressional committees a brief-
15 ing on—

16 (1) the resources allocated by the Department
17 of the Treasury to support each sanctions program
18 administered by the Department; and

19 (2) recommendations for additional authorities
20 or resources necessary to expand the capacity or ca-
21 pability of the Department related to implementation
22 and enforcement of such programs.

23 **SEC. 6946. BRIEFING ON PROLIFERATION FINANCING.**

24 (a) IN GENERAL.—Not later than 60 days after the
25 date of the enactment of this Act, the Secretary of the

1 Treasury shall provide to the appropriate congressional
2 committees a briefing on addressing proliferation finance.

3 (b) ELEMENTS.—The briefing required by subsection
4 (a) shall include the following:

5 (1) The Department of the Treasury’s defini-
6 tion and description of an appropriate risk-based ap-
7 proach to combating financing of the proliferation of
8 weapons of mass destruction.

9 (2) An assessment of—

10 (A) Federal financial regulatory agency
11 oversight, including by the Financial Crimes
12 Enforcement Network, of United States finan-
13 cial institutions and the adoption by their for-
14 eign subsidiaries, branches, and correspondent
15 institutions of a risk-based approach to pro-
16 liferation financing; and

17 (B) whether financial institutions in for-
18 eign jurisdictions known by the United States
19 intelligence and law enforcement communities
20 to be jurisdictions through which North Korea
21 moves substantial sums of licit and illicit fi-
22 nance are applying a risk-based approach to
23 proliferation financing, and if that approach is
24 comparable to the approach required by United
25 States financial institution supervisors.

1 (3) A survey of the technical assistance the Of-
2 fice of Technical Assistance of the Department of
3 the Treasury, and other appropriate Executive
4 branch offices, currently provide foreign institutions
5 on implementing counter-proliferation financing best
6 practices.

7 (4) An assessment of the ability of foreign sub-
8 sidiaries, branches, and correspondent institutions of
9 United States financial institutions to implement a
10 risk-based approach to proliferation financing.

11 **Subtitle B—Divestment From** 12 **North Korea**

13 **SEC. 6951. AUTHORITY OF STATE AND LOCAL GOVERN-** 14 **MENTS TO DIVEST FROM COMPANIES THAT** 15 **INVEST IN NORTH KOREA.**

16 (a) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that the United States should support the decision
18 of any State or local government made for moral, pruden-
19 tial, or reputational reasons, to divest from, or prohibit
20 the investment of assets of the State or local government
21 in, a person that engages in investment activities described
22 in subsection (c) if North Korea is subject to economic
23 sanctions imposed by the United States or the United Na-
24 tions Security Council.

1 (b) **AUTHORITY TO DIVEST.**—Notwithstanding any
2 other provision of law, a State or local government may
3 adopt and enforce measures that meet the requirements
4 of subsection (d) to divest the assets of the State or local
5 government from, or prohibit investment of the assets of
6 the State or local government in, any person that the
7 State or local government determines, using credible infor-
8 mation available to the public, engages in investment ac-
9 tivities described in subsection (c).

10 (c) **INVESTMENT ACTIVITIES DESCRIBED.**—Invest-
11 ment activities described in this subsection are activities
12 of a value of more than \$10,000 relating to an investment
13 in North Korea or in goods or services originating in
14 North Korea that are not conducted pursuant to a license
15 issued by the Department of the Treasury.

16 (d) **REQUIREMENTS.**—Any measure taken by a State
17 or local government under subsection (b) shall meet the
18 following requirements:

19 (1) **NOTICE.**—The State or local government
20 shall provide written notice to each person with re-
21 spect to which a measure under this section is to be
22 applied.

23 (2) **TIMING.**—The measure applied under this
24 section shall apply to a person not earlier than the
25 date that is 90 days after the date on which written

1 notice under paragraph (1) is provided to the per-
2 son.

3 (3) OPPORTUNITY TO DEMONSTRATE COMPLI-
4 ANCE.—

5 (A) IN GENERAL.—The State or local gov-
6 ernment shall provide to each person with re-
7 spect to which a measure is to be applied under
8 this section an opportunity to demonstrate to
9 the State or local government that the person
10 does not engage in investment activities de-
11 scribed in subsection (c).

12 (B) NONAPPLICATION.—If a person with
13 respect to which a measure is to be applied
14 under this section demonstrates to the State or
15 local government under subparagraph (A) that
16 the person does not engage in investment activi-
17 ties described in subsection (c), the measure
18 shall not apply to that person.

19 (4) SENSE OF CONGRESS ON AVOIDING ERRO-
20 NEOUS TARGETING.—It is the sense of Congress
21 that a State or local government should not adopt
22 a measure under subsection (b) with respect to a
23 person unless the State or local government has—

24 (A) made every effort to avoid erroneously
25 targeting the person; and

1 (B) verified that the person engages in in-
2 vestment activities described in subsection (c).

3 (e) NOTICE TO DEPARTMENT OF JUSTICE.—Not
4 later than 30 days before a State or local government ap-
5 plies a measure under this section, the State or local gov-
6 ernment shall notify the Attorney General of that meas-
7 ure.

8 (f) AUTHORIZATION FOR PRIOR APPLIED MEAS-
9 URES.—

10 (1) IN GENERAL.—Notwithstanding any other
11 provision of this section or any other provision of
12 law, a State or local government may enforce a
13 measure (without regard to the requirements of sub-
14 section (d), except as provided in paragraph (2)) ap-
15 plied by the State or local government before the
16 date of the enactment of this Act that provides for
17 the divestment of assets of the State or local govern-
18 ment from, or prohibits the investment of the assets
19 of the State or local government in, any person that
20 the State or local government determines, using
21 credible information available to the public, engages
22 in investment activities described in subsection (c)
23 that are identified in that measure.

24 (2) APPLICATION OF NOTICE REQUIRE-
25 MENTS.—A measure described in paragraph (1)

1 shall be subject to the requirements of paragraphs
 2 (1), (2), and (3)(A) of subsection (d) on and after
 3 the date that is 2 years after the date of the enact-
 4 ment of this Act.

5 (g) NO PREEMPTION.—A measure applied by a State
 6 or local government that is consistent with subsection (b)
 7 or (f) is not preempted by any Federal law.

8 (h) DEFINITIONS.—In this section:

9 (1) ASSET.—

10 (A) IN GENERAL.—Except as provided in
 11 subparagraph (B), the term “asset” means
 12 public monies, and includes any pension, retire-
 13 ment, annuity, endowment fund, or similar in-
 14 strument, that is controlled by a State or local
 15 government.

16 (B) EXCEPTION.—The term “asset” does
 17 not include employee benefit plans covered by
 18 title I of the Employee Retirement Income Se-
 19 curity Act of 1974 (29 U.S.C. 1001 et seq.).

20 (2) INVESTMENT.—The term “investment” in-
 21 cludes—

22 (A) a commitment or contribution of funds
 23 or property;

24 (B) a loan or other extension of credit; and

1 (C) the entry into or renewal of a contract
 2 for goods or services.

3 (i) EFFECTIVE DATE.—

4 (1) IN GENERAL.—Except as provided in para-
 5 graph (2) and subsection (f), this section applies to
 6 measures applied by a State or local government be-
 7 fore, on, or after the date of the enactment of this
 8 Act.

9 (2) NOTICE REQUIREMENTS.—Except as pro-
 10 vided in subsection (f), subsections (d) and (e) apply
 11 to measures applied by a State or local government
 12 on or after the date of the enactment of this Act.

13 **SEC. 6952. SAFE HARBOR FOR CHANGES OF INVESTMENT**
 14 **POLICIES BY ASSET MANAGERS.**

15 Section 13(c)(1) of the Investment Company Act of
 16 1940 (15 U.S.C. 80a–13(c)(1)) is amended—

17 (1) in subparagraph (A), by striking “or” at
 18 the end;

19 (2) in subparagraph (B), by striking the period
 20 and inserting “; or”; and

21 (3) by adding at the end the following:

22 “(C) engage in investment activities de-
 23 scribed in section 1751(c) of the Otto Warmbier
 24 Banking Restrictions Involving North Korea
 25 Act of 2019.”.

1 **SEC. 6953. SENSE OF CONGRESS REGARDING CERTAIN**
2 **ERISA PLAN INVESTMENTS.**

3 It is the sense of Congress that—

4 (1) a fiduciary of an employee benefit plan, as
5 defined in section 3(3) of the Employee Retirement
6 Income Security Act of 1974 (29 U.S.C. 1002(3)),
7 may divest plan assets from, or avoid investing plan
8 assets in, any person the fiduciary determines en-
9 gages in investment activities described in section
10 6951(c), if—

11 (A) the fiduciary makes that determination
12 using credible information that is available to
13 the public; and

14 (B) the fiduciary prudently determines
15 that the result of that divestment or avoidance
16 of investment would not be expected to provide
17 the employee benefit plan with—

18 (i) a lower rate of return than alter-
19 native investments with commensurate de-
20 grees of risk; or

21 (ii) a higher degree of risk than alter-
22 native investments with commensurate
23 rates of return; and

24 (2) by divesting assets or avoiding the invest-
25 ment of assets as described in paragraph (1), the fi-
26 duciary is not breaching the responsibilities, obliga-

1 tions, or duties imposed upon the fiduciary by sub-
 2 paragraph (A) or (B) of section 404(a)(1) of the
 3 Employee Retirement Income Security Act of 1974
 4 (29 U.S.C. 1104(a)(1)).

5 **SEC. 6954. RULE OF CONSTRUCTION.**

6 Nothing in this subtitle, an amendment made by this
 7 subtitle, or any other provision of law authorizing sanc-
 8 tions with respect to North Korea shall be construed to
 9 affect or displace—

10 (1) the authority of a State or local government
 11 to issue and enforce rules governing the safety,
 12 soundness, and solvency of a financial institution
 13 subject to its jurisdiction; or

14 (2) the regulation and taxation by the several
 15 States of the business of insurance, pursuant to the
 16 Act of March 9, 1945 (59 Stat. 33, chapter 20; 15
 17 U.S.C. 1011 et seq.) (commonly known as the
 18 “McCarran-Ferguson Act”).

19 **Subtitle C—Financial Industry**
 20 **Guidance to Halt Trafficking**

21 **SEC. 6961. SHORT TITLE.**

22 This subtitle may be cited as the “Financial Industry
 23 Guidance to Halt Trafficking Act” or the “FIGHT Act”.

24 **SEC. 6962. FINDINGS.**

25 Congress finds the following:

1 (1) The terms “human trafficking” and “traf-
2 ficking in persons” are used interchangeably to de-
3 scribe crimes involving the exploitation of a person
4 for the purposes of compelled labor or commercial
5 sex through the use of force, fraud, or coercion.

6 (2) According to the International Labour Or-
7 ganization, there are an estimated 24,900,000 peo-
8 ple worldwide who are victims of forced labor, in-
9 cluding human trafficking victims in the United
10 States.

11 (3) Human trafficking is perpetrated for finan-
12 cial gain.

13 (4) According to the International Labour Or-
14 ganization, of the estimated \$150,000,000,000 or
15 more in global profits generated annually from
16 human trafficking—

17 (A) approximately $\frac{2}{3}$ are generated by
18 commercial sexual exploitation, exacted by
19 fraud or by force; and

20 (B) approximately $\frac{1}{3}$ are generated by
21 forced labor.

22 (5) Most purchases of commercial sex acts are
23 paid for with cash, making trafficking proceeds dif-
24 ficult to identify in the financial system. Nonethe-
25 less, traffickers rely heavily on access to financial in-

1 stitutions as destinations for trafficking proceeds
2 and as conduits to finance every step of the traf-
3 ficking process.

4 (6) Under section 1956 of title 18, United
5 States Code (relating to money laundering), human
6 trafficking is a “specified unlawful activity” and
7 transactions conducted with proceeds earned from
8 trafficking people, or used to further trafficking op-
9 erations, can be prosecuted as money laundering of-
10 fenses.

11 **SEC. 6963. SENSE OF CONGRESS.**

12 It is the sense of Congress that—

13 (1) the President should aggressively apply, as
14 appropriate, existing sanctions for human trafficking
15 authorized under section 111 of the Trafficking Vic-
16 tims Protection Act of 2000 (22 U.S.C. 7108);

17 (2) the Financial Crimes Enforcement Network
18 of the Department of the Treasury should con-
19 tinue—

20 (A) to monitor reporting required under
21 subchapter II of chapter 53 of title 31, United
22 States Code (commonly known as the “Bank
23 Secrecy Act”) and to update advisories, as war-
24 ranted;

1 (B) to periodically review its advisories to
2 provide covered financial institutions, as appro-
3 priate, with a list of new “red flags” for identi-
4 fying activities of concern, particularly human
5 trafficking;

6 (C) to encourage entities covered by the
7 advisories described in subparagraph (B) to in-
8 corporate relevant elements provided in the
9 advisories into their current transaction and ac-
10 count monitoring systems or in policies, proce-
11 dures, and training on human trafficking to en-
12 able financial institutions to maintain ongoing
13 efforts to examine transactions and accounts;

14 (D) to use geographic targeting orders, as
15 appropriate, to impose additional reporting and
16 recordkeeping requirements under section
17 5326(a) of title 31, United States Code, to
18 carry out the purposes of, and prevent evasions
19 of the Bank Secrecy Act; and

20 (E) to utilize the Bank Secrecy Act Advi-
21 sory Group and other relevant entities to iden-
22 tify opportunities for nongovernmental organi-
23 zations to share relevant actionable information
24 on human traffickers’ use of the financial sector
25 for nefarious purposes;

1 (3) Federal banking regulators, the Department
2 of the Treasury, relevant law enforcement agencies,
3 and the Human Smuggling and Trafficking Center,
4 in partnership with representatives from the United
5 States financial community, should adopt regular
6 forms of sharing information to disrupt human traf-
7 ficking, including developing protocols and proce-
8 dures to share actionable information between and
9 amongst covered institutions, law enforcement, and
10 the United States intelligence community;

11 (4) training front line bank and money service
12 business employees, school teachers, law enforcement
13 officers, foreign service officers, counselors, and the
14 general public is an important factor in identifying
15 trafficking victims;

16 (5) the Department of Homeland Security's
17 Blue Campaign, training by the BEST Employers
18 Alliance, and similar efforts by industry, human
19 rights, and nongovernmental organizations focused
20 on human trafficking provide good examples of cur-
21 rent efforts to educate employees of critical sectors
22 to save victims and disrupt trafficking networks;

23 (6) the President should intensify diplomatic ef-
24 forts, bilaterally and in appropriate international
25 fora, such as the United Nations, to develop and im-

1 plement a coordinated, consistent, multilateral strat-
2 egy for addressing the international financial net-
3 works supporting human trafficking; and

4 (7) in deliberations between the United States
5 Government and any foreign country, including
6 through participation in the Egmont Group of Fi-
7 nancial Intelligence Units, regarding money laun-
8 dering, corruption, and transnational crimes, the
9 United States Government should—

10 (A) encourage cooperation by foreign gov-
11 ernments and relevant international fora in
12 identifying the extent to which the proceeds
13 from human trafficking are being used to facili-
14 tate terrorist financing, corruption, or other il-
15 licit financial crimes;

16 (B) encourage cooperation by foreign gov-
17 ernments and relevant international fora in
18 identifying the nexus between human traf-
19 ficking and money laundering;

20 (C) advance policies that promote the co-
21 operation of foreign governments, through in-
22 formation sharing, training, or other measures,
23 in the enforcement of this subtitle;

24 (D) encourage the Financial Action Task
25 Force to update its July 2011 typology reports

entitled, “Laundering the Proceeds of Corruption” and “Money Laundering Risks Arising from Trafficking in Human Beings and Smuggling of Migrants”, to identify the money laundering risk arising from the trafficking of human beings; and

(E) encourage the Egmont Group of Financial Intelligence Units to study the extent to which human trafficking operations are being used for money laundering, terrorist financing, or other illicit financial purposes.

**SEC. 6964. COORDINATION OF HUMAN TRAFFICKING
ISSUES BY THE OFFICE OF TERRORISM AND
FINANCIAL INTELLIGENCE.**

(a) FUNCTIONS.—Section 312(a)(4) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively; and

(2) by inserting after subparagraph (D) the following:

“(E) combating illicit financing relating to human trafficking;”.

1 (b) INTERAGENCY COORDINATION.—Section 312(a)
2 of such title is amended by adding at the end the fol-
3 lowing:

4 “(8) INTERAGENCY COORDINATION.—The Sec-
5 retary of the Treasury, after consultation with the
6 Undersecretary for Terrorism and Financial Crimes,
7 shall designate an office within the OTFI that shall
8 coordinate efforts to combat the illicit financing of
9 human trafficking with—

10 “(A) other offices of the Department of the
11 Treasury;

12 “(B) other Federal agencies, including—

13 “(i) the Office to Monitor and Combat
14 Trafficking in Persons of the Department
15 of State; and

16 “(ii) the Interagency Task Force to
17 Monitor and Combat Trafficking;

18 “(C) State and local law enforcement agen-
19 cies; and

20 “(D) foreign governments.”.

1 **SEC. 6965. STRENGTHENING THE ROLE OF ANTI-MONEY**
2 **LAUNDERING AND OTHER FINANCIAL TOOLS**
3 **IN COMBATING HUMAN TRAFFICKING.**

4 (a) INTERAGENCY TASK FORCE RECOMMENDATIONS
5 TARGETING MONEY LAUNDERING RELATED TO HUMAN
6 TRAFFICKING.—

7 (1) IN GENERAL.—Not later than 270 days
8 after the date of the enactment of this Act, the
9 Interagency Task Force to Monitor and Combat
10 Trafficking shall submit to the Committee on Bank-
11 ing, Housing, and Urban Affairs, the Committee on
12 Foreign Relations, and the Committee on the Judici-
13 ary of the Senate, the Committee on Financial Serv-
14 ices, the Committee on Foreign Affairs, and the
15 Committee on the Judiciary of the House of Rep-
16 resentatives, the Secretary of the Treasury, and each
17 appropriate Federal banking agency—

18 (A) an analysis of anti-money laundering
19 efforts of the United States Government,
20 United States financial institutions, and multi-
21 lateral development banks related to human
22 trafficking; and

23 (B) appropriate legislative, administrative,
24 and other recommendations to strengthen ef-
25 forts against money laundering relating to
26 human trafficking.

1 (2) REQUIRED RECOMMENDATIONS.—The rec-
2 ommendations under paragraph (1) shall include—

3 (A) best practices based on successful anti-
4 human trafficking programs currently in place
5 at domestic and international financial institu-
6 tions that are suitable for broader adoption;

7 (B) feedback from stakeholders, including
8 victims of severe trafficking in persons, advo-
9 cates of persons at risk of becoming victims of
10 severe forms of trafficking in persons, the
11 United States Advisory Council on Human
12 Trafficking, civil society organizations, and fi-
13 nancial institutions on policy proposals derived
14 from the analysis conducted by the task force
15 referred to in paragraph (1) that would enhance
16 the efforts and programs of financial institu-
17 tions to detect and deter money laundering re-
18 lated to human trafficking, including any rec-
19 ommended changes to internal policies, proce-
20 dures, and controls related to human traf-
21 ficking;

22 (C) any recommended changes to training
23 programs at financial institutions to better
24 equip employees to deter and detect money
25 laundering related to human trafficking; and

1 (D) any recommended changes to expand
2 human trafficking-related information sharing
3 among financial institutions and between such
4 financial institutions, appropriate law enforce-
5 ment agencies, and appropriate Federal agen-
6 cies.

7 (b) ADDITIONAL REPORTING REQUIREMENT.—Sec-
8 tion 105(d)(7) of the Trafficking Victims Protection Act
9 of 2000 (22 U.S.C. 7103(d)(7)) is amended—

10 (1) in the matter preceding subparagraph (A)—

11 (A) by inserting “the Committee on Finan-
12 cial Services,” after “the Committee on Foreign
13 Affairs”; and

14 (B) by inserting “the Committee on Bank-
15 ing, Housing, and Urban Affairs,” after “the
16 Committee on Foreign Relations,”;

17 (2) in subparagraph (Q)(vii), by striking “;
18 and” and inserting a semicolon;

19 (3) in subparagraph (R), by striking the period
20 at the end and inserting “; and”; and

21 (4) by adding at the end the following:

22 “(S) the efforts of the United States to
23 eliminate money laundering related to human
24 trafficking and the number of investigations,
25 arrests, indictments, and convictions in money

1 laundering cases with a nexus to human traf-
2 ficking.’’.

3 (c) REQUIRED REVIEW OF PROCEDURES.—Not later
4 than 180 days after the date of the enactment of this Act,
5 the Federal Financial Institutions Examination Council,
6 in consultation with the Secretary of the Treasury, victims
7 of severe forms of trafficking in persons, advocates of per-
8 sons at risk of becoming victims of severe forms of traf-
9 ficking in persons, the United States Advisory Council on
10 Trafficking, civil society organizations, the private sector,
11 and appropriate law enforcement agencies, shall—

12 (1) review and enhance training and examina-
13 tions procedures to improve the surveillance capabili-
14 ties of anti-money laundering and countering the fi-
15 nancing of terrorism programs to detect human traf-
16 ficking-related financial transactions;

17 (2) review and enhance procedures for referring
18 potential human trafficking cases to the appropriate
19 law enforcement agency; and

20 (3) determine, as appropriate, whether require-
21 ments for financial institutions and covered financial
22 institutions are sufficient to detect and deter money
23 laundering related to human trafficking.

24 (d) LIMITATIONS.—Nothing in this section shall be
25 construed to—

1 (1) grant rulemaking authority to the Inter-
2 agency Task Force to Monitor and Combat Traf-
3 ficking; or

4 (2) authorize financial institutions to deny serv-
5 ices to or violate the privacy of victims of trafficking,
6 victims of severe forms of trafficking, or individuals
7 not responsible for promoting severe forms of traf-
8 ficking in persons.

9 **SEC. 6966. SENSE OF CONGRESS ON RESOURCES TO COM-**
10 **BAT HUMAN TRAFFICKING.**

11 It is the sense of Congress that—

12 (1) adequate funding should be provided for
13 critical Federal efforts to combat human trafficking;

14 (2) the Department of the Treasury should
15 have the appropriate resources to vigorously inves-
16 tigate human trafficking networks under section 111
17 of the Trafficking Victims Protection Act of 2000
18 (22 U.S.C. 7108) and other relevant statutes and
19 Executive orders;

20 (3) the Department of the Treasury and the
21 Department of Justice should each have the capacity
22 and appropriate resources to support technical as-
23 sistance to develop foreign partners' ability to com-
24 bat human trafficking through strong national anti-

1 money laundering and countering the financing of
 2 terrorism programs;

3 (4) each United States Attorney's Office should
 4 be provided appropriate funding to increase the
 5 number of personnel for community education and
 6 outreach and investigative support and forensic anal-
 7 ysis related to human trafficking; and

8 (5) the Department of State should be provided
 9 additional resources, as necessary, to carry out the
 10 Survivors of Human Trafficking Empowerment Act
 11 (section 115 of Public Law 114–22; 129 Stat. 243).

12 **Subtitle D—Other Matters**

13 **SEC. 6971. EXCEPTION RELATING TO IMPORTATION OF** 14 **GOODS.**

15 (a) IN GENERAL.—The authorities and requirements
 16 to impose sanctions authorized under this title or the
 17 amendments made by this title shall not include the au-
 18 thority or requirement to impose sanctions on the importa-
 19 tion of goods.

20 (b) GOOD DEFINED.—In this section, the term
 21 “good” means any article, natural or manmade substance,
 22 material, supply, or manufactured product, including in-
 23 spection and test equipment, and excluding technical data.

1 **TITLE LXXVIII—MILITARY CON-**
2 **STRUCTION GENERAL PROVI-**
3 **SIONS**

4 **SEC. 7801. PRIORITIZATION OF PROJECTS IN ANNUAL RE-**
5 **PORT ON UNFUNDED REQUIREMENTS FOR**
6 **LABORATORY MILITARY CONSTRUCTION**
7 **PROJECTS.**

8 Section 2806 of the National Defense Authorization
9 Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.
10 222a note) is amended—

11 (1) by striking “Assistant Secretary of Defense
12 for Energy, Installations, and Environment” and in-
13 serting “Under Secretary of Defense for Acquisition
14 and Sustainment”;

15 (2) by striking “reporting” and inserting “re-
16 port”; and

17 (3) by inserting “in prioritized order, with spe-
18 cific accounts and program elements identified,”
19 after “evaluation facilities,”.

1 **SEC. 7802. PROHIBITION ON USE OF FUNDS TO REDUCE AIR**
2 **BASE RESILIENCY OR DEMOLISH PROTECTED**
3 **AIRCRAFT SHELTERS IN THE EUROPEAN**
4 **THEATER WITHOUT CREATING A SIMILAR**
5 **PROTECTION FROM ATTACK.**

6 (a) INEFFECTIVENESS OF SECTION 2802.—Section
7 2802 shall have no force or effect.

8 (b) PROHIBITION.—No funds authorized to be appro-
9 priated by this Act for fiscal year 2020 for the Depart-
10 ment of Defense may be obligated or expended to imple-
11 ment any activity that reduces air base resiliency or de-
12 molishes protected aircraft shelters in the European the-
13 ater, and the Department may not otherwise implement
14 any such activity, without creating a similar protection
15 from attack in the European theater until such time as
16 the Secretary of Defense certifies to the congressional de-
17 fense committees that protected aircraft shelters are not
18 required in the European theater.

19 **SEC. 7803. PROHIBITION ON USE OF FUNDS TO CLOSE OR**
20 **RETURN TO THE HOST NATIONAL ANY EXIST-**
21 **ING AIR BASE.**

22 (a) INEFFECTIVENESS OF SECTION 2803.—Section
23 2803 shall have no force or effect.

24 (b) PROHIBITION.—No funds authorized to be appro-
25 priated by this Act for fiscal year 2020 for the Depart-
26 ment of Defense may be obligated or expended to imple-

1 ment any activity that closes or returns to the host nation
2 any existing air base, and the Department may not other-
3 wise implement any such activity, until such time as the
4 Secretary of Defense certifies that there is no longer a
5 need for a rotational military presence in the European
6 theater.

7 **SEC. 7804. REPORT ON UNFUNDED REQUIREMENTS FOR**
8 **MAJOR AND MINOR MILITARY CONSTRUC-**
9 **TION PROJECTS FOR CHILD DEVELOPMENT**
10 **CENTERS OF THE DEPARTMENT OF DEFENSE**
11 **AND INCREASE OF MAXIMUM AMOUNTS FOR**
12 **SUCH MINOR PROJECTS.**

13 (a) REPORT.—

14 (1) IN GENERAL.—The Under Secretary of De-
15 fense for Personnel and Readiness, in coordination
16 with the Assistant Secretary for Energy, Installa-
17 tions, and Environment for each military depart-
18 ment, shall submit to the congressional defense com-
19 mittees each year, at the time the budget of the
20 President for the fiscal year beginning in such year
21 is submitted to Congress under section 1105(a) of
22 title 31, United States Code, a report, in priority
23 order, listing unfunded requirements for major and
24 minor military construction projects for child devel-
25 opment centers of the Department of Defense.

1 (2) INCLUSION OF FORM.—Each report sub-
2 mitted under paragraph (1) shall include a Depart-
3 ment of Defense Form DD1391 for each major and
4 minor military construction project included in the
5 report.

6 (b) INCREASED MAXIMUM AMOUNTS APPLICABLE TO
7 MINOR CONSTRUCTION PROJECTS FOR CHILD DEVELOP-
8 MENT CENTERS.—

9 (1) IN GENERAL.—For the purpose of any
10 minor military construction project for a child devel-
11 opment center carried out on or after the date of the
12 enactment of this Act, the amount specified in sec-
13 tion 2805(a)(2) of title 10, United States Code, is
14 deemed to be \$15,000,000.

15 (2) SUNSET.—This subsection shall terminate
16 on the date that is three years after the date of the
17 enactment of this Act.

18 (c) SENSE OF THE SENATE.—It is the Sense of the
19 Senate that the Senate recognizes the need for additional
20 investment in child development centers and remains com-
21 mitted to ensuring that future executable requirements for
22 child development centers are funded as much as possible
23 beginning in fiscal year 2020 based on the list of unfunded
24 requirements included in the report submitted under sub-
25 section (a).

1 **SEC. 7805. MODIFICATION OF AUTHORIZED USES OF CER-**
2 **TAIN PROPERTY CONVEYED BY THE UNITED**
3 **STATES IN LOS ANGELES, CALIFORNIA.**

4 (a) IN GENERAL.—Section 2 of Public Law 85–236
5 (71 Stat. 517) is amended in the first sentence by insert-
6 ing after “for other military purposes” the following: “and
7 for purposes of meeting the needs of the homeless (as that
8 term is defined in section 103 of the McKinney-Vento
9 Homeless Assistance Act (42 U.S.C. 11302))”.

10 (b) MODIFICATION OF USE.—

11 (1) APPLICATION.—The State of California
12 may submit to the Administrator of General Services
13 an application for use of the property conveyed pur-
14 suant to section 2 of Public Law 85–236 for pur-
15 poses of meeting the needs of the homeless in ac-
16 cordance with the amendment made by subsection
17 (a).

18 (2) REVIEW OF APPLICATION.—

19 (A) IN GENERAL.—Not later than 60 days
20 after the date of receipt of an application pur-
21 suant to paragraph (1), the Administrator and
22 the Secretary of Health and Human Services
23 shall jointly determine whether the use of the
24 property described in the application is a use
25 for purposes of meeting the needs of the home-
26 less.

1 (B) CONCURRENCE BY SECRETARY OF THE
2 ARMY.—If the Administrator and the Secretary
3 of Health and Human Services jointly deter-
4 mine that the use of the property described in
5 the application is for purposes of meeting the
6 needs of the homeless, the Administrator shall
7 request concurrence by the Secretary of the
8 Army that the proposed use to meet the needs
9 of the homeless does not preclude current and
10 anticipated future use of the property for train-
11 ing of the National Guard and for other mili-
12 tary purposes.

13 (3) MODIFICATION OF INSTRUMENT OF CON-
14 VEYANCE.—If the Secretary of the Army concurs
15 that the proposed use to meet the needs of the
16 homeless does not preclude current and anticipated
17 future use of the property for training of the Na-
18 tional Guard and for other military purposes, the
19 Administrator shall execute and record in the appro-
20 priate office an instrument of modification of the
21 deed of conveyance executed pursuant to Public Law
22 85–236 in order to authorize such use of the prop-
23 erty. The instrument shall include such additional
24 terms and conditions as the Administrator considers

1 appropriate to protect the interests of the United
2 States.

3 **TITLE LXXXI—DEPARTMENT OF**
4 **ENERGY NATIONAL SECURITY**
5 **PROGRAMS**

6 **SEC. 8101. IMPLEMENTATION OF COMMON FINANCIAL RE-**
7 **PORTING SYSTEM FOR NUCLEAR SECURITY**
8 **ENTERPRISE.**

9 Not more than 90 percent of the funds authorized
10 to be appropriated by section 3101 for the National Nu-
11 clear Security Administration for fiscal year 2020 for Fed-
12 eral salaries and expenses and available for travel and
13 transportation may be obligated or expended before the
14 date on which the Administrator for Nuclear Security
15 completes implementation of the common financial report-
16 ing system for the nuclear security enterprise as required
17 by section 3113(a) of the National Defense Authorization
18 Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C.
19 2512 note).

20 **SEC. 8102. MODIFICATION TO CERTAIN REQUIREMENTS RE-**
21 **LATING TO PLUTONIUM PIT PRODUCTION CA-**
22 **PACITY.**

23 (a) SENSE OF THE SENATE.—It is the sense of the
24 Senate that—

1 (1) rebuilding a robust plutonium pit produc-
2 tion infrastructure with a capacity of up to 80 pits
3 per year is critical to maintaining the viability of the
4 nuclear stockpile;

5 (2) that effort will require cooperation from ex-
6 perts across the nuclear security enterprise; and

7 (3) any further delay to achieving a plutonium
8 sustainment capability to support the planned stock-
9 pile life extension programs will result in an unac-
10 ceptable capability gap to our deterrent posture.

11 (b) MODIFICATION TO REQUIREMENTS.—Section
12 4219 of the Atomic Energy Defense Act (50 U.S.C.
13 2538a) is amended—

14 (1) in subsection (a), by striking paragraph (5)
15 and inserting the following:

16 “‘(5) during 2030, produces not less than 80
17 war reserve plutonium pits.’”;

18 (2) by striking subsection (b);

19 (3) by redesignating subsections (c) and (d) as
20 subsections (b) and (c), respectively;

21 (4) in subsection (b), as redesignated by para-
22 graph (2), by striking “2027 (or, if the authority
23 under subsection (b) is exercised, 2029)” and insert-
24 ing “2030”; and

1 (5) in subsection (c), as redesignated by para-
 2 graph (2), by striking “subsection (c)” and inserting
 3 “subsection (b)”.

4 **TITLE LXXXII—DEFENSE NU-**
 5 **CLEAR FACILITIES SAFETY**
 6 **BOARD**

7 **SEC. 8202. MEMBERSHIP OF DEFENSE NUCLEAR FACILI-**
 8 **TIES SAFETY BOARD.**

9 The text of section 3202(b)(1)(A) is hereby deemed
 10 to read as follows:

11 “(1) in paragraph (1), by striking the second
 12 sentence and inserting the following new sentences:
 13 ‘A member may be reappointed for a second term
 14 only if the member was confirmed by the Senate
 15 more than two years into the member’s first term.
 16 A member may not be reappointed for a third
 17 term.’”.

18 **TITLE LXXXV—MARITIME**
 19 **ADMINISTRATION**

20 **SEC. 8500. INEFFECTIVENESS OF TITLE XXXV.**

21 Title XXXV and the amendment made by that title
 22 shall have no force or effect.

23 **SEC. 8501. SHORT TITLE.**

24 This title may be cited as the “Maritime Administra-
 25 tion Authorization and Enhancement Act of 2019”.

**Subtitle A—Maritime
Administration**

**SEC. 8511. AUTHORIZATION OF THE MARITIME ADMINIS-
TRATION.**

(a) IN GENERAL.—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, \$95,944,000, of which—

(A) \$77,944,000 shall remain available until September 30, 2021 for Academy operations; and

(B) \$18,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, \$50,280,000, of which—

(A) \$2,400,000 shall remain available until September 30, 2021, for the Student Incentive Program;

1 (B) \$6,000,000 shall remain available until
2 expended for direct payments to such acad-
3 emies;

4 (C) \$30,080,000 shall remain available
5 until expended for maintenance and repair of
6 State maritime academy training vessels;

7 (D) \$3,800,000 shall remain available until
8 expended for training ship fuel assistance; and

9 (E) \$8,000,000 shall remain available until
10 expended for offsetting the costs of training
11 ship sharing.

12 (3) For expenses necessary to support the Na-
13 tional Security Multi-Mission Vessel Program,
14 \$600,000,000, which shall remain available until ex-
15 pended.

16 (4) For expenses necessary to support Maritime
17 Administration operations and programs,
18 \$60,442,000, of which \$5,000,000 shall remain
19 available until expended for activities authorized
20 under section 50307 of title 46, United States Code.

21 (5) For expenses necessary to dispose of vessels
22 in the National Defense Reserve Fleet, \$5,000,000,
23 which shall remain available until expended.

24 (6) For expenses necessary to maintain and
25 preserve a United States flag Merchant Marine to

1 serve the national security needs of the United
2 States under chapter 531 of title 46, United States
3 Code, \$300,000,000, which shall remain available
4 until expended.

5 (7) For expenses necessary for the loan guar-
6 antee program authorized under chapter 537 of title
7 46, United States Code, \$33,000,000, of which—

8 (A) \$30,000,000 may be used for the cost
9 (as defined in section 502(5) of the Federal
10 Credit Reform Act of 1990 (2 U.S.C. 661a(5))
11 of loan guarantees under the program, which
12 shall remain available until expended; and

13 (B) \$3,000,000 may be used for adminis-
14 trative expenses relating to loan guarantee com-
15 mitments under the program.

16 (8) For expenses necessary to provide assist-
17 ance to small shipyards and for maritime training
18 programs under section 54101 of title 46, United
19 States Code, \$40,000,000, which shall remain avail-
20 able until expended.

21 (9) For expenses necessary to implement the
22 Port and Intermodal Improvement Program,
23 \$600,000,000, except that no funds shall be used for
24 a grant award to purchase fully automated cargo
25 handling equipment that is remotely operated or re-

1 motely monitored with or without the exercise of
2 human intervention or control, if the Secretary de-
3 termines such equipment would result in a net loss
4 of jobs that relate to the movement of goods through
5 a port and its intermodal connections.

6 **SEC. 8512. MARITIME SECURITY PROGRAM.**

7 (a) AWARD OF OPERATING AGREEMENTS.—Section
8 53103 of title 46, United States Code, is amended by
9 striking “2025” each place it appears and inserting
10 “2035”.

11 (b) EFFECTIVENESS OF OPERATING AGREE-
12 MENTS.—Section 53104(a) of title 46, United States
13 Code, is amended by striking “2025” and inserting
14 “2035”.

15 (c) PAYMENTS.—Section 53106(a)(1) of title 46,
16 United States Code, is amended—

17 (1) in subparagraph (B), by striking “and”
18 after the semicolon;

19 (2) in subparagraph (C), by striking
20 “\$3,700,000 for each of fiscal years 2022, 2023,
21 2024, and 2025.” and inserting “\$5,233,463 for
22 each of fiscal years 2022, 2023, 2024, and 2025;
23 and”; and

24 (3) by adding at the end the following:

1 “(D) \$5,233,463 for each of fiscal years
2 2026 through 2035.”.

3 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
4 53111 of title 46, United States Code, is amended—

5 (1) in paragraph (2), by striking “and” after
6 the semicolon;

7 (2) in paragraph (3), by striking
8 “\$222,000,000 for each fiscal year thereafter
9 through fiscal year 2025.” and inserting
10 “\$314,007,780 for each of fiscal years 2022, 2023,
11 2024, and 2025; and”; and

12 (3) by adding at the end the following:

13 “(4) \$314,007,780 for each of fiscal years 2026
14 through 2035.”.

15 **SEC. 8513. DEPARTMENT OF TRANSPORTATION INSPECTOR**
16 **GENERAL REPORT.**

17 The Inspector General of the Department of Trans-
18 portation shall—

19 (1) not later than 180 days after the date of
20 enactment of this title, initiate an audit of the Mari-
21 time Administration’s actions to address only those
22 recommendations from Chapter 3 and recommenda-
23 tions 5–1, 5–2, 5–3, 5–4, 5–5, and 5–6 identified by
24 a National Academy of Public Administration panel
25 in the November 2017 report entitled “Maritime Ad-

1 ministration: Defining its Mission, Aligning its Pro-
2 grams, and Meeting its Objectives’; and

3 (2) submit to the Committee on Commerce,
4 Science, and Transportation of the Senate and the
5 Committee on Transportation and Infrastructure of
6 the House of Representatives a report containing the
7 results of that audit once the audit is completed.

8 **SEC. 8514. APPOINTMENT OF CANDIDATES ATTENDING**
9 **SPONSORED PREPARATORY SCHOOL.**

10 Section 51303 of title 46, United State Code, is
11 amended—

12 (1) by striking “The Secretary” and inserting
13 the following:

14 “(a) IN GENERAL.—The Secretary”; and

15 (2) by adding at the end the following:

16 “(b) APPOINTMENT OF CANDIDATES SELECTED FOR
17 PREPARATORY SCHOOL SPONSORSHIP.—The Secretary of
18 Transportation may appoint each year as cadets at the
19 United States Merchant Marine Academy not more than
20 40 qualified individuals sponsored by the Academy to at-
21 tend preparatory school during the academic year prior
22 to entrance in the Academy, and who have successfully
23 met the terms and conditions of sponsorship set by the
24 Academy.”.

1 **SEC. 8515. INDEPENDENT STUDY ON THE UNITED STATES**
2 **MERCHANT MARINE ACADEMY.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of enactment of this title, the Secretary of Transpor-
5 tation shall seek to enter into an agreement with the Na-
6 tional Academy of Public Administration (referred to in
7 this section as the “Academy”) to carry out the activities
8 described in this section.

9 (b) STUDY ELEMENTS.—In accordance with the
10 agreement described in subsection (a), the Academy shall
11 conduct a study of the United States Merchant Marine
12 Academy that consists of the following:

13 (1) A comprehensive assessment of the United
14 States Merchant Marine Academy’s systems, train-
15 ing, facilities, infrastructure, information technology,
16 and stakeholder engagement.

17 (2) Identification of needs and opportunities for
18 modernization to help the United States Merchant
19 Marine Academy keep pace with more modern cam-
20 puses.

21 (3) Development of an action plan for the
22 United States Merchant Marine Academy with spe-
23 cific recommendations for—

24 (A) improvements or updates relating to
25 the opportunities described in paragraph (2);
26 and

1 (B) systemic changes needed to help the
2 United States Merchant Marine Academy
3 achieve its mission of inspiring and educating
4 the next generation of the mariner workforce on
5 a long-term basis.

6 (c) DEADLINE AND REPORT.—Not later than 1 year
7 after the date of the agreement described in subsection
8 (a), the Academy shall prepare and submit to the Adminis-
9 trator of the Maritime Administration a report containing
10 the action plan described in subsection (b)(3), including
11 specific findings and recommendations.

12 **SEC. 8516. GENERAL SUPPORT PROGRAM.**

13 Section 51501 of title 46, United States Code, is
14 amended by adding at the end the following:

15 “(c) NATIONAL MARITIME CENTERS OF EXCEL-
16 LENCE.—The Secretary shall designate each State mari-
17 time academy as a National Maritime Center of Excel-
18 lence.”.

19 **SEC. 8517. MILITARY TO MARINER.**

20 (a) CREDENTIALING SUPPORT.—Not later than 1
21 year after the date of enactment of this title, the Secretary
22 of Defense, the Secretary of the Department in which the
23 Coast Guard operates, the Secretary of Commerce, and
24 the Secretary of Health and Human Services, with respect
25 to the applicable services in their respective departments,

1 and in coordination with one another and with the United
2 States Committee on the Marine Transportation System,
3 and in consultation with the Merchant Marine Personnel
4 Advisory Committee, shall, consistent with applicable law,
5 identify all training and experience within the applicable
6 service that may qualify for merchant mariner
7 credentialing, and submit a list of all identified training
8 and experience to the United States Coast Guard National
9 Maritime Center for a determination of whether such
10 training and experience counts for credentialing purposes.

11 (b) REVIEW OF APPLICABLE SERVICE.—The United
12 States Coast Guard Commandant shall make a determina-
13 tion of whether training and experience counts for
14 credentialing purposes, as described in subsection (a), not
15 later than 6 months after the date on which the United
16 States Coast Guard National Maritime Center receives a
17 submission under subsection (a) identifying a training or
18 experience and requesting such a determination.

19 (c) FEES AND SERVICES.—The Secretary of Defense,
20 the Secretary of the Department in which the Coast Guard
21 operates, and the Secretary of Commerce, with respect to
22 the applicable services in their respective departments,
23 shall—

24 (1) take all necessary and appropriate actions
25 to provide for the waiver of fees through the Na-

1 tional Maritime Center license evaluation, issuance,
2 and examination for members of the uniformed serv-
3 ices on active duty, if a waiver is authorized and ap-
4 propriate, and, if a waiver is not granted, take all
5 necessary and appropriate actions to provide for the
6 payment of fees for members of the uniformed serv-
7 ices on active duty by the applicable service to the
8 fullest extent permitted by law;

9 (2) direct the applicable services to take all nec-
10 essary and appropriate actions to provide for Trans-
11 portation Worker Identification Credential cards for
12 members of the uniformed services on active duty
13 pursuing or possessing a mariner credential, such as
14 implementation of an equal exchange process for ac-
15 tive duty service members at no or minimal cost;

16 (3) ensure that members of the applicable serv-
17 ices who are to be discharged or released from active
18 duty and who request certification or verification of
19 sea service be provided such certification or
20 verification no later than one month after discharge
21 or release;

22 (4) ensure the applicable services have devel-
23 oped, or continue to operate, as appropriate, the on-
24 line resource known as Credentialing Opportunities
25 On-Line to support separating members of the uni-

1 formed services who are seeking information and as-
2 sistance on merchant mariner credentialing; and

3 (5) not later than 1 year after the date of en-
4 actment of this section, take all necessary and ap-
5 propriate actions to review and implement service-re-
6 lated medical certifications to merchant mariner cre-
7 dential requirements.

8 (d) ADVANCING MILITARY TO MARINER WITHIN THE
9 EMPLOYER AGENCIES.—

10 (1) IN GENERAL.—The Secretary of Defense,
11 the Secretary of the Department in which the Coast
12 Guard operates, and the Secretary of Commerce
13 shall have direct hiring authority to employ sepa-
14 rated members of the uniformed services with valid
15 merchant mariner licenses or sea service experience
16 in support of United States national maritime needs,
17 including the Army Corps of Engineers, U.S. Cus-
18 toms and Border Protection, and the National Oce-
19 anic and Atmospheric Administration.

20 (2) APPOINTMENTS OF RETIRED MEMBERS OF
21 THE ARMED FORCES.—Except in the case of posi-
22 tions in the Senior Executive Service, the require-
23 ments of section 3326(b) of title 5, United States
24 Code, shall not apply with respect to the hiring of

1 a separated member of the uniformed services under
2 paragraph (1).

3 (e) SEPARATED MEMBER OF THE UNIFORMED SERV-
4 ICES.—In this section, the term “separated member of the
5 uniformed services” means an individual who—

6 (1) is retiring or is retired as a member of the
7 uniformed services;

8 (2) is voluntarily separating or voluntarily sepa-
9 rated from the uniformed services at the end of en-
10 listment or service obligation; or

11 (3) is administratively separating or has admin-
12 istratively separated from the uniformed services
13 with an honorable or general discharge characteriza-
14 tion.

15 **SEC. 8518. SALVAGE RECOVERIES OF FEDERALLY OWNED**
16 **CARGOES.**

17 Section 57100 of title 46, United States Code, is
18 amended by adding at the end the following:

19 “(h) FUNDS TRANSFER AUTHORITY RELATED TO
20 THE USE OF NATIONAL DEFENSE RESERVE FLEET VES-
21 SELS AND THE PROVISION OF MARITIME-RELATED SERV-
22 ICES.—

23 “(1) IN GENERAL.—When the Secretary of
24 Transportation provides for the use of its vessels or
25 maritime-related services and goods under a reim-

1 bursable agreement with a Federal entity, or State
2 or local entity, authorized to receive goods and serv-
3 ices from the Maritime Administration for programs,
4 projects, activities, and expenses related to the Na-
5 tional Defense Reserve Fleet or maritime-related
6 services:

7 “(A) Federal entities are authorized to
8 transfer funds to the Secretary in advance of
9 expenditure or upon providing the goods or
10 services ordered, as determined by the Sec-
11 retary.

12 “(B) The Secretary shall determine all
13 other terms and conditions under which such
14 payments should be made and provide such
15 goods and services using its existing or new
16 contracts, including general agency agreements,
17 memoranda of understanding, or similar agree-
18 ments.

19 “(2) REIMBURSABLE AGREEMENT WITH A FED-
20 ERAL ENTITY.—

21 “(A) IN GENERAL.—The Maritime Admin-
22 istration is authorized to provide maritime-re-
23 lated services and goods under a reimbursable
24 agreement with a Federal entity.

1 “(B) MARITIME-RELATED SERVICES DE-
2 FINED.—For the purposes of this subsection,
3 maritime-related services includes the acquisi-
4 tion, procurement, operation, maintenance,
5 preservation, sale, lease, charter, construction,
6 reconstruction, or reconditioning (including out-
7 fitting and equipping incidental to construction,
8 reconstruction, or reconditioning) of a merchant
9 vessel or shipyard, ship site, terminal, pier,
10 dock, warehouse, or other installation related to
11 the maritime operations of a Federal entity.

12 “(3) SALVAGING CARGOES.—

13 “(A) IN GENERAL.—The Maritime Admin-
14 istration may provide services and purchase
15 goods relating to the salvaging of cargoes
16 aboard vessels in the custody or control of the
17 Maritime Administration or its predecessor
18 agencies and receive and retain reimbursement
19 from Federal entities for all such costs as it
20 may incur.

21 “(B) REIMBURSEMENT.—Reimbursement
22 as provided for in subparagraph (A) may come
23 from—

24 “(i) the proceeds recovered from such
25 salvage; or

1 “(ii) the Federal entity for which the
2 Maritime Administration has or will pro-
3 vide such goods and services, depending on
4 the agreement of the parties involved.

5 “(4) AMOUNTS RECEIVED.—Amounts received
6 as reimbursements under this subsection shall be
7 credited to the fund or account that was used to
8 cover the costs incurred by the Secretary or, if the
9 period of availability of obligations for that appro-
10 priation has expired, to the appropriation of funds
11 that is currently available to the Secretary for sub-
12 stantially the same purpose. Amounts so credited
13 shall be merged with amounts in such fund or ac-
14 count and shall be available for the same purposes,
15 and subject to the same conditions and limitations,
16 as amounts in such fund or account.

17 “(5) ADVANCE PAYMENTS.—Payments made in
18 advance shall be for any part of the estimated cost
19 as determined by the Secretary of Transportation.
20 Adjustments to the amounts paid in advance shall be
21 made as agreed to by the Secretary of Transpor-
22 tation and the head of the ordering agency or unit
23 based on the actual cost of goods or services pro-
24 vided.

1 “(6) BILL OR REQUEST FOR PAYMENT.—A bill
2 submitted or a request for payment is not subject to
3 audit or certification in advance of payment.”.

4 **SEC. 8519. SALVAGE RECOVERIES FOR SUBROGATED OWN-**
5 **ERSHIP OF VESSELS AND CARGOES.**

6 Section 53909 of title 46, United States Code, is
7 amended by adding at the end the following:

8 “(e) SALVAGE AGREEMENTS.—The Secretary of
9 Transportation is authorized to enter into marine salvage
10 agreements for the recoveries, sale, and disposal of sunken
11 or damaged vessels, cargoes, or properties owned or in-
12 sured by or on behalf of the Maritime Administration, the
13 United States Shipping Board, the U.S. Shipping Bureau,
14 the United States Maritime Commission, or the War Ship-
15 ping Administration.

16 “(f) MILITARY CRAFT.—The Secretary of Transpor-
17 tation shall consult with the Secretary of the military de-
18 partment concerned prior to engaging in or authorizing
19 any activity under subsection (e) that will disturb sunken
20 military craft, as defined in title XIV of the Ronald W.
21 Reagan National Defense Authorization Act for Fiscal
22 Year 2005 (10 U.S.C. 113 note).

23 “(g) RECOVERIES.—Notwithstanding other provi-
24 sions of law, the net proceeds from salvage agreements
25 entered into as authorized in subsection (e) shall remain

1 available until expended and be distributed as follows for
2 marine insurance-related salvages:

3 “(1) Fifty percent of the net funds recovered
4 shall be deposited in the war risk revolving fund and
5 shall be available for the purposes of the war risk re-
6 volving fund.

7 “(2) Fifty percent of the net funds recovered
8 shall be deposited in the Vessel Operations Revolving
9 Fund as established by section 50301(a) of this title
10 and shall be available until expended as follows:

11 “(A) Fifty percent shall be available to the
12 Administrator of the Maritime Administration
13 for such acquisition, maintenance, repair, recon-
14 ditioning, or improvement of vessels in the Na-
15 tional Defense Reserve Fleet as is authorized
16 under other Federal law.

17 “(B) Twenty-five percent shall be available
18 to the Administrator of the Maritime Adminis-
19 tration for the payment or reimbursement of
20 expenses incurred by or on behalf of State mar-
21 itime academies or the United States Merchant
22 Marine Academy for facility and training ship
23 maintenance, repair, and modernization, and
24 for the purchase of simulators and fuel.

1 “(C) The remainder shall be distributed
2 for maritime heritage preservation to the De-
3 partment of the Interior for grants as author-
4 ized by section 308703 of title 54.”.

5 **SEC. 8520. PORT OPERATIONS, RESEARCH, AND TECH-**
6 **NOLOGY.**

7 (a) SHORT TITLE.—This section may be cited as the
8 “Ports Improvement Act”.

9 (b) PORT AND INTERMODAL IMPROVEMENT PRO-
10 GRAM.—Section 50302 of title 46, United States Code, is
11 amended by striking subsection (c) and inserting the fol-
12 lowing:

13 “(c) PORT AND INTERMODAL IMPROVEMENT PRO-
14 GRAM.—

15 “(1) GENERAL AUTHORITY.—Subject to the
16 availability of appropriations, the Secretary of
17 Transportation shall make grants, on a competitive
18 basis, to eligible applicants to assist in funding eligi-
19 ble projects for the purpose of improving the safety,
20 efficiency, or reliability of the movement of goods
21 through ports and intermodal connections to ports.

22 “(2) ELIGIBLE APPLICANT.—The Secretary
23 may make a grant under this subsection to the fol-
24 lowing:

25 “(A) A State.

1 “(B) A political subdivision of a State, or
2 a local government.

3 “(C) A public agency or publicly chartered
4 authority established by 1 or more States.

5 “(D) A special purpose district with a
6 transportation function.

7 “(E) An Indian Tribe (as defined in sec-
8 tion 4 of the Indian Self-Determination and
9 Education Assistance Act (25 U.S.C. 5304),
10 without regard to capitalization), or a consor-
11 tium of Indian Tribes.

12 “(F) A multistate or multijurisdictional
13 group of entities described in this paragraph.

14 “(G) A lead entity described in subpara-
15 graph (A), (B), (C), (D), (E), or (F) jointly
16 with a private entity or group of private enti-
17 ties.

18 “(3) ELIGIBLE PROJECTS.—The Secretary may
19 make a grant under this subsection—

20 “(A) for a project, or package of projects,
21 that—

22 “(i) is either—

23 “(I) within the boundary of a
24 port; or

1 “(II) outside the boundary of a
 2 port, but is directly related to port op-
 3 erations or to an intermodal connec-
 4 tion to a port; and

5 “(ii) will be used to improve the safe-
 6 ty, efficiency, or reliability of—

7 “(I) the loading and unloading of
 8 goods at the port, such as for marine
 9 terminal equipment;

10 “(II) the movement of goods
 11 into, out of, around, or within a port,
 12 such as for highway or rail infrastruc-
 13 ture, intermodal facilities, freight in-
 14 telligent transportation systems, and
 15 digital infrastructure systems; or

16 “(III) environmental mitigation
 17 measures and operational improve-
 18 ments directly related to enhancing
 19 the efficiency of ports and intermodal
 20 connections to ports; or

21 “(B) notwithstanding paragraph (6)(A)(v),
 22 to provide financial assistance to 1 or more
 23 projects under subparagraph (A) for develop-
 24 ment phase activities, including planning, feasi-
 25 bility analysis, revenue forecasting, environ-

1 mental review, permitting, and preliminary en-
2 gineering and design work.

3 “(4) PROHIBITED USES.—A grant award under
4 this subsection may not be used—

5 “(A) to finance or refinance the construc-
6 tion, reconstruction, reconditioning, or purchase
7 of a vessel that is eligible for such assistance
8 under chapter 537, unless the Secretary deter-
9 mines such vessel—

10 “(i) is necessary for a project de-
11 scribed in paragraph (3)(A)(ii)(III) of this
12 subsection; and

13 “(ii) is not receiving assistance under
14 chapter 537; or

15 “(B) for any project within a small ship-
16 yard (as defined in section 54101).

17 “(5) APPLICATIONS AND PROCESS.—

18 “(A) APPLICATIONS.—To be eligible for a
19 grant under this subsection, an eligible appli-
20 cant shall submit to the Secretary an applica-
21 tion in such form, at such time, and containing
22 such information as the Secretary considers ap-
23 propriate.

24 “(B) SOLICITATION PROCESS.—Not later
25 than 60 days after the date that amounts are

1 made available for grants under this subsection
2 for a fiscal year, the Secretary shall solicit
3 grant applications for eligible projects in ac-
4 cordance with this subsection.

5 “(6) PROJECT SELECTION CRITERIA.—

6 “(A) IN GENERAL.—The Secretary may se-
7 lect a project described in paragraph (3) for
8 funding under this subsection if the Secretary
9 determines that—

10 “(i) the project improves the safety,
11 efficiency, or reliability of the movement of
12 goods through a port or intermodal con-
13 nection to a port;

14 “(ii) the project is cost effective;

15 “(iii) the eligible applicant has author-
16 ity to carry out the project;

17 “(iv) the eligible applicant has suffi-
18 cient funding available to meet the match-
19 ing requirements under paragraph (8);

20 “(v) the project will be completed
21 without unreasonable delay; and

22 “(vi) the project cannot be easily and
23 efficiently completed without Federal fund-
24 ing or financial assistance available to the
25 project sponsor.

1 “(B) ADDITIONAL CONSIDERATIONS.—In
2 selecting projects described in paragraph (3) for
3 funding under this subsection, the Secretary
4 shall give substantial weight to—

5 “(i) the utilization of non-Federal
6 contributions;

7 “(ii) the net benefits of the funds
8 awarded under this subsection, considering
9 the cost-benefit analysis of the project, as
10 applicable; and

11 “(iii) the public benefits of the funds
12 awarded under this subsection.

13 “(C) SMALL PROJECTS.—The Secretary
14 may waive the cost-benefit analysis under sub-
15 paragraph (A)(ii), and establish a simplified, al-
16 ternative basis for determining whether a
17 project is cost effective, for a small project de-
18 scribed in paragraph (7)(B).

19 “(7) ALLOCATION OF FUNDS.—

20 “(A) GEOGRAPHIC DISTRIBUTION.—Not
21 more than 25 percent of the amounts made
22 available for grants under this subsection for a
23 fiscal year may be used to make grants for
24 projects in any 1 State.

1 “(B) SMALL PROJECTS.—The Secretary
2 shall reserve 25 percent of the amounts made
3 available for grants under this subsection each
4 fiscal year to make grants for eligible projects
5 described in paragraph (3)(A) that request the
6 lesser of—

7 “(i) 10 percent of the amounts made
8 available for grants under this subsection
9 for a fiscal year; or

10 “(ii) \$11,000,000.

11 “(C) DEVELOPMENT PHASE ACTIVITIES.—
12 Not more than 10 percent of the amounts made
13 available for grants under this subsection for a
14 fiscal year may be used to make grants for de-
15 velopment phase activities under paragraph
16 (3)(B).

17 “(8) FEDERAL SHARE OF TOTAL PROJECT
18 COSTS.—

19 “(A) TOTAL PROJECT COSTS.—To be eligi-
20 ble for a grant under this subsection, an eligible
21 applicant shall submit to the Secretary an esti-
22 mate of the total costs of a project under this
23 subsection based on the best available informa-
24 tion, including any available engineering stud-
25 ies, studies of economic feasibility, environ-

1 mental analyses, and information on the ex-
2 pected use of equipment or facilities.

3 “(B) FEDERAL SHARE.—

4 “(i) IN GENERAL.—Except as pro-
5 vided in clause (ii), the Federal share of
6 the total costs of a project under this sub-
7 section shall not exceed 80 percent.

8 “(ii) RURAL AREAS.—The Secretary
9 may increase the Federal share of costs
10 above 80 percent for a project located in a
11 rural area.

12 “(9) PROCEDURAL SAFEGUARDS.—The Sec-
13 retary shall issue guidelines to establish appropriate
14 accounting, reporting, and review procedures to en-
15 sure that—

16 “(A) grant funds are used for the purposes
17 for which those funds were made available;

18 “(B) each grantee properly accounts for all
19 expenditures of grant funds; and

20 “(C) grant funds not used for such pur-
21 poses and amounts not obligated or expended
22 are returned.

23 “(10) CONDITIONS.—

1 “(A) IN GENERAL.—The Secretary shall
2 require as a condition of making a grant under
3 this subsection that a grantee—

4 “(i) maintain such records as the Sec-
5 retary considers necessary;

6 “(ii) make the records described in
7 clause (i) available for review and audit by
8 the Secretary; and

9 “(iii) periodically report to the Sec-
10 retary such information as the Secretary
11 considers necessary to assess progress.

12 “(B) LABOR.—The Federal wage rate re-
13 quirements of subchapter IV of chapter 31 of
14 title 40 shall apply, in the same manner as such
15 requirements apply to contracts subject to such
16 subchapter, to—

17 “(i) each project for which a grant is
18 provided under this subsection; and

19 “(ii) all portions of a project described
20 in clause (i), regardless of whether such a
21 portion is funded using—

22 “(I) other Federal funds; or

23 “(II) non-Federal funds.

24 “(11) LIMITATION ON STATUTORY CONSTRUC-
25 TION.—Nothing in this subsection shall be construed

1 to affect existing authorities to conduct port infra-
2 structure programs in—

3 “(A) Hawaii, as authorized by section
4 9008 of the SAFETEA-LU Act (Public Law
5 109–59; 119 Stat. 1926);

6 “(B) Alaska, as authorized by section
7 10205 of the SAFETEA-LU Act (Public Law
8 109–59; 119 Stat. 1934); or

9 “(C) Guam, as authorized by section 3512
10 of the Duncan Hunter National Defense Au-
11 thorization Act for Fiscal Year 2009 (48 U.S.C.
12 1421r).

13 “(12) ADMINISTRATION.—

14 “(A) ADMINISTRATIVE AND OVERSIGHT
15 COSTS.—The Secretary may retain not more
16 than 2 percent of the amounts appropriated for
17 each fiscal year under this subsection for the
18 administrative and oversight costs incurred by
19 the Secretary to carry out this subsection.

20 “(B) AVAILABILITY.—

21 “(i) IN GENERAL.—Amounts appro-
22 priated for carrying out this subsection
23 shall remain available until expended.

24 “(ii) UNEXPENDED FUNDS.—
25 Amounts awarded as a grant under this

1 subsection that are not expended by the
2 grantee during the 5-year period following
3 the date of the award shall remain avail-
4 able to the Secretary for use for grants
5 under this subsection in a subsequent fis-
6 cal year.

7 “(13) DEFINITIONS.—In this subsection:

8 “(A) APPROPRIATE COMMITTEES OF CON-
9 GRESS.—The term ‘appropriate committees of
10 Congress’ means—

11 “(i) the Committee on Commerce,
12 Science, and Transportation of the Senate;
13 and

14 “(ii) the Committee on Transportation
15 and Infrastructure of the House of Rep-
16 resentatives.

17 “(B) PORT.—The term ‘port’ includes—

18 “(i) a seaport; and

19 “(ii) an inland waterways port.

20 “(C) PROJECT.—The term ‘project’ in-
21 cludes construction, reconstruction, environ-
22 mental rehabilitation, acquisition of property,
23 including land related to the project and im-
24 provements to the land, equipment acquisition,
25 and operational improvements.

1 “(D) RURAL AREA.—The term ‘rural area’
2 means an area that is outside an urbanized
3 area.

4 “(d) ADDITIONAL AUTHORITY OF THE SEC-
5 RETARY.—In carrying out this section, the Secretary
6 may—

7 “(1) receive funds from a Federal or non-Fed-
8 eral entity that has a specific agreement with the
9 Secretary to further the purposes of this section;

10 “(2) coordinate with other Federal agencies to
11 expedite the process established under the National
12 Environmental Policy Act of 1969 (42 U.S.C. 4321
13 et seq.) for the improvement of port facilities to im-
14 prove the efficiency of the transportation system, to
15 increase port security, or to provide greater access
16 to port facilities;

17 “(3) seek to coordinate all reviews or require-
18 ments with appropriate Federal, State, and local
19 agencies; and

20 “(4) in addition to any financial assistance pro-
21 vided under subsection (c), provide such technical
22 assistance to port authorities or commissions or
23 their subdivisions and agents as needed for project
24 planning, design, and construction.”.

1 (c) SAVINGS CLAUSE.—A repeal made by subsection
2 (b) of this section shall not affect amounts apportioned
3 or allocated before the effective date of the repeal. Such
4 apportioned or allocated funds shall continue to be subject
5 to the requirements to which the funds were subject under
6 section 50302(c) of title 46, United States Code, as in ef-
7 fect on the day before the date of enactment of this title.

8 **SEC. 8521. ASSESSMENT AND REPORT ON STRATEGIC SEA-**
9 **PORTS.**

10 (a) IN GENERAL.—Not later than 90 days after the
11 date of the enactment of this title, the Secretary of De-
12 fense shall submit to the congressional defense committees
13 a report on port facilities used for military purposes at
14 ports designated by the Department of Defense as stra-
15 tegic seaports.

16 (b) ELEMENTS.—The report required by subsection
17 (a) shall include, with respect to port facilities included
18 in the report, the following:

19 (1) An assessment whether there are structural
20 integrity or other deficiencies in such facilities.

21 (2) If there are such deficiencies—

22 (A) an assessment of infrastructure im-
23 provements to such facilities that would be
24 needed to meet, directly or indirectly, national
25 security and readiness requirements;

1 (B) an assessment of the impact on oper-
2 ational readiness of the Armed Forces if such
3 improvements are not undertaken; and

4 (C) an identification of, to the maximum
5 extent practical, all potential funding sources
6 for such improvements from existing authori-
7 ties.

8 (3) An identification of the support that would
9 be appropriate for the Department of Defense to
10 provide in the execution of the Secretary of Trans-
11 portation's responsibilities under section 50302 of
12 title 46, United States Code, with respect to such fa-
13 cilities.

14 (4) If additional statutory or administrative au-
15 thorities would be required for the provision of sup-
16 port as described in paragraph (3), recommenda-
17 tions for legislative or administrative action to estab-
18 lish such authorities.

19 (c) CONSULTATION.—The Secretary of Defense shall
20 prepare the report required by subsection (a) in consulta-
21 tion with the Maritime Administrator and the individual
22 responsible for each port facility described in such sub-
23 section.

1 **SEC. 8522. MARITIME TECHNICAL ASSISTANCE PROGRAM.**

2 Section 50307 of title 46, United States Code, is
3 amended—

4 (1) in subsection (a), by striking “The Sec-
5 retary of Transportation may engage in the environ-
6 mental study” and inserting “The Maritime Admin-
7 istrator, on behalf of the Secretary of Transpor-
8 tation, shall engage in the study”;

9 (2) in subsection (b)—

10 (A) in the matter preceding paragraph (1),
11 by striking “may” and inserting “shall”; and

12 (B) in paragraph (1)—

13 (i) in the matter preceding subpara-
14 graph (A), by striking “that are likely to
15 achieve environmental improvements by”
16 and inserting “to improve”;

17 (ii) by redesignating subparagraphs
18 (A) through (C) as clauses (i) through
19 (iii), respectively;

20 (iii) by inserting before clause (i), the
21 following:

22 “(A) environmental performance to meet
23 United States Federal and international stand-
24 ards and guidelines, including—”; and

25 (iv) in clause (iii), as redesignated by
26 clause (ii), by striking “species; and” and

1 all that follows through the end of the sub-
 2 section and inserting “species; or

3 “(iv) reducing propeller cavitation;
 4 and

5 “(B) the efficiency and safety of domestic
 6 maritime industries; and

7 “(2) coordinate with the Environmental Protec-
 8 tion Agency, the Coast Guard, and other Federal,
 9 State, local, or tribal agencies, as appropriate.”.

10 (3) in subsection (c)(2), by striking “benefits”
 11 and inserting “or other benefits to domestic mari-
 12 time industries”; and

13 (4) by adding at the end the following:

14 “(e) LIMITATIONS ON THE USE OF FUNDS.—Not
 15 more than 3 percent of funds appropriated to carry out
 16 this program may be used for administrative purposes.”.

17 **SEC. 8523. REQUIREMENT FOR SMALL SHIPYARD GRANT-**
 18 **EES.**

19 Section 54101(d) of title 46, United States Code, is
 20 amended—

21 (1) by striking “Grants awarded” and inserting
 22 the following:

23 “(1) IN GENERAL.—Grants awarded”; and

24 (2) by adding at the end the following:

25 “(2) BUY AMERICA.—

1 “(A) IN GENERAL.—Subject to subpara-
2 graph (B), no funds may be obligated by the
3 Administrator of the Maritime Administration
4 under this section, unless each product and ma-
5 terial purchased with those funds (including
6 products and materials purchased by a grant-
7 ee), and including any commercially available
8 off-the-shelf item, is—

9 “(i) an unmanufactured article, mate-
10 rial, or supply that has been mined or pro-
11 duced in the United States; or

12 “(ii) a manufactured article, material,
13 or supply that has been manufactured in
14 the United States substantially all from ar-
15 ticles, materials, or supplies mined, pro-
16 duced, or manufactured in the United
17 States.

18 “(B) EXCEPTIONS.—

19 “(i) IN GENERAL.—Notwithstanding
20 subparagraph (A), the requirements of
21 that subparagraph shall not apply with re-
22 spect to a particular product or material if
23 the Administrator determines—

1 “(I) that the application of those
2 requirements would be inconsistent
3 with the public interest;

4 “(II) that such product or mate-
5 rial is not available in the United
6 States in sufficient and reasonably
7 available quantities, of a satisfactory
8 quality, or on a timely basis; or

9 “(III) that inclusion of a domes-
10 tic product or material will increase
11 the cost of that product or material by
12 more than 25 percent, with respect to
13 a certain contract between a grantee
14 and that grantee’s supplier.

15 “(ii) FEDERAL REGISTER.—A deter-
16 mination made by the Administrator under
17 this subparagraph shall be published in the
18 Federal Register.

19 “(C) DEFINITIONS.—In this paragraph:

20 “(i) The term ‘commercially available
21 off-the-shelf item’ means—

22 “(I) any item of supply (includ-
23 ing construction material) that is—

24 “(aa) a commercial item, as
25 defined by section 2.101 of title

1 48, Code of Federal Regulations
2 (as in effect on the date of enact-
3 ment of the Maritime Adminis-
4 tration Authorization and En-
5 hancement Act of 2019); and

6 “(bb) sold in substantial
7 quantities in the commercial
8 marketplace; and

9 “(II) does not include bulk cargo,
10 as defined in section 40102(4) of this
11 title, such as agricultural products
12 and petroleum products.

13 “(ii) The term ‘product or material’
14 means an article, material, or supply
15 brought to the site by the recipient for in-
16 corporation into the building, work, or
17 project. The term also includes an item
18 brought to the site preassembled from arti-
19 cles, materials, or supplies. However, emer-
20 gency life safety systems, such as emer-
21 gency lighting, fire alarm, and audio evac-
22 uation systems, that are discrete systems
23 incorporated into a public building or work
24 and that are produced as complete sys-
25 tems, are evaluated as a single and distinct

1 construction material regardless of when or
 2 how the individual parts or components of
 3 those systems are delivered to the con-
 4 struction site.

5 “(iii) The term ‘United States’ in-
 6 cludes the District of Columbia, the Com-
 7 monwealth of Puerto Rico, the Northern
 8 Mariana Islands, Guam, American Samoa,
 9 and the Virgin Islands.”.

10 **SEC. 8524. IMPROVEMENT OF NATIONAL OCEANOGRAPHIC**
 11 **PARTNERSHIP PROGRAM.**

12 (a) ADDITIONAL MEANS OF ACHIEVEMENT OF
 13 GOALS OF PROGRAM THROUGH OCEANOGRAPHIC EF-
 14 FORTS.—Section 8931(b)(2)(A) of title 10, United States
 15 Code, is amended—

16 (1) by inserting “, creating,” after “identi-
 17 fying”; and

18 (2) by inserting “science,” after “areas of”.

19 (b) NATIONAL OCEAN RESEARCH LEADERSHIP
 20 COUNCIL MEMBERSHIP.—Section 8932 of title 10, United
 21 States Code, is amended—

22 (1) by redesignating subsections (f) through (h)
 23 as subsections (g) through (i), respectively;

24 (2) in subsection (b)—

25 (A) by striking paragraph (10);

1 (B) by redesignating paragraphs (11)
2 through (14) as paragraphs (12) through (15),
3 respectively; and

4 (C) by inserting after paragraph (9) the
5 following new paragraphs:

6 “(10) The Director of the Bureau of Ocean En-
7 ergy Management of the Department of the Interior.

8 “(11) The Director of the Bureau of Safety and
9 Environmental Enforcement of the Department of
10 the Interior.”;

11 (3) in subsection (d)—

12 (A) in paragraph (2)—

13 (i) in subparagraph (B), by striking
14 “broad participation within the oceano-
15 graphic community” and inserting “appro-
16 priate participation within the oceano-
17 graphic community, which may include
18 public, academic, commercial, and private
19 participation or support”; and

20 (ii) in subparagraph (E), by striking
21 “peer”; and

22 (B) in paragraph (3), by striking subpara-
23 graph (D) and inserting the following:

1 “(D) Preexisting facilities, such as regional
2 data centers operated by the Integrated Ocean
3 Observing System, and expertise.”;
4 (4) in subsection (e)—

5 (A) in the subsection heading by striking
6 “REPORT” and inserting “BRIEFING”;

7 (B) in the matter preceding paragraph (1),
8 by striking “to Congress a report” and insert-
9 ing “to the Committee on Commerce, Science,
10 and Transportation of the Senate, the Com-
11 mittee on Armed Services of the Senate, the
12 Committee on Energy and Natural Resources of
13 the Senate, the Committee on Natural Re-
14 sources of the House of Representatives, and
15 the Committee on Armed Services of the House
16 of Representatives a briefing”;

17 (C) by striking “report” and inserting
18 “briefing” each place the term appears;

19 (D) by striking paragraph (4) and insert-
20 ing the following:

21 “(4) A description of the involvement of Fed-
22 eral agencies and non-Federal contributors partici-
23 pating in the program.”; and

24 (E) in paragraph (5), by striking “and the
25 estimated expenditures under such programs,

1 projects, and activities during such following
2 fiscal year” and inserting “and the estimated
3 expenditures under such programs, projects,
4 and activities of the program during such fol-
5 lowing fiscal year”;

6 (5) by inserting after subsection (e) the fol-
7 lowing:

8 “(f) REPORT.—Not later than March 1 of each year,
9 the Council shall publish on a publically available website
10 a report summarizing the briefing described in subsection
11 (e).”;

12 (6) in subsection (g), as redesignated by para-
13 graph (1)—

14 (A) by striking paragraph (1) and insert-
15 ing the following:

16 “(1) The Secretary of the Navy shall establish
17 an office to support the National Oceanographic
18 Partnership Program. The Council shall use com-
19 petitive procedures in selecting an operator for the
20 partnership program office.”; and

21 (B) in paragraph (2)(B), by inserting “,
22 where appropriate,” before “managing”; and

23 (7) by amending subsection (h), as redesignated
24 by paragraph (1), to read as follows:

25 “(h) CONTRACT AND GRANT AUTHORITY.—

1 “(1) IN GENERAL.—To carry out the purposes
2 of the National Oceanographic Partnership Pro-
3 gram, the Council shall have, in addition to other
4 powers otherwise given it under this chapter, the fol-
5 lowing authorities:

6 “(A) To authorize one or more of the de-
7 partments or agencies represented on the Coun-
8 cil to enter into contracts and make grants or
9 cooperative agreements, and establish and man-
10 age new collaborative programs as considered
11 appropriate, to address emerging science prior-
12 ities using both donated and appropriated
13 funds.

14 “(B) To authorize the program office
15 under subsection (g), on behalf of and subject
16 to the direction and approval of the Council, to
17 accept funds, including fines and penalties,
18 from other Federal and State departments and
19 agencies.

20 “(C) To authorize the program office, on
21 behalf of and subject to the direction and ap-
22 proval of the Council, to award grants and
23 enter into contracts for purposes of the Na-
24 tional Oceanographic Partnership Program.

1 “(D) To transfer funds to other Federal
2 and State departments and agencies in further-
3 ance of the purposes of the National Oceano-
4 graphic Partnership Program.

5 “(E) To authorize one or more of the de-
6 partments or agencies represented on the Coun-
7 cil to enter into contracts and make grants, for
8 the purpose of implementing the National
9 Oceanographic Partnership Program and car-
10 rying out the responsibilities of the Council.

11 “(F) To use, with the consent of the head
12 of the agency or entity concerned, on a non-re-
13 imbursable basis, the land, services, equipment,
14 personnel, facilities, advice, and information
15 provided by a Federal agency or entity, State,
16 local government, Tribal government, territory,
17 or possession, or any subdivisions thereof, or
18 the District of Columbia as may be helpful in
19 the performance of the duties of the Council.

20 “(2) FUNDS TRANSFERRED.—Funds identified
21 for direct support of National Oceanographic Part-
22 nership Program grants are authorized for transfer
23 between agencies and are exempt from section 1535
24 of title 31 (commonly known as the “Economy Act
25 of 1932”).”.

1 (c) OCEAN RESEARCH ADVISORY PANEL.—Section
2 8933(a)(4) of title 10, United States Code, is amended
3 by striking “State governments” and inserting “State and
4 Tribal governments”.

5 **SEC. 8525. IMPROVEMENTS TO THE MARITIME GUARAN-**
6 **TEED LOAN PROGRAM.**

7 (a) DEFINITIONS.—Section 53701 of title 46, United
8 States Code, is amended—

9 (1) by striking paragraph (5);

10 (2) by redesignating paragraphs (6) through
11 (15) as paragraphs (5) through (14), respectively;
12 and

13 (3) by adding at the end the following:

14 “(15) VESSEL OF NATIONAL INTEREST.—The
15 term ‘Vessel of National Interest’ means a vessel
16 deemed to be of national interest that meets charac-
17 teristics determined by the Administrator, in con-
18 sultation with the Secretary of Defense, the Sec-
19 retary of the Department in which the Coast Guard
20 Operates, or the heads of other Federal agencies, as
21 described in section 53703(d).”.

22 (b) PREFERRED LENDER.—Section 53702(a) of title
23 46, United States Code, is amended by adding at the end
24 the following:

1 “(2) PREFERRED ELIGIBLE LENDER.—The
 2 Federal Financing Bank shall be the preferred eligi-
 3 ble lender of the principal and interest of the guar-
 4 anteed obligations issued under this chapter.”.

5 (c) APPLICATION AND ADMINISTRATION.—Section
 6 53703 of title 46, United States Code, is amended—

7 (1) in the section heading, by striking “**proce-**
 8 **dures**” and inserting “**and administration**”;

9 (2) by adding at the end the following:

10 “(c) INDEPENDENT ANALYSIS.—

11 “(1) IN GENERAL.—To assess and mitigate the
 12 risks due to factors associated with markets, tech-
 13 nology, financial, or legal structures related to an
 14 application or guarantee under this chapter, the Sec-
 15 retary or Administrator may utilize third party ex-
 16 perts, including legal counsel, to—

17 “(A) process and review applications under
 18 this chapter, including conducting independent
 19 analysis and review of aspects of an application;

20 “(B) represent the Secretary or Adminis-
 21 trator in structuring and documenting the obli-
 22 gation guarantee;

23 “(C) analyze and review aspects of, struc-
 24 ture, and document the obligation guarantee
 25 during the term of the guarantee;

1 “(D) recommend financial covenants or fi-
2 nancial ratios to be met by the applicant during
3 the time a guarantee under this chapter is out-
4 standing that are—

5 “(i) based on the financial covenants
6 or financial ratios, if any, that are then ap-
7 plicable to the obligor under private sector
8 credit agreements; and

9 “(ii) in lieu of other financial cov-
10 enants applicable to the obligor under this
11 chapter with respect to requirements re-
12 garding long-term debt-to-equity, minimum
13 working capital, or minimum amount of
14 equity; and

15 “(E) represent the Secretary or Adminis-
16 trator to protect the security interests of the
17 Government relating to an obligation guarantee.

18 “(2) PRIVATE SECTOR EXPERT.—Independent
19 analysis, review, and representation conducted under
20 this subsection shall be performed by a private sec-
21 tor expert in the applicable field who is selected by
22 the Secretary or Administrator.

23 “(d) VESSELS OF NATIONAL INTEREST.—

24 “(1) NOTICE OF FUNDING.—The Secretary or
25 Administrator may post a notice in the Federal Reg-

1 ister regarding the availability of funding for obliga-
 2 tion guarantees under this chapter for the construc-
 3 tion, reconstruction, or reconditioning of a Vessel of
 4 National Interest and include a timeline for the sub-
 5 mission of applications for such vessels.

6 “(2) VESSEL CHARACTERISTICS.—

7 “(A) IN GENERAL.—The Secretary or Ad-
 8 ministrator, in consultation with the Secretary
 9 of Defense, the Secretary of the Department in
 10 which the Coast Guard Operates, or the heads
 11 of other Federal agencies, shall develop and
 12 publish a list of vessel types that would be con-
 13 sidered Vessels of National Interest.

14 “(B) REVIEW.—Such list shall be reviewed
 15 and revised every 4 years or as necessary, as
 16 determined by the Administrator.”.

17 (d) FUNDING LIMITS.—Section 53704 of title 46,
 18 United States Code, is amended—

19 (1) in subsection (a)—

20 (A) by striking “that amount” and all the
 21 follows through “\$850,000,000” and inserting
 22 “that amount, \$850,000,000”; and

23 (B) by striking “facilities” and all that fol-
 24 lows through the end of the subsection and in-
 25 serting “facilities.”; and

1 (2) in subsection (c)(4)—

2 (A) by striking subparagraph (A); and

3 (B) by redesignating subparagraphs (B)
4 through (K), as subparagraphs (A) through (J),
5 respectively.

6 (e) ELIGIBLE PURPOSES OF OBLIGATIONS.—Section
7 53706 of title 46, United States Code, is amended—

8 (1) in subsection (a)(1)(A)—

9 (A) in the matter preceding clause (i), by
10 striking “(including an eligible export vessel);”

11 (B) in clause (iv) by adding “or” after the
12 semicolon;

13 (C) in clause (v), by striking “; or” and in-
14 serting a period; and

15 (D) by striking clause (vi); and

16 (2) in subsection (c)(1)—

17 (A) in subparagraph (A), by striking
18 “and” after the semicolon;

19 (B) in subparagraph (B)(ii), by striking
20 the period at the end and inserting “; and”;
21 and

22 (C) by adding at the end the following:

23 “(C) after applying subparagraphs (A) and
24 (B), Vessels of National Interest.”.

1 (f) AMOUNT OF OBLIGATIONS.—Section 53709(b) of
2 title 46, United States Code, is amended—

3 (1) by striking paragraphs (3) and (6); and

4 (2) by redesignating paragraphs (4) and (5) as
5 paragraphs (3) and (4), respectively.

6 (g) CONTENTS OF OBLIGATIONS.—Section 53710 of
7 title 46, United States Code, is amended—

8 (1) in subsection (a)(4)—

9 (A) in subparagraph (A)—

10 (i) by striking “or, in the case of” and
11 all that follows through “party”; and

12 (ii) by striking “and” after the semi-
13 colon; and

14 (B) in subparagraph (B), by striking the
15 period at the end and inserting “; and”; and

16 (C) by adding at the end the following:

17 “(C) documented under the laws of the
18 United States for the term of the guarantee of
19 the obligation or until the obligation is paid in
20 full, whichever is sooner.”; and

21 (2) in subsection (c)—

22 (A) in the subsection heading, by inserting
23 “AND PROVIDE FOR THE FINANCIAL STABILITY
24 OF THE OBLIGOR” after “INTERESTS”;

1 (B) by striking “provisions for the protec-
2 tion of” and inserting “provisions, which shall
3 include—

4 “(1) provisions for the protection of”;

5 (C) by striking “, and other matters that
6 the Secretary or Administrator may prescribe.”
7 and inserting, “; and”; and

8 (D) by adding at the end the following:

9 “(2) any other provisions that the Secretary or
10 Administrator may prescribe.”.

11 (h) ADMINISTRATIVE FEES.—Section 53713 of title
12 46, United States Code, is amended—

13 (1) in subsection (a)—

14 (A) in the matter preceding paragraph
15 (1), by striking “reasonable for—” and insert-
16 ing “ reasonable for processing the application
17 and monitoring the loan guarantee, including
18 for—”;

19 (B) in paragraph (4), by striking “; and”
20 and inserting “or a deposit fund under section
21 53716 of this title;”;

22 (C) in paragraph (5), by striking the pe-
23 riod at the end and inserting “; and”; and

24 (D) by adding at the end the following:

1 “(6) monitoring and providing services related
2 to the obligor’s compliance with any terms related to
3 the obligations, the guarantee, or maintenance of the
4 Secretary or Administrator’s security interests under
5 this chapter.”; and

6 (2) in subsection (c)—

7 (A) in paragraph (1), by striking “under
8 section 53708(d) of this title” and inserting
9 “under section 53703(c) of this title”;

10 (B) by redesignating paragraphs (1)
11 through (3) as subparagraphs (A) through (C),
12 respectively;

13 (C) by striking “The Secretary” and in-
14 serting the following:

15 “(1) IN GENERAL.—The Secretary”; and

16 (D) by adding at the end the following:

17 “(2) FEE LIMITATION INAPPLICABLE.—Fees
18 collected under this subsection are not subject to the
19 limitation of subsection (b).”.

20 (i) BEST PRACTICES; ELIGIBLE EXPORT VESSELS.—

21 Chapter 537 of title 46, United States Code, is further
22 amended—

23 (1) in subchapter I, by adding at the end the
24 following new section:

1 **“§ 53719. Best practices**

2 “The Secretary or Administrator shall ensure that all
3 standard documents and agreements that relate to loan
4 guarantees made pursuant to this chapter are reviewed
5 and updated every four years to ensure that such docu-
6 ments and agreements meet the current commercial best
7 practices to the extent permitted by law.”; and

8 (2) in subchapter III, by striking section
9 53732.

10 (j) EXPRESS CONSIDERATION OF LOW-RISK APPLI-
11 CATIONS.—Not later than 180 days after the date of en-
12 actment of this title, the Administrator of the Maritime
13 Administration shall, in consultation with affected stake-
14 holders, create a process for express processing of low-risk
15 maritime guaranteed loan applications under chapter 537
16 of title 46, United States Code, based on Federal and in-
17 dustry best practices, including proposals to better assist
18 applicants to submit complete applications within 6
19 months of the initial application.

20 (k) CONGRESSIONAL NOTIFICATION.—

21 (1) NOTIFICATION.—Not less than 60 days be-
22 fore reorganizing or consolidating the activities or
23 personnel covered under chapter 537 of title 46,
24 United States Code, the Secretary of Transportation
25 shall notify, in writing, the Committee on Com-
26 merce, Science, and Transportation of the Senate

1 and the Committee on Transportation and Infra-
 2 structure of the House of Representatives of the
 3 proposed reorganization or consolidation.

4 (2) CONTENTS.—Each notification under para-
 5 graph (1) shall include an evaluation of, and jus-
 6 tification for, the reorganization or consolidation.

7 (1) CLERICAL AMENDMENTS.—

8 (1) The table of sections at the beginning of
 9 chapter 537 of title 46, United States Code, is
 10 amended by inserting after the item relating to sec-
 11 tion 53718 the following new item:

“53719. Best practices.”.

12 (2) The table of sections at the beginning of
 13 chapter 537 of title 46, United States Code, is fur-
 14 ther amended by striking the item relating to section
 15 53732.

16 **SEC. 8526. TECHNICAL CORRECTIONS.**

17 (a) OFFICE OF PERSONNEL MANAGEMENT GUID-
 18 ANCE.—Not later than 120 days after the date of enact-
 19 ment of this title, the Director of the Office of Personnel
 20 Management, in consultation with the Administrator of
 21 the Maritime Administration, shall identify key skills and
 22 competencies necessary to maintain a balance of expertise
 23 in merchant marine seagoing service and strategic sealift
 24 military service in each of the following positions within
 25 the Office of the Commandant:

- 1 (1) Commandant.
- 2 (2) Deputy Commandant.
- 3 (3) Tactical company officers.
- 4 (4) Regimental officers.

5 (b) SEA YEAR COMPLIANCE.—Section 3514(a)(1)(A)
6 of the National Defense Authorization Act for Fiscal Year
7 2017 (Public Law 114–328; 46 U.S.C. 51318 note) is
8 amended by inserting “domestic and international” after
9 “criteria that”.

10 **SEC. 8527. UNITED STATES MERCHANT MARINE ACADEMY’S**
11 **SEXUAL ASSAULT PREVENTION AND RE-**
12 **SPONSE PROGRAM.**

13 (a) IMPLEMENTATION OF RECOMMENDATIONS.—The
14 Secretary of Transportation shall ensure that, not later
15 than 180 days after the date of enactment of this title,
16 the recommendations in the Inspector General of the De-
17 partment of Transportation’s report on the effectiveness
18 of the United States Merchant Marine Academy’s Sexual
19 Assault Prevention and Response program (mandated
20 under section 3512 of the National Defense Authorization
21 Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
22 2786)), are fully implemented.

23 (b) REPORT.—Not later than 180 days after the date
24 of enactment of this title, the Secretary of Transportation
25 shall submit a report to Congress—

(1) confirming that the recommendations described in subsection (a) have been fully implemented, and explaining how those recommendations have been implemented; or

(2) if such recommendations have not been fully implemented as of the date of the report, including an explanation of why such recommendations have not been fully implemented and a description of the resources that are needed to fully implement such recommendations.

**SEC. 8528. REPORT ON VESSELS FOR EMERGING OFFSHORE
ENERGY INFRASTRUCTURE.**

(a) IN GENERAL.—The Secretary of Transportation, in consultation with the Secretary of Energy, the Secretary of the Interior, and the heads of other relevant agencies as appropriate, shall prepare and submit a report on the need for vessels to install, operate, and maintain emerging offshore energy infrastructure, including offshore wind energy.

(b) CONTENTS.—Such report shall include—

(1) an inventory of vessels (including existing vessels and vessels that have the potential to be refurbished) to install, operate, and maintain such emerging offshore energy infrastructure;

1 (2) a projection of existing vessels needed to
 2 meet such emerging offshore energy needs over the
 3 next 10 years; and

4 (3) policy recommendations to ensure the vessel
 5 capacity to support such emerging offshore energy.

6 (c) TRANSMITTAL.—Not later than 6 months after
 7 the date of enactment of this title, the Secretary of Trans-
 8 portation shall submit such report to the Committee on
 9 Commerce, Science, and Transportation of the Senate, the
 10 Committee on Energy and Natural Resources of the Sen-
 11 ate, and the Committee on Transportation and Infrastruc-
 12 ture of the House of Representatives.

13 **Subtitle B—Maritime SAFE Act**

14 **SEC. 8531. SHORT TITLES.**

15 (a) SHORT TITLES.—This subtitle may be cited as
 16 the “Maritime Security and Fisheries Enforcement Act”
 17 or the “Maritime SAFE Act”.

18 **SEC. 8532. DEFINITIONS.**

19 In this subtitle:

20 (1) AIS.—The term “AIS” means Automatic
 21 Identification System (as defined in section 164.46
 22 of title 33, Code of Federal Regulations, or a similar
 23 successor regulation).

24 (2) COMBINED MARITIME FORCES.—The term
 25 “Combined Maritime Forces” means the 33-nation

1 naval partnership, originally established in February
2 2002, which promotes security, stability, and pros-
3 perity across approximately 3,200,000 square miles
4 of international waters.

5 (3) EXCLUSIVE ECONOMIC ZONE.—

6 (A) IN GENERAL.—Unless otherwise speci-
7 fied by the President as being in the public in-
8 terest in a writing published in the Federal
9 Register, the term “exclusive economic zone”
10 means—

11 (i) the area within a zone established
12 by a maritime boundary that has been es-
13 tablished by a treaty in force or a treaty
14 that is being provisionally applied by the
15 United States; or

16 (ii) in the absence of a treaty de-
17 scribed in clause (i)—

18 (I) a zone, the outer boundary of
19 which is 200 nautical miles from the
20 baseline from which the breadth of
21 the territorial sea is measured; or

22 (II) if the distance between the
23 United States and another country is
24 less than 400 nautical miles, a zone,
25 the outer boundary of which is rep-

1 resented by a line equidistant between
2 the United States and the other coun-
3 try.

4 (B) INNER BOUNDARY.—Without affecting
5 any Presidential Proclamation with regard to
6 the establishment of the United States terri-
7 torial sea or exclusive economic zone, the inner
8 boundary of the exclusive economic zone is—

9 (i) in the case of coastal States, a line
10 coterminous with the seaward boundary of
11 each such State (as described in section 4
12 of the Submerged Lands Act (43 U.S.C.
13 1312));

14 (ii) in the case of the Commonwealth
15 of Puerto Rico, a line that is 3 marine
16 leagues from the coastline of the Common-
17 wealth of Puerto Rico;

18 (iii) in the case of American Samoa,
19 the United States Virgin Islands, Guam,
20 and the Northern Mariana Islands, a line
21 that is 3 geographic miles from the coast-
22 lines of American Samoa, the United
23 States Virgin Islands, Guam, or the North-
24 ern Mariana Islands, respectively; or

1 (iv) for any possession of the United
2 States not referred to in clause (ii) or (iii),
3 the coastline of such possession.

4 (C) RULE OF CONSTRUCTION.—Nothing in
5 this paragraph may be construed to diminish
6 the authority of the Department of Defense, the
7 Department of the Interior, or any other Fed-
8 eral department or agency.

9 (4) FOOD SECURITY.—The term “food secu-
10 rity” means access to, and availability, utilization,
11 and stability of, sufficient food to meet caloric and
12 nutritional needs for an active and healthy life.

13 (5) GLOBAL RECORD OF FISHING VESSELS, RE-
14 FRIGERATED TRANSPORT VESSELS, AND SUPPLY
15 VESSELS.—The term “global record of fishing ves-
16 sels, refrigerated transport vessels, and supply ves-
17 sels” means the Food and Agriculture Organization
18 of the United Nations’ initiative to rapidly make
19 available certified data from state authorities about
20 vessels and vessel related activities.

21 (6) IUU FISHING.—The term “IUU fishing”
22 means illegal fishing, unreported fishing, or unregu-
23 lated fishing (as such terms are defined in para-
24 graph 3 of the International Plan of Action to Pre-
25 vent, Deter, and Eliminate Illegal, Unreported and

1 Unregulated Fishing, adopted at the 24th Session of
2 the Committee on Fisheries in Rome on March 2,
3 2001).

4 (7) PORT STATE MEASURES AGREEMENT.—The
5 term “Port State Measures Agreement” means the
6 Agreement on Port State Measures to Prevent,
7 Deter, and Eliminate Illegal, Unreported, and Un-
8 regulated Fishing set forth by the Food and Agri-
9 culture Organization of the United Nations, done at
10 Rome, Italy November 22, 2009, and entered into
11 force June 5, 2016, which offers standards for re-
12 porting and inspecting fishing activities of foreign-
13 flagged fishing vessels at port.

14 (8) PRIORITY FLAG STATE.—The term “priority
15 flag state” means a country selected in accordance
16 with section 8552(b)(3)—

17 (A) whereby the flagged vessels of which
18 actively engage in, knowingly profit from, or are
19 complicit in IUU fishing; and

20 (B) that is willing, but lacks the capacity,
21 to monitor or take effective enforcement action
22 against its fleet.

23 (9) PRIORITY REGION.—The term “priority re-
24 gion” means a region selected in accordance with
25 section 8552(b)(2)—

1 (A) that is at high risk for IUU fishing ac-
 2 tivity or the entry of illegally caught seafood
 3 into the markets of countries in the region; and

4 (B) in which countries lack the capacity to
 5 fully address the illegal activity described in
 6 subparagraph (A).

7 (10) REGIONAL FISHERIES MANAGEMENT OR-
 8 GANIZATION.—The term “Regional Fisheries Man-
 9 agement Organization” means an intergovernmental
 10 fisheries organization or arrangement, as appro-
 11 priate, that has the competence to establish con-
 12 servation and management measures.

13 (11) SEAFOOD.—The term “seafood”—

14 (A) means marine finfish, mollusks, crus-
 15 taceans, and all other forms of marine animal
 16 and plant life, including those grown, produced,
 17 or reared through marine aquaculture oper-
 18 ations or techniques; and

19 (B) does not include marine mammals,
 20 turtles, or birds.

21 (12) TRANSNATIONAL ORGANIZED ILLEGAL AC-
 22 TIVITY.—The term “transnational organized illegal
 23 activity” means criminal activity conducted by self-
 24 perpetuating associations of individuals who operate
 25 transnationally for the purpose of obtaining power,

1 influence, or monetary or commercial gains, wholly
2 or in part by illegal means, while protecting their ac-
3 tivities through a pattern of corruption or violence
4 or through a transnational organizational structure
5 and the exploitation of transnational commerce or
6 communication mechanisms.

7 (13) TRANSSHIPMENT.—The term “trans-
8 shipment” means the use of refrigerated vessels
9 that—

10 (A) collect catch from multiple fishing
11 boats;

12 (B) carry the accumulated catches back to
13 port; and

14 (C) deliver supplies to fishing boats, which
15 allows fishing vessels to remain at sea for ex-
16 tended periods without coming into port.

17 **SEC. 8533. PURPOSES.**

18 The purposes of this subtitle are—

19 (1) to support a whole-of-government approach
20 across the Federal Government to counter IUU fish-
21 ing and related threats to maritime security;

22 (2) to improve data sharing that enhances sur-
23 veillance, enforcement, and prosecution against IUU
24 fishing and related activities at a global level;

1 (3) to support coordination and collaboration to
2 counter IUU fishing within priority regions;

3 (4) to increase and improve global transparency
4 and traceability across the seafood supply chain as—

5 (A) a deterrent to IUU fishing; and

6 (B) a tool for strengthening fisheries man-
7 agement and food security;

8 (5) to improve global enforcement operations
9 against IUU fishing through a whole-of-government
10 approach by the United States; and

11 (6) to prevent the use of IUU fishing as a fi-
12 nancing source for transnational organized groups
13 that undermine United States and global security in-
14 terests.

15 **SEC. 8534. STATEMENT OF POLICY.**

16 It is the policy of the United States__

17 (1) to take action to curtail the global trade in
18 seafood and seafood products derived from IUU
19 fishing, including its links to forced labor and
20 transnational organized illegal activity;

21 (2) to develop holistic diplomatic, military, law
22 enforcement, economic, and capacity-building tools
23 to counter IUU fishing;

1 (3) to provide technical assistance to countries
2 in priority regions and priority flag states to combat
3 IUU fishing, including assistance—

4 (A) to increase local, national, and regional
5 level capacities to counter IUU fishing through
6 the engagement of law enforcement and secu-
7 rity forces;

8 (B) to enhance port capacity and security,
9 including by supporting other countries in
10 working toward the adoption and implementa-
11 tion of the Port State Measures Agreement;

12 (C) to combat corruption and increase
13 transparency and traceability in fisheries man-
14 agement and trade;

15 (D) to enhance information sharing within
16 and across governments and multilateral orga-
17 nizations through the development and use of
18 agreed standards for information sharing; and

19 (E) to support effective, science-based fish-
20 eries management regimes that promote legal
21 and safe fisheries and act as a deterrent to
22 IUU fishing;

23 (4) to promote global maritime security through
24 improved capacity and technological assistance to
25 support improved maritime domain awareness;

1 (5) to engage with priority flag states to en-
2 courage the use of high quality vessel tracking tech-
3 nologies where existing enforcement tools are lack-
4 ing;

5 (6) to engage with multilateral organizations
6 working on fisheries issues, including Regional Fish-
7 eries Management Organizations and the Food and
8 Agriculture Organization of the United Nations, to
9 combat and deter IUU fishing;

10 (7) to advance information sharing across gov-
11 ernments and multilateral organizations in areas
12 that cross multiple jurisdictions, through the devel-
13 opment and use of an agreed standard for informa-
14 tion sharing;

15 (8) to continue to use existing and future trade
16 agreements to combat IUU fishing;

17 (9) to employ appropriate assets and resources
18 of the United States Government in a coordinated
19 manner to disrupt the illicit networks involved in
20 IUU fishing;

21 (10) to continue to declassify and make avail-
22 able, as appropriate and practicable, technologies de-
23 veloped by the United States Government that can
24 be used to help counter IUU fishing;

1 (11) to recognize the ties of IUU fishing to
 2 transnational organized illegal activity, including
 3 human trafficking and illegal trade in narcotics and
 4 arms, and as applicable, to focus on illicit activity in
 5 a coordinated, cross-cutting manner;

6 (12) to recognize and respond to poor working
 7 conditions, labor abuses, and other violent crimes in
 8 the fishing industry;

9 (13) to increase and improve global trans-
 10 parency and traceability along the seafood supply
 11 chain as—

12 (A) a deterrent to IUU fishing; and

13 (B) an approach for strengthening fish-
 14 eries management and food security; and

15 (14) to promote technological investment and
 16 innovation to combat IUU fishing.

17 **PART I—PROGRAMS TO COMBAT IUU FISHING**

18 **AND INCREASE MARITIME SECURITY**

19 **SEC. 8541. COORDINATION WITH INTERNATIONAL ORGANI-**
 20 **ZATIONS.**

21 The Secretary of State, in conjunction with the Sec-
 22 retary of Commerce, shall coordinate with Regional Fish-
 23 eries Management Organizations and the Food and Agri-
 24 culture Organization of the United Nations, and may co-
 25 ordinate with other relevant international governmental or

1 nongovernmental organizations, or the private sector, as
2 appropriate, to enhance regional responses to IUU fishing
3 and related transnational organized illegal activities.

4 **SEC. 8542. ENGAGEMENT OF DIPLOMATIC MISSIONS OF**
5 **THE UNITED STATES.**

6 Not later than 1 year after the date of the enactment
7 of this title, each chief of mission (as defined in section
8 102 of the Foreign Service Act of 1980 (22 U.S.C. 3902))
9 to a relevant country in a priority region or to a priority
10 flag state may, if the Secretary of State determines such
11 action is appropriate—

12 (1) convene a working group, led by Depart-
13 ment of State officials, to examine IUU fishing,
14 which may include stakeholders such as—

15 (A) United States officials from relevant
16 agencies participating in the interagency Work-
17 ing Group identified in section 8551, foreign of-
18 ficials, nongovernmental organizations, the pri-
19 vate sector, and representatives of local fisher-
20 men in the region; and

21 (B) experts on IUU fishing, law enforce-
22 ment, criminal justice, transnational organized
23 illegal activity, defense, intelligence, vessel
24 movement monitoring, and international devel-

1 opment operating in or with knowledge of the
2 region; and

3 (2) designate a counter-IUU Fishing Coordi-
4 nator from among existing personnel at the mission
5 if the chief of mission determines such action is ap-
6 propriate.

7 **SEC. 8543. ASSISTANCE BY FEDERAL AGENCIES TO IM-**
8 **PROVE LAW ENFORCEMENT WITHIN PRI-**
9 **ORITY REGIONS AND PRIORITY FLAG STATES.**

10 (a) IN GENERAL.—The Secretary of State, in collabo-
11 ration with the Secretary of Commerce and the Com-
12 mandant of the Coast Guard when the Coast Guard is
13 operating in, or as a component of, the Department of
14 Homeland Security, as well as any other relevant depart-
15 ment or agency, shall provide assistance, as appropriate,
16 in accordance with this section.

17 (b) LAW ENFORCEMENT TRAINING AND COORDINA-
18 TION ACTIVITIES.—The officials referred to in subsection
19 (a) shall evaluate opportunities to provide assistance, as
20 appropriate, to countries in priority regions and priority
21 flag states to improve the effectiveness of IUU fishing en-
22 forcement, with clear and measurable targets and indica-
23 tors of success, including—

24 (1) by assessing and using existing resources,
25 enforcement tools, and legal authorities to coordi-

1 nate efforts to combat IUU fishing with efforts to
2 combat other illegal trade, including weapons, drugs,
3 and human trafficking;

4 (2) by expanding existing IUU fishing enforce-
5 ment training;

6 (3) by providing targeted, country- and region-
7 specific training on combating IUU fishing, includ-
8 ing in those countries that have not adopted the
9 Port State Measures Agreement;

10 (4) by supporting increased effectiveness and
11 transparency of the fisheries enforcement sectors of
12 the governments of such countries; and

13 (5) by supporting increased outreach to stake-
14 holders in the affected communities as key partners
15 in combating and prosecuting IUU fishing.

16 (c) PORT SECURITY ASSISTANCE.—The officials re-
17 ferred to in subsection (a) shall evaluate opportunities to
18 provide assistance, as appropriate, to countries in priority
19 regions and priority flag states to help those states imple-
20 ment programs related to port security and capacity for
21 the purposes of preventing IUU fishing products from en-
22 tering the global seafood market, including by supporting
23 other countries in working toward the adoption and imple-
24 mentation of the Port State Measures Agreement.

1 (d) CAPACITY BUILDING FOR INVESTIGATIONS AND
2 PROSECUTIONS.—The officials referred to in subsection
3 (a), in collaboration with the governments of countries in
4 priority regions and of priority flag states, shall evaluate
5 opportunities to assist those countries in designing and
6 implementing programs in such countries, as appropriate,
7 to increase the capacity of IUU fishing enforcement and
8 customs and border security officers to improve their abil-
9 ity—

10 (1) to conduct effective investigations, including
11 using law enforcement techniques such as under-
12 cover investigations and the development of informer
13 networks and actionable intelligence;

14 (2) to conduct vessel boardings and inspections
15 at sea and associated enforcement actions;

16 (3) to exercise existing shiprider agreements
17 and to enter into and implement new shiprider
18 agreements, as appropriate, including in those coun-
19 tries that have not adopted the Port State Measures
20 Agreement;

21 (4) to conduct vessel inspections at port and as-
22 sociated enforcement actions;

23 (5) to assess technology needs and promote the
24 use of technology to improve monitoring, enforce-
25 ment, and prosecution of IUU fishing;

1 (6) to conduct DNA-based and forensic identi-
2 fication of seafood used in trade;

3 (7) to conduct training on techniques, such as
4 collecting electronic evidence and using computer
5 forensics, for law enforcement personnel involved in
6 complex investigations related to international mat-
7 ters, financial issues, and government corruption
8 that include IUU fishing;

9 (8) to assess financial flows and the use of fi-
10 nancial institutions to launder profits related to IUU
11 fishing;

12 (9) to conduct training on the legal mechanisms
13 that can be used to prosecute those identified in the
14 investigations as alleged perpetrators of IUU fishing
15 and other associated crimes such as trafficking and
16 forced labor; and

17 (10) to conduct training to raise awareness of
18 the use of whistleblower information and ways to
19 incentivize whistleblowers to come forward with
20 original information related to IUU fishing.

21 (e) CAPACITY BUILDING FOR INFORMATION SHAR-
22 ING.—The officials referred to in subsection (a) shall
23 evaluate opportunities to provide assistance, as appro-
24 priate, to key countries in priority regions and priority flag
25 states in the form of training, equipment, and systems de-

1 velopment to build capacity for information sharing re-
 2 lated to maritime enforcement and port security.

3 (f) COORDINATION WITH OTHER RELEVANT AGEN-
 4 CIES.—The Secretary of State, in collaboration with the
 5 Commandant of the Coast Guard when the Coast Guard
 6 is operating in, or as a component of, the Department of
 7 Homeland Security, and the Secretary of Commerce, shall
 8 coordinate with other relevant agencies, as appropriate, in
 9 accordance with this section.

10 **SEC. 8544. EXPANSION OF EXISTING MECHANISMS TO COM-**
 11 **BAT IUU FISHING.**

12 The Secretary of State, the Administrator of the
 13 United States Agency for International Development, the
 14 Commandant of the Coast Guard when the Coast Guard
 15 is operating in, or as a component of, the Department of
 16 Homeland Security, the Secretary of Defense, the Sec-
 17 retary of Commerce, the Attorney General, and the heads
 18 of other appropriate Federal agencies shall assess oppor-
 19 tunities to combat IUU fishing by expanding, as appro-
 20 priate, the use of the following mechanisms:

21 (1) Including counter-IUU fishing in existing
 22 shiprider agreements in which the United States is
 23 a party.

24 (2) Entering into shiprider agreements that in-
 25 clude counter-IUU fishing with priority flag states

1 and countries in priority regions with which the
2 United States does not already have such an agree-
3 ment.

4 (3) Including counter-IUU fishing as part of
5 the mission of the Combined Maritime Forces.

6 (4) Including counter-IUU fishing exercises in
7 the annual at-sea exercises conducted by the Depart-
8 ment of Defense, in coordination with the United
9 States Coast Guard.

10 (5) Creating partnerships similar to the Oce-
11 ania Maritime Security Initiative and the Africa
12 Maritime Law Enforcement Partnership in other
13 priority regions.

14 **SEC. 8545. IMPROVEMENT OF TRANSPARENCY AND**
15 **TRACEABILITY PROGRAMS.**

16 The Secretary of State, the Administrator of the
17 United States Agency for International Development, the
18 Commandant of the Coast Guard when the Coast Guard
19 is operating in, or as a component of, the Department of
20 Homeland Security, the Secretary of Commerce, and the
21 heads of other Federal agencies, if merited, shall work,
22 as appropriate, with priority flag states and key countries
23 in priority regions—

24 (1) to increase knowledge within such countries
25 about the United States transparency and

1 traceability standards for imports of seafood and
2 seafood products;

3 (2) to improve the capacity of seafood indus-
4 tries within such countries through information
5 sharing and training to meet the requirements of
6 transparency and traceability standards for seafood
7 and seafood product imports, including catch docu-
8 mentation and trade tracking programs adopted by
9 relevant regional fisheries management organiza-
10 tions;

11 (3) to improve the capacities of government, in-
12 dustry, and civil society groups to develop and imple-
13 ment comprehensive traceability systems that—

14 (A) deter IUU fishing;

15 (B) strengthen fisheries management; and

16 (C) enhance maritime domain awareness;

17 and

18 (4) to support the implementation of seafood
19 traceability standards in such countries to prevent
20 IUU fishing products from entering the global sea-
21 food market and assess capacity and training needs
22 in those countries.

23 **SEC. 8546. TECHNOLOGY PROGRAMS.**

24 The Secretary of State, the Administrator of the
25 United States Agency for International Development, the

1 Commandant of the Coast Guard when the Coast Guard
2 is operating in, or as a component of, the Department of
3 Homeland Security, the Secretary of Defense, the Sec-
4 retary of Commerce, and the heads of other Federal agen-
5 cies, as appropriate, shall pursue programs to expand the
6 role of technology for combating IUU fishing, including
7 by—

8 (1) promoting the use of technology to combat
9 IUU fishing;

10 (2) assessing the technology needs, including
11 vessel tracking technologies and data sharing, in pri-
12 ority regions and priority flag states;

13 (3) engaging with priority flag states to encour-
14 age the mandated use of vessel tracking tech-
15 nologies, including vessel monitoring systems, AIS,
16 or other vessel movement monitoring technologies on
17 fishing vessels and transshipment vessels at all
18 times, as appropriate, while at sea as a means to
19 identify IUU fishing activities and the shipment of
20 illegally caught fish products; and

21 (4) building partnerships with the private sec-
22 tor, including universities, nonprofit research organi-
23 zations, the seafood industry, and the technology,
24 transportation and logistics sectors, to leverage new

1 and existing technologies and data analytics to ad-
 2 dress IUU fishing.

3 **SEC. 8547. SAVINGS CLAUSE.**

4 No provision of section 8532 or of this part shall im-
 5 pose, or be interpreted to impose, any duty, responsibility,
 6 requirement, or obligation on the Department of Defense,
 7 the Department of the Navy, or any official or component
 8 of either.

9 **PART II—ESTABLISHMENT OF INTERAGENCY**

10 **WORKING GROUP ON IUU FISHING**

11 **SEC. 8551. INTERAGENCY WORKING GROUP ON IUU FISH-**
 12 **ING.**

13 (a) IN GENERAL.—There is established a collabo-
 14 rative interagency working group on maritime security
 15 and IUU fishing (referred to in this subtitle as the “Work-
 16 ing Group”).

17 (b) MEMBERS.—The members of the Working Group
 18 shall be composed of—

19 (1) 1 chair, who shall rotate between the Coast
 20 Guard, the Department of State, and the National
 21 Oceanographic and Atmospheric Administration on a
 22 3-year term;

23 (2) 2 deputy chairs, who shall be appointed by
 24 their respective agency heads and shall be from a
 25 different Department than that of the chair, from—

- 1 (A) the Coast Guard;
- 2 (B) the Department of State; and
- 3 (C) the National Oceanic and Atmospheric
- 4 Administration;

5 (3) 11 members, who shall be appointed by
6 their respective agency heads, from—

- 7 (A) the Department of Defense;
- 8 (B) the United States Navy;
- 9 (C) the United States Agency for Inter-
- 10 national Development;
- 11 (D) the United States Fish and Wildlife
- 12 Service;
- 13 (E) the Department of Justice;
- 14 (F) the Department of the Treasury;
- 15 (G) U.S. Customs and Border Protection;
- 16 (H) U.S. Immigration and Customs En-
- 17 forcement;
- 18 (I) the Federal Trade Commission;
- 19 (J) the Department of Agriculture;
- 20 (K) the Food and Drug Administration;

21 and

- 22 (L) the Department of Labor;
- 23 (4) 5 members, who shall be appointed by the
- 24 President, from—

- 25 (A) the National Security Council;

- 1 (B) the Council on Environmental Quality;
- 2 (C) the Office of Management and Budget;
- 3 (D) the Office of Science and Technology
- 4 Policy; and
- 5 (E) the Office of the United States Trade
- 6 Representative.

7 (c) RESPONSIBILITIES.—The Working Group shall
8 ensure an integrated, Federal Government-wide response
9 to IUU fishing globally, including by—

10 (1) improving the coordination of Federal agen-
11 cies to identify, interdict, investigate, prosecute, and
12 dismantle IUU fishing operations and organizations
13 perpetrating and knowingly benefitting from IUU
14 fishing;

15 (2) assessing areas for increased interagency in-
16 formation sharing on matters related to IUU fishing
17 and related crimes;

18 (3) establishing standards for information shar-
19 ing related to maritime enforcement;

20 (4) developing a strategy to determine how mili-
21 tary assets and intelligence can contribute to en-
22 forcement strategies to combat IUU fishing;

23 (5) increasing maritime domain awareness re-
24 lating to IUU fishing and related crimes and devel-
25 oping a strategy to leverage awareness for enhanced

1 enforcement and prosecution actions against IUU
2 fishing;

3 (6) supporting the adoption and implementation
4 of the Port State Measures Agreement in relevant
5 countries and assessing the capacity and training
6 needs in such countries;

7 (7) outlining a strategy to coordinate, increase,
8 and use shiprider agreements between the Depart-
9 ment of Defense or the Coast Guard and relevant
10 countries;

11 (8) enhancing cooperation with partner govern-
12 ments to combat IUU fishing;

13 (9) identifying opportunities for increased infor-
14 mation sharing between Federal agencies and part-
15 ner governments working to combat IUU fishing;

16 (10) consulting and coordinating with the sea-
17 food industry and nongovernmental stakeholders
18 that work to combat IUU fishing;

19 (11) supporting the work of collaborative inter-
20 national initiatives to make available certified data
21 from state authorities about vessel and vessel-related
22 activities related to IUU fishing;

23 (12) supporting the identification and certifi-
24 cation procedures to address IUU fishing in accord-

1 ance with the High Seas Driftnet Fishing Morato-
2 rium Protection Act (16 U.S.C. 1826d et seq.); and
3 (13) publishing annual reports summarizing
4 nonsensitive information about the Working Group's
5 efforts to investigate, enforce, and prosecute groups
6 and individuals engaging in IUU fishing.

7 **SEC. 8552. STRATEGIC PLAN.**

8 (a) STRATEGIC PLAN.—Not later than 2 years after
9 the date of the enactment of this title, the Working Group,
10 after consultation with the relevant stakeholders, shall
11 submit to the Committee on Commerce, Science, and
12 Transportation of the Senate, the Committee on Foreign
13 Relations of the Senate, the Committee on Appropriations
14 of the Senate, the Committee on Natural Resources of the
15 House of Representatives, the Committee on Foreign Af-
16 fairs of the House of Representatives, and the Committee
17 on Appropriations of the House of Representatives a 5-
18 year integrated strategic plan on combating IUU fishing
19 and enhancing maritime security, including specific strate-
20 gies with monitoring benchmarks for addressing IUU fish-
21 ing in priority regions.

22 (b) IDENTIFICATION OF PRIORITY REGIONS AND
23 PRIORITY FLAG STATES.—

24 (1) IN GENERAL.—The strategic plan submitted
25 under subsection (a) shall identify priority regions

1 and priority flag states to be the focus of assistance
2 coordinated by the Working Group under section
3 8551.

4 (2) PRIORITY REGION SELECTION CRITERIA.—
5 In selecting priority regions under paragraph (1),
6 the Working Group shall select regions that—

7 (A) are at high risk for IUU fishing activ-
8 ity or the entry of illegally caught seafood into
9 their markets; and

10 (B) lack the capacity to fully address the
11 issues described in subparagraph (A).

12 (3) PRIORITY FLAG STATES SELECTION CRI-
13 TERIA.—In selecting priority flag states under para-
14 graph (1), the Working Group shall select coun-
15 tries—

16 (A) the flagged vessels of which actively
17 engage in, knowingly profit from, or are
18 complicit in IUU fishing; and

19 (B) that lack the capacity to police their
20 fleet.

21 **SEC. 8553. REPORTS.**

22 Not later than 5 years after the submission of the
23 5-year integrated strategic plan under section 8552, and
24 5 years after, the Working Group shall submit a report
25 to the Committee on Commerce, Science, and Transpor-

1 tation of the Senate, the Committee on Foreign Relations
2 of the Senate, the Committee on Appropriations of the
3 Senate, the Committee on the Judiciary of the Senate, the
4 Select Committee on Intelligence of the Senate, the Com-
5 mittee on Agriculture, Nutrition, and Forestry of the Sen-
6 ate, the Committee on Natural Resources of the House
7 of Representatives, the Committee on Foreign Affairs of
8 the House of Representatives, and the Committee on Ap-
9 propriations of the House of Representatives that con-
10 tains—

11 (1) a summary of global and regional trends in
12 IUU fishing;

13 (2) an assessment of the extent of the conver-
14 gence between transnational organized illegal activ-
15 ity, including human trafficking and forced labor,
16 and IUU fishing;

17 (3) an assessment of the topics, data sources,
18 and strategies that would benefit from increased in-
19 formation sharing and recommendations regarding
20 harmonization of data collection and sharing;

21 (4) an assessment of assets, including military
22 assets and intelligence, which can be used for either
23 enforcement operations or strategies to combat IUU
24 fishing;

1 (5) summaries of the situational threats with
2 respect to IUU fishing in priority regions and an as-
3 sessment of the capacity of countries within such re-
4 gions to respond to those threats;

5 (6) an assessment of the progress of countries
6 in priority regions in responding to those threats as
7 a result of assistance by the United States pursuant
8 to the strategic plan developed under section 8552,
9 including—

10 (A) the identification of—

11 (i) relevant supply routes, ports of
12 call, methods of landing and entering ille-
13 gally caught product into legal supply
14 chains, and financial institutions used in
15 each country by participants engaging in
16 IUU fishing; and

17 (ii) indicators of IUU fishing that are
18 related to money laundering;

19 (B) an assessment of the adherence to, or
20 progress toward adoption of, international trea-
21 ties related to IUU fishing, including the Port
22 State Measures Agreement, by countries in pri-
23 ority regions;

24 (C) an assessment of the implementation
25 by countries in priority regions of seafood

1 traceability or capacity to apply traceability to
2 verify the legality of catch and strengthen fish-
3 eries management;

4 (D) an assessment of the capacity of coun-
5 tries in priority regions to implement shiprider
6 agreements;

7 (E) an assessment of the capacity of coun-
8 tries in priority regions to increase maritime
9 domain awareness; and

10 (F) an assessment of the capacity of gov-
11 ernments of relevant countries in priority re-
12 gions to sustain the programs for which the
13 United States has provided assistance under
14 this subtitle;

15 (7) an assessment of the capacity of priority
16 flag states to track the movement of and police their
17 fleet, prevent their flagged vessels from engaging in
18 IUU fishing, and enforce applicable laws and regula-
19 tions; and

20 (8) an assessment of the extent of involvement
21 in IUU fishing of organizations designated as for-
22 eign terrorist organizations under section 219 of the
23 Immigration and Nationality Act (8 U.S.C. 1189).

1 **SEC. 8554. GULF OF MEXICO IUU FISHING SUBWORKING**
2 **GROUP.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of the enactment of this title, the Administrator of
5 the National Oceanic and Atmospheric Administration, in
6 coordination with the Coast Guard and the Department
7 of State, shall establish a subworking group to address
8 IUU fishing in the exclusive economic zone of the United
9 States in the Gulf of Mexico.

10 (b) FUNCTIONS.—The subworking group established
11 under subsection (a) shall identify—

12 (1) Federal actions taken and policies estab-
13 lished during the 5-year period immediately pre-
14 ceding the date of the enactment of this title with
15 respect to IUU fishing in the exclusive economic
16 zone of the United States in the Gulf of Mexico, in-
17 cluding such actions and policies related to—

18 (A) the surveillance, interdiction, and pros-
19 ecution of any foreign nationals engaged in
20 such fishing; and

21 (B) the application of the provisions of the
22 High Seas Driftnet Fishing Moratorium Protec-
23 tion Act (16 U.S.C. 1826d et seq.) to any rel-
24 evant nation, including the status of any past
25 or ongoing consultations and certification proce-
26 dures;

1 (2) actions and policies, in addition to the ac-
2 tions and policies described in paragraph (1), each
3 of the Federal agencies described in subsection (a)
4 can take, using existing resources, to combat IUU
5 fishing in the exclusive economic zone of the United
6 States in the Gulf of Mexico; and

7 (3) any additional authorities that could assist
8 each such agency in more effectively addressing such
9 IUU fishing.

10 (c) REPORT.—Not later than 1 year after the IUU
11 Fishing Subworking Group is established under subsection
12 (a), the group shall submit a report to the Committee on
13 Commerce, Science, and Transportation of the Senate and
14 the Committee on Natural Resources of the House of Rep-
15 resentatives that contains—

16 (1) the findings identified pursuant to sub-
17 section (b); and

18 (2) a timeline for each of the Federal agencies
19 described in subsection (a) to implement each action
20 or policy identified pursuant to subsection (b)(2).

1 **PART III—COMBATING HUMAN TRAFFICKING IN**
2 **CONNECTION WITH THE CATCHING AND**
3 **PROCESSING OF SEAFOOD PRODUCTS**

4 **SEC. 8561. FINDING.**

5 Congress finds that human trafficking, including
6 forced labor, is a pervasive problem in the catching and
7 processing of certain seafood products imported into the
8 United States, particularly seafood products obtained
9 through illegal, unreported, and unregulated fishing.

10 **SEC. 8562. ADDING THE SECRETARY OF COMMERCE TO THE**
11 **INTERAGENCY TASK FORCE TO MONITOR**
12 **AND COMBAT TRAFFICKING.**

13 Section 105(b) of the Victims of Trafficking and Vio-
14 lence Protection Act of 2000 (22 U.S.C. 7103(b)) is
15 amended by inserting “the Secretary of Commerce,” after
16 “the Secretary of Education,”.

17 **SEC. 8563. HUMAN TRAFFICKING IN THE SEAFOOD SUPPLY**
18 **CHAIN REPORT.**

19 (a) IN GENERAL.—Not later than 1 year after the
20 date of the enactment of this title, the Secretary of State
21 and the Administrator of the National Oceanic and At-
22 mospheric Administration shall jointly submit a report to
23 the Committee on Commerce, Science, and Transportation
24 of the Senate, the Committee on Foreign Relations of the
25 Senate, the Committee on Appropriations of the Senate,
26 the Committee on Natural Resources of the House of Rep-

1 representatives, the Committee on Foreign Affairs of the
2 House of Representatives, and the Committee on Appro-
3 priations of the House of Representatives that describes
4 the existence of human trafficking, including forced labor,
5 in the supply chains of seafood products imported into the
6 United States.

7 (b) REPORT ELEMENTS.—The report required under
8 subsection (a) shall include—

9 (1) a list of the countries at risk for human
10 trafficking, including forced labor, in their seafood
11 catching and processing industries, and an assess-
12 ment of such risk for each listed country;

13 (2) a description of the quantity and economic
14 value of seafood products imported into the United
15 States from the countries on the list compiled pursu-
16 ant to paragraph (1);

17 (3) a description and assessment of the meth-
18 ods, if any, in the countries on the list compiled pur-
19 suant to paragraph (1) to trace and account for the
20 manner in which seafood is caught;

21 (4) a description of domestic and international
22 enforcement mechanisms to deter illegal practices in
23 the catching of seafood in the countries on the list
24 compiled pursuant to paragraph (1); and

1 (5) such recommendations as the Secretary of
2 State and the Administrator of the National Oceanic
3 and Atmospheric Administration jointly consider ap-
4 propriate for legislative or administrative action to
5 enhance and improve actions against human traf-
6 ficking, including forced labor, in the catching and
7 processing of seafood products outside of United
8 States waters.

9 **PART IV—AUTHORIZATION OF APPROPRIATIONS**

10 **SEC. 8571. AUTHORIZATION OF APPROPRIATIONS.**

11 (a) FUNDING.—Amounts made available to carry out
12 this subtitle shall be derived from amounts appropriated
13 or otherwise made available to the relevant agencies and
14 departments.

15 (b) NO INCREASE IN CONTRIBUTIONS.—Nothing in
16 this subtitle shall be construed to authorize an increase
17 in required or voluntary contributions paid by the United
18 States to any multilateral or international organization.

19 **SEC. 8572. ACCOUNTING OF FUNDS.**

20 By not later than 180 days after the date of enact-
21 ment of this title, the head of each Federal agency receiv-
22 ing or allocating funds to carry out activities under this
23 subtitle shall, to the greatest extent practicable, prepare
24 and submit to Congress a report that provides an account-

1 ing of all funds made available under this subtitle to the
 2 Federal agency.

3 **DIVISION F—INTELLIGENCE AU-** 4 **THORIZATIONS FOR FISCAL** 5 **YEAR 2020**

6 **SEC. 9001. SHORT TITLE.**

7 This division may be cited as the “Damon Paul Nel-
 8 son and Matthew Young Pollard Intelligence Authoriza-
 9 tion Act for Fiscal Year 2020”.

10 **SEC. 9002. DEFINITIONS.**

11 In this division:

12 (1) CONGRESSIONAL INTELLIGENCE COMMIT-
 13 TEES.—The term “congressional intelligence com-
 14 mittees” has the meaning given such term in section
 15 3 of the National Security Act of 1947 (50 U.S.C.
 16 3003).

17 (2) INTELLIGENCE COMMUNITY.—The term
 18 “intelligence community” has the meaning given
 19 such term in such section.

20 **TITLE XCI—INTELLIGENCE** 21 **ACTIVITIES**

22 **SEC. 9101. AUTHORIZATION OF APPROPRIATIONS.**

23 Funds are hereby authorized to be appropriated for
 24 fiscal year 2020 for the conduct of the intelligence and

1 intelligence-related activities of the following elements of
2 the United States Government:

3 (1) The Office of the Director of National Intel-
4 ligence.

5 (2) The Central Intelligence Agency.

6 (3) The Department of Defense.

7 (4) The Defense Intelligence Agency.

8 (5) The National Security Agency.

9 (6) The Department of the Army, the Depart-
10 ment of the Navy, and the Department of the Air
11 Force.

12 (7) The Coast Guard.

13 (8) The Department of State.

14 (9) The Department of the Treasury.

15 (10) The Department of Energy.

16 (11) The Department of Justice.

17 (12) The Federal Bureau of Investigation.

18 (13) The Drug Enforcement Administration.

19 (14) The National Reconnaissance Office.

20 (15) The National Geospatial-Intelligence Agen-
21 cy.

22 (16) The Department of Homeland Security.

23 **SEC. 9102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

24 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
25 authorized to be appropriated under section 9101 for the

1 conduct of the intelligence activities of the elements listed
2 in paragraphs (1) through (16) of section 9101, are those
3 specified in the classified Schedule of Authorizations pre-
4 pared to accompany this division.

5 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
6 THORIZATIONS.—

7 (1) AVAILABILITY.—The classified Schedule of
8 Authorizations referred to in subsection (a) shall be
9 made available to the Committee on Appropriations
10 of the Senate, the Committee on Appropriations of
11 the House of Representatives, and to the President.

12 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
13 ject to paragraph (3), the President shall provide for
14 suitable distribution of the classified Schedule of Au-
15 thorizations referred to in subsection (a), or of ap-
16 propriate portions of such Schedule, within the exec-
17 utive branch.

18 (3) LIMITS ON DISCLOSURE.—The President
19 shall not publicly disclose the classified Schedule of
20 Authorizations or any portion of such Schedule ex-
21 cept—

22 (A) as provided in section 601(a) of the
23 Implementing Recommendations of the 9/11
24 Commission Act of 2007 (50 U.S.C. 3306(a));

1 (B) to the extent necessary to implement
 2 the budget; or

3 (C) as otherwise required by law.

4 **SEC. 9103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
 5 **COUNT.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
 7 authorized to be appropriated for the Intelligence Commu-
 8 nity Management Account of the Director of National In-
 9 telligence for fiscal year 2020 the sum of \$558,000,000.

10 (b) CLASSIFIED AUTHORIZATION OF APPROPRIA-
 11 TIONS.—In addition to amounts authorized to be appro-
 12 priated for the Intelligence Community Management Ac-
 13 count by subsection (a), there are authorized to be appro-
 14 priated for the Intelligence Community Management Ac-
 15 count for fiscal year 2020 such additional amounts as are
 16 specified in the classified Schedule of Authorizations re-
 17 ferred to in section 9102(a).

18 **TITLE XCII—CENTRAL INTEL-**
 19 **LIGENCE AGENCY RETIRE-**
 20 **MENT AND DISABILITY SYS-**
 21 **TEM**

22 **SEC. 9201. AUTHORIZATION OF APPROPRIATIONS.**

23 There is authorized to be appropriated for the Cen-
 24 tral Intelligence Agency Retirement and Disability Fund
 25 \$514,000,000 for fiscal year 2020.

1 **TITLE XCIII—INTELLIGENCE**

2 **COMMUNITY MATTERS**

3 **Subtitle A—General Intelligence**

4 **Community Matters**

5 **SEC. 9301. RESTRICTION ON CONDUCT OF INTELLIGENCE**

6 **ACTIVITIES.**

7 The authorization of appropriations by this division
8 shall not be deemed to constitute authority for the conduct
9 of any intelligence activity which is not otherwise author-
10 ized by the Constitution or the laws of the United States.

11 **SEC. 9302. INCREASE IN EMPLOYEE COMPENSATION AND**

12 **BENEFITS AUTHORIZED BY LAW.**

13 Appropriations authorized by this division for salary,
14 pay, retirement, and other benefits for Federal employees
15 may be increased by such additional or supplemental
16 amounts as may be necessary for increases in such com-
17 pensation or benefits authorized by law.

18 **SEC. 9303. IMPROVING THE ONBOARDING METHODOLOGY**

19 **FOR CERTAIN INTELLIGENCE PERSONNEL.**

20 (a) DEFINITIONS.—In this section:

21 (1) APPROPRIATE COMMITTEES OF CON-
22 GRESS.—The term “appropriate committees of Con-
23 gress” means—

1 (A) the Select Committee on Intelligence
2 and the Committee on Armed Services of the
3 Senate; and

4 (B) the Permanent Select Committee on
5 Intelligence and the Committee on Armed Serv-
6 ices of the House of Representatives.

7 (2) COVERED ELEMENTS OF THE INTEL-
8 LIGENCE COMMUNITY.—The term “covered elements
9 of the intelligence community” means the elements
10 of the intelligence community that are within the fol-
11 lowing:

12 (A) The Department of Energy.

13 (B) The Department of Homeland Secu-
14 rity.

15 (C) The Department of Justice.

16 (D) The Department of State.

17 (E) The Department of the Treasury.

18 (b) IN GENERAL.—The Secretary of Defense and the
19 Director of National Intelligence shall, consistent with De-
20 partment of Defense Instruction 1400.25, as in effect on
21 the day before the date of the enactment of this Act—

22 (1) not later than 180 days after the date of
23 the enactment of this Act, submit to the appropriate
24 committees of Congress a report that outlines a
25 common methodology for measuring onboarding in

1 covered elements of the intelligence community, in-
2 cluding human resources and security processes;

3 (2) not later than 1 year after the date of the
4 enactment of this Act, issue metrics for assessing
5 key phases in the onboarding described in paragraph
6 (1) for which results will be reported by the date
7 that is 90 days after the date of such issuance;

8 (3) not later than 180 days after the date of
9 the enactment of this Act, submit to the appropriate
10 committees of Congress a report on collaboration
11 among covered elements of the intelligence commu-
12 nity on their onboarding processes;

13 (4) not later than 180 days after the date of
14 the enactment of this Act, submit to the appropriate
15 committees of Congress a report on employment of
16 automated mechanisms in covered elements of the
17 intelligence community, including for tracking per-
18 sonnel as they pass through each phase of the
19 onboarding process; and

20 (5) not later than December 31, 2020, dis-
21 tribute surveys to human resources offices and appli-
22 cants about their experiences with the onboarding
23 process in covered elements of the intelligence com-
24 munity.

1 **SEC. 9304. INTELLIGENCE COMMUNITY PUBLIC-PRIVATE**
2 **TALENT EXCHANGE.**

3 (a) **POLICIES, PROCESSES, AND PROCEDURES RE-**
4 **QUIRED.**—Not later than 270 days after the date of the
5 enactment of this Act, the Director of National Intel-
6 ligence shall develop policies, processes, and procedures to
7 facilitate the rotation of personnel of the intelligence com-
8 munity to the private sector, and personnel from the pri-
9 vate sector to the intelligence community.

10 (b) **DETAIL AUTHORITY.**—Under policies developed
11 by the Director pursuant to subsection (a), with the agree-
12 ment of a private-sector organization, and with the con-
13 sent of the employee, a head of an element of the intel-
14 ligence community may arrange for the temporary detail
15 of an employee of such element to such private-sector or-
16 ganization, or from such private-sector organization to
17 such element under this section.

18 (c) **AGREEMENTS.**—

19 (1) **IN GENERAL.**—A head of an element of the
20 intelligence community exercising the authority of
21 the head under subsection (a) shall provide for a
22 written agreement among the element of the intel-
23 ligence community, the private-sector organization,
24 and the employee concerned regarding the terms and
25 conditions of the employee's detail under this sec-
26 tion. The agreement—

1 (A) shall require that the employee of the
2 element, upon completion of the detail, serve in
3 the element, or elsewhere in the civil service if
4 approved by the head of the element, for a pe-
5 riod of at least equal to the length of the detail;

6 (B) shall provide that if the employee of
7 the element fails to carry out the agreement,
8 such employee shall be liable to the United
9 States for payment of all non-salary and benefit
10 expenses of the detail, unless that failure was
11 for good and sufficient reason, as determined
12 by the head of the element;

13 (C) shall contain language informing such
14 employee of the prohibition on improperly shar-
15 ing or using non-public information that such
16 employee may be privy to or aware of related to
17 element programming, budgeting, resourcing,
18 acquisition, or procurement for the benefit or
19 advantage of the private-sector organization;
20 and

21 (D) shall contain language requiring the
22 employee to acknowledge the obligations of the
23 employee under section 1905 of title 18, United
24 States Code (relating to trade secrets).

1 (2) AMOUNT OF LIABILITY.—An amount for
2 which an employee is liable under paragraph (1)
3 shall be treated as a debt due the United States.

4 (3) WAIVER.—The head of an element of the
5 intelligence community may waive, in whole or in
6 part, collection of a debt described in paragraph (2)
7 based on a determination that the collection would
8 be against equity and good conscience and not in the
9 best interests of the United States, after taking into
10 account any indication of fraud, misrepresentation,
11 fault, or lack of good faith on the part of the em-
12 ployee.

13 (d) TERMINATION.—A detail under this section may,
14 at any time and for any reason, be terminated by the head
15 of the element of the intelligence community concerned or
16 the private-sector organization concerned.

17 (e) DURATION.—

18 (1) IN GENERAL.—A detail under this section
19 shall be for a period of not less than 3 months and
20 not more than 2 years, renewable up to a total of
21 3 years.

22 (2) LONGER PERIODS.—A detail under this sec-
23 tion may be for a period in excess of 2 years, but
24 not more than 3 years, if the head of the element
25 making the detail determines that such detail is nec-

1 essary to meet critical mission or program require-
2 ments.

3 (3) LIMITATION.—No employee of an element
4 of the intelligence community may be detailed under
5 this section for more than a total of 5 years, inclu-
6 sive of all such details.

7 (f) STATUS OF FEDERAL EMPLOYEES DETAILED TO
8 PRIVATE-SECTOR ORGANIZATIONS.—

9 (1) IN GENERAL.—An employee of an element
10 of the intelligence community who is detailed to a
11 private-sector organization under this section shall
12 be considered, during the period of detail, to be on
13 a regular work assignment in the element for all
14 purposes. The written agreement established under
15 subsection (c)(1) shall address the specific terms
16 and conditions related to the employee's continued
17 status as a Federal employee.

18 (2) REQUIREMENTS.—In establishing a tem-
19 porary detail of an employee of an element of the in-
20 telligence community to a private-sector organiza-
21 tion, the head of the element shall—

22 (A) certify that the temporary detail of
23 such employee shall not have an adverse or neg-
24 ative impact on mission attainment or organiza-

1 tional capabilities associated with the detail;
2 and

3 (B) in the case of an element of the intel-
4 ligence community in the Department of De-
5 fense, ensure that the normal duties and func-
6 tions of such employees are not, as a result of
7 and during the course of such temporary detail,
8 performed or augmented by contractor per-
9 sonnel in violation of the provisions of section
10 2461 of title 10, United States Code.

11 (g) TERMS AND CONDITIONS FOR PRIVATE-SECTOR
12 EMPLOYEES.—An employee of a private-sector organiza-
13 tion who is detailed to an element of the intelligence com-
14 munity under this section—

15 (1) shall continue to receive pay and benefits
16 from the private-sector organization from which such
17 employee is detailed and shall not receive pay or
18 benefits from the element, except as provided in
19 paragraph (2);

20 (2) is deemed to be an employee of the element
21 for the purposes of—

22 (A) chapters 73 and 81 of title 5, United
23 States Code;

1 (B) sections 201, 203, 205, 207, 208, 209,
2 603, 606, 607, 643, 654, 1905, and 1913 of
3 title 18, United States Code;

4 (C) sections 1343, 1344, and 1349(b) of
5 title 31, United States Code;

6 (D) chapter 171 of title 28, United States
7 Code (commonly known as the “Federal Tort
8 Claims Act”) and any other Federal tort liabil-
9 ity statute;

10 (E) the Ethics in Government Act of 1978
11 (5 U.S.C. App.); and

12 (F) chapter 21 of title 41, United States
13 Code;

14 (3) may perform work that is considered inher-
15 ently governmental in nature only when requested in
16 writing by the head of the element;

17 (4) may not be used to circumvent any limita-
18 tion or restriction on the size of the workforce of the
19 element;

20 (5) shall be subject to the same requirements
21 applicable to an employee performing the same func-
22 tions and duties proposed for performance by the
23 private sector employee; and

24 (6) in the case of an element of the intelligence
25 community in the Department of Defense, may not

1 be used to circumvent the provisions of section 2461
2 of title 10, United States Code.

3 (h) PROHIBITION AGAINST CHARGING CERTAIN
4 COSTS TO THE FEDERAL GOVERNMENT.—A private-sec-
5 tor organization may not charge an element of the intel-
6 ligence community or any other agency of the Federal
7 Government, as direct costs under a Federal contract, the
8 costs of pay or benefits paid by the organization to an
9 employee detailed to an element of the intelligence commu-
10 nity under this section for the period of the detail and
11 any subsequent renewal periods.

12 (i) ADDITIONAL ADMINISTRATIVE MATTERS.—In
13 carrying out this section, the Director, pursuant to proce-
14 dures developed under subsection (a)—

15 (1) shall, to the degree practicable, ensure that
16 small business concerns are represented with respect
17 to details authorized by this section;

18 (2) may, notwithstanding any other provision of
19 law, establish criteria for elements of the intelligence
20 community to use appropriated funds to reimburse
21 small business concerns for the salaries and benefits
22 of its employees during the periods when the small
23 business concern agrees to detail its employees to
24 the intelligence community under this section;

1 (3) shall take into consideration the question of
2 how details under this section might best be used to
3 help meet the needs of the intelligence community,
4 including with respect to the training of employees;

5 (4) shall take into consideration areas of pri-
6 vate-sector expertise that are critical to the intel-
7 ligence community; and

8 (5) shall establish oversight mechanisms to de-
9 termine whether the public-private exchange author-
10 ized by this section improves the efficiency and effec-
11 tiveness of the intelligence community.

12 (j) DEFINITIONS.—In this section:

13 (1) DETAIL.—The term “detail” means, as ap-
14 propriate in the context in which such term is
15 used—

16 (A) the assignment or loan of an employee
17 of an element of the intelligence community to
18 a private-sector organization without a change
19 of position from the intelligence community ele-
20 ment that employs the individual; or

21 (B) the assignment or loan of an employee
22 of a private-sector organization to an element of
23 the intelligence community without a change of
24 position from the private-sector organization
25 that employs the individual.

1 (2) PRIVATE-SECTOR ORGANIZATION.—The
2 term “private-sector organization” means—

3 (A) a for-profit organization; or

4 (B) a not-for-profit organization.

5 (3) SMALL BUSINESS CONCERN.—The term
6 “small business concern” has the meaning given
7 such term in section 3703(e)(2) of title 5, United
8 States Code.

9 **SEC. 9305. EXPANSION OF SCOPE OF PROTECTIONS FOR**
10 **IDENTITIES OF COVERT AGENTS.**

11 Section 605(4) of the National Security Act of 1947
12 (50 U.S.C. 3126(4)) is amended—

13 (1) in subparagraph (A)—

14 (A) by striking clause (ii);

15 (B) in clause (i), by striking “, and” and
16 inserting “; or”; and

17 (C) by striking “agency—” and all that
18 follows through “whose identity” and inserting
19 “agency whose identity”; and

20 (2) in subparagraph (B)(i), by striking “resides
21 and acts outside the United States” and inserting
22 “acts”.

1 **SEC. 9306. INCLUSION OF SECURITY RISKS IN PROGRAM**
2 **MANAGEMENT PLANS REQUIRED FOR ACQUI-**
3 **SITION OF MAJOR SYSTEMS IN NATIONAL IN-**
4 **TELLIGENCE PROGRAM.**

5 Section 102A(q)(1)(A) of the National Security Act
6 of 1947 (50 U.S.C. 3024(q)(1)(A)) is amended by insert-
7 ing “security risks,” after “schedule.”

8 **SEC. 9307. PAID PARENTAL LEAVE.**

9 (a) PURPOSE.—The purpose of this section is to—

10 (1) help the intelligence community recruit and
11 retain a dynamic, multi-talented, and diverse work-
12 force capable of meeting the security goals of the
13 United States; and

14 (2) establish best practices and processes for
15 other elements of the Federal Government seeking to
16 pursue similar policies.

17 (b) AUTHORIZATION OF PAID PARENTAL LEAVE FOR
18 INTELLIGENCE COMMUNITY EMPLOYEES.—

19 (1) IN GENERAL.—Title III of the National Se-
20 curity Act of 1947 (50 U.S.C. 3071 et seq.) is
21 amended by inserting after section 304 the fol-
22 lowing:

23 **“SEC. 305. PAID PARENTAL LEAVE.**

24 “(a) PAID PARENTAL LEAVE.—Notwithstanding any
25 other provision of law, a civilian employee of an element
26 of the intelligence community shall have available a total

1 of 12 administrative workweeks of paid parental leave in
2 the event of the birth of a son or daughter to the employee,
3 or placement of a son or daughter with the employee for
4 adoption or foster care, and in order to care for such son
5 or daughter, to be used during the 12-month period begin-
6 ning on the date of the birth or placement.

7 “(b) TREATMENT OF PARENTAL LEAVE REQUEST.—
8 Notwithstanding any other provision of law—

9 “(1) an element of the intelligence community
10 shall accommodate an employee’s leave schedule re-
11 quest under subsection (a), including a request to
12 use such leave intermittently or on a reduced leave
13 schedule, to the extent that the requested leave
14 schedule does not unduly disrupt agency operations;
15 and

16 “(2) to the extent that an employee’s requested
17 leave schedule as described in paragraph (1) is based
18 on medical necessity related to a serious health con-
19 dition connected to the birth of a son or daughter,
20 the employing element shall handle the scheduling
21 consistent with the treatment of employees who are
22 using leave under subparagraph (C) or (D) of sec-
23 tion 6382(a)(1) of title 5, United States Code.

24 “(c) RULES RELATING TO PAID LEAVE.—Notwith-
25 standing any other provision of law—

1 “(1) an employee may not be required to first
2 use all or any portion of any unpaid leave available
3 to the employee before being allowed to use the paid
4 parental leave described in subsection (a); and

5 “(2) paid parental leave under subsection (a)—

6 “(A) shall be payable from any appropria-
7 tion or fund available for salaries or expenses
8 for positions within the employing element;

9 “(B) may not be considered to be annual
10 or vacation leave for purposes of section 5551
11 or 5552 of title 5, United States Code, or for
12 any other purpose;

13 “(C) if not used by the employee before the
14 end of the 12-month period described in sub-
15 section (a) to which the leave relates, may not
16 be available for any subsequent use and may
17 not be converted into a cash payment;

18 “(D) may be granted only to the extent
19 that the employee does not receive a total of
20 more than 12 weeks of paid parental leave in
21 any 12-month period beginning on the date of
22 a birth or placement;

23 “(E) may not be granted—

24 “(i) in excess of a lifetime aggregate
25 total of 30 administrative workweeks based

1 on placements of a foster child for any in-
2 dividual employee; or

3 “(ii) in connection with temporary fos-
4 ter care placements expected to last less
5 than 1 year;

6 “(F) may not be granted for a child being
7 placed for foster care or adoption if such leave
8 was previously granted to the same employee
9 when the same child was placed with the em-
10 ployee for foster care in the past;

11 “(G) shall be used in increments of hours
12 (or fractions thereof), with 12 administrative
13 workweeks equal to 480 hours for employees
14 with a regular full-time work schedule and con-
15 verted to a proportional number of hours for
16 employees with part-time, seasonal, or uncom-
17 mon tours of duty; and

18 “(H) may not be used during off-season
19 (nonpay status) periods for employees with sea-
20 sonal work schedules.

21 “(d) IMPLEMENTATION PLAN.—Not later than 1
22 year after the date of enactment of this section, the Direc-
23 tor of National Intelligence shall provide the congressional
24 intelligence committees with an implementation plan that
25 includes—

1 “(1) processes and procedures for implementing
2 the paid parental leave policies under subsections (a)
3 through (c);

4 “(2) an explanation of how the implementation
5 of subsections (a) through (c) will be reconciled with
6 policies of other elements of the Federal Govern-
7 ment, including the impact on elements funded by
8 the National Intelligence Program that are housed
9 within agencies outside the intelligence community;

10 “(3) the projected impact of the implementation
11 of subsections (a) through (c) on the workforce of
12 the intelligence community, including take rates, re-
13 tention, recruiting, and morale, broken down by each
14 element of the intelligence community; and

15 “(4) all costs or operational expenses associated
16 with the implementation of subsections (a) through
17 (c).

18 “(e) DIRECTIVE.—Not later than 90 days after the
19 Director of National Intelligence submits the implementa-
20 tion plan under subsection (d), the Director of National
21 Intelligence shall issue a written directive to implement
22 this section, which directive shall take effect on the date
23 of issuance.

1 “(f) ANNUAL REPORT.—The Director of National In-
 2 telligence shall submit to the congressional intelligence
 3 committees an annual report that—

4 “(1) details the number of employees of each
 5 element of the intelligence community who applied
 6 for and took paid parental leave under subsection
 7 (a) during the year covered by the report; and

8 “(2) includes updates on major implementation
 9 challenges or costs associated with paid parental
 10 leave.

11 “(g) DEFINITION OF SON OR DAUGHTER.—For pur-
 12 poses of this section, the term ‘son or daughter’ has the
 13 meaning given the term in section 6381 of title 5, United
 14 States Code.”.

15 (2) CLERICAL AMENDMENT.—The table of con-
 16 tents in the matter preceding section 2 of the Na-
 17 tional Security Act of 1947 (50 U.S.C. 3002) is
 18 amended by inserting after the item relating to sec-
 19 tion 304 the following:

“Sec. 305. Paid parental leave.”.

20 (c) APPLICABILITY.—Section 305 of the National Se-
 21 curity Act of 1947, as added by subsection (b), shall apply
 22 with respect to leave taken in connection with the birth
 23 or placement of a son or daughter that occurs on or after
 24 the date on which the Director of National Intelligence

1 issues the written directive under subsection (e) of such
2 section 305.

3 **Subtitle B—Office of the Director**
4 **of National Intelligence**

5 **SEC. 9311. EXCLUSIVITY, CONSISTENCY, AND TRANS-**
6 **PARENCY IN SECURITY CLEARANCE PROCE-**
7 **DURES.**

8 (a) EXCLUSIVITY OF PROCEDURES.—Section 801 of
9 the National Security Act of 1947 (50 U.S.C. 3161) is
10 amended by adding at the end the following:

11 “(c) EXCLUSIVITY.—Except as provided in sub-
12 section (b) and subject to sections 801A and 801B, the
13 procedures established pursuant to subsection (a) shall be
14 the exclusive procedures by which decisions about eligi-
15 bility for access to classified information are governed.”.

16 (b) TRANSPARENCY.—Such section is further amend-
17 ed by adding at the end the following:

18 “(d) PUBLICATION.—

19 “(1) IN GENERAL.—Not later than 180 days
20 after the date of the enactment of this subsection,
21 the President shall—

22 “(A) publish in the Federal Register the
23 procedures established pursuant to subsection
24 (a); or

1 “(B) submit to Congress a certification
 2 that the procedures currently in effect that gov-
 3 ern access to classified information as described
 4 in subsection (a)—

5 “(i) are published in the Federal Reg-
 6 ister; and

7 “(ii) comply with the requirements of
 8 subsection (a).

9 “(2) UPDATES.—Whenever the President
 10 makes a revision to a procedure established pursuant
 11 to subsection (a), the President shall publish such
 12 revision in the Federal Register not later than 30
 13 days before the date on which the revision becomes
 14 effective.”.

15 (c) CONSISTENCY.—

16 (1) IN GENERAL.—Title VIII of the National
 17 Security Act of 1947 (50 U.S.C. 3161 et seq.) is
 18 amended by inserting after section 801 the fol-
 19 lowing:

20 **“SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSI-**
 21 **FIED INFORMATION.**

22 “(a) DEFINITIONS.—In this section:

23 “(1) AGENCY.—The term ‘agency’ has the
 24 meaning given the term ‘Executive agency’ in section
 25 105 of title 5, United States Code.

1 “(2) CLASSIFIED INFORMATION.—The term
2 ‘classified information’ includes sensitive compart-
3 mented information, restricted data, restricted han-
4 dling information, and other compartmented infor-
5 mation.

6 “(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED
7 INFORMATION.—The term ‘eligibility for access to
8 classified information’ has the meaning given such
9 term in the procedures established pursuant to sec-
10 tion 801(a).

11 “(b) IN GENERAL.—Each head of an agency that
12 makes a determination regarding eligibility for access to
13 classified information shall ensure that in making the de-
14 termination, the head of the agency or any person acting
15 on behalf of the agency—

16 “(1) does not violate any right or protection en-
17 shrined in the Constitution of the United States, in-
18 cluding rights articulated in the First, Fifth, and
19 Fourteenth Amendments;

20 “(2) does not discriminate for or against an in-
21 dividual on the basis of race, color, religion, sex, na-
22 tional origin, age, or handicap;

23 “(3) is not carrying out—

24 “(A) retaliation for political activities or
25 beliefs; or

1 “(B) a coercion or reprisal described in
2 section 2302(b)(3) of title 5, United States
3 Code; and

4 “(4) does not violate section 3001(j)(1) of the
5 Intelligence Reform and Terrorism Prevention Act
6 of 2004 (50 U.S.C. 3341(j)(1)).”.

7 (2) CLERICAL AMENDMENT.—The table of con-
8 tents in the matter preceding section 2 of the Na-
9 tional Security Act of 1947 (50 U.S.C. 3002) is
10 amended by inserting after the item relating to sec-
11 tion 801 the following:

“Sec. 801A. Decisions relating to access to classified information.”.

12 **SEC. 9312. LIMITATION ON TRANSFER OF NATIONAL INTEL-**
13 **LIGENCE UNIVERSITY.**

14 (a) LIMITATION.—Neither the Secretary of Defense
15 nor the Director of National Intelligence may commence
16 any activity to transfer the National Intelligence Univer-
17 sity out of the Defense Intelligence Agency until the Sec-
18 retary and the Director jointly certify each of the fol-
19 lowing:

20 (1) The National Intelligence University has
21 positively adjudicated its warning from the Middle
22 States Commission on Higher Education and had its
23 regional accreditation fully restored.

24 (2) The National Intelligence University will
25 serve as the exclusive means by which advanced in-

1 intelligence education is provided to personnel of the
2 Department of Defense.

3 (3) Military personnel will receive joint profes-
4 sional military education from a National Intel-
5 ligence University location at a non-Department of
6 Defense agency.

7 (4) The Department of Education will allow the
8 Office of the Director of National Intelligence to
9 grant advanced educational degrees.

10 (5) A governance model jointly led by the Di-
11 rector and the Secretary of Defense is in place for
12 the National Intelligence University.

13 (b) COST ESTIMATES.—

14 (1) DEFINITION OF APPROPRIATE COMMITTEES
15 OF CONGRESS.—In this subsection, the term “appro-
16 priate committees of Congress” means—

17 (A) the congressional intelligence commit-
18 tees;

19 (B) the Committee on Armed Services of
20 the Senate; and

21 (C) the Committee on Armed Services of
22 the House of Representatives.

23 (2) IN GENERAL.—Before commencing any ac-
24 tivity to transfer the National Intelligence University
25 out of the Defense Intelligence Agency, the Sec-

1 retary of Defense and the Director of National Intel-
2 ligence shall jointly submit to the appropriate com-
3 mittees of Congress an estimate of the direct and in-
4 direct costs of operating the National Intelligence
5 University and the costs of transferring the National
6 Intelligence University to another agency.

7 (3) CONTENTS.—The estimate submitted under
8 paragraph (2) shall include all indirect costs, includ-
9 ing with respect to human resources, security, facili-
10 ties, and information technology.

11 **SEC. 9313. IMPROVING VISIBILITY INTO THE SECURITY**
12 **CLEARANCE PROCESS.**

13 (a) DEFINITION OF SECURITY EXECUTIVE AGENT.—
14 In this section, the term “Security Executive Agent”
15 means the officer serving as the Security Executive Agent
16 pursuant to section 803 of the National Security Act of
17 1947, as added by section 10605 of division G.

18 (b) POLICY REQUIRED.—Not later than 90 days after
19 the date of the enactment of this Act, the Security Execu-
20 tive Agent shall issue a policy that requires the head of
21 each Federal agency to create, not later than December
22 31, 2023, an electronic portal that can be used by human
23 resources personnel and applicants for security clearances
24 to view information about the status of an application for

1 a security clearance and the average time required for
2 each phase of the security clearance process.

3 **SEC. 9314. MAKING CERTAIN POLICIES AND EXECUTION**
4 **PLANS RELATING TO PERSONNEL CLEAR-**
5 **ANCES AVAILABLE TO INDUSTRY PARTNERS.**

6 (a) DEFINITIONS.—In this section:

7 (1) APPROPRIATE INDUSTRY PARTNER.—The
8 term “appropriate industry partner” means a con-
9 tractor, licensee, or grantee (as defined in section
10 101(a) of Executive Order 12829 (50 U.S.C. 3161
11 note; relating to National Industrial Security Pro-
12 gram), as in effect on the day before the date of the
13 enactment of this Act) that is participating in the
14 National Industrial Security Program established by
15 such Executive Order.

16 (2) SECURITY EXECUTIVE AGENT.—The term
17 “Security Executive Agent” means the officer serv-
18 ing as the Security Executive Agent pursuant to sec-
19 tion 803 of the National Security Act of 1947, as
20 added by section 10605 of division G.

21 (b) SHARING OF POLICIES AND PLANS REQUIRED.—
22 Each head of a Federal agency shall share policies and
23 plans relating to security clearances with appropriate in-
24 dustry partners directly affected by such policies and plans
25 in a manner consistent with the protection of national se-

1 curity as well as the goals and objectives of the National
 2 Industrial Security Program administered pursuant to Ex-
 3 ecutive Order 12829 (50 U.S.C. 3161 note; relating to the
 4 National Industrial Security Program).

5 (c) DEVELOPMENT OF POLICIES AND PROCEDURES
 6 REQUIRED.—Not later than 90 days after the date of the
 7 enactment of this Act, the Security Executive Agent and
 8 the Director of the National Industrial Security Program
 9 shall jointly develop policies and procedures by which ap-
 10 propriate industry partners with proper security clear-
 11 ances and a need to know can have appropriate access to
 12 the policies and plans shared pursuant to subsection (b)
 13 that directly affect those industry partners.

14 **Subtitle C—Inspector General of** 15 **the Intelligence Community**

16 **SEC. 9321. DEFINITIONS.**

17 In this subtitle:

18 (1) WHISTLEBLOWER.—The term “whistle-
 19 blower” means a person who makes a whistleblower
 20 disclosure.

21 (2) WHISTLEBLOWER DISCLOSURE.—The term
 22 “whistleblower disclosure” means a disclosure that is
 23 protected under section 1104 of the National Secu-
 24 rity Act of 1947 (50 U.S.C. 3234) or section

1 3001(j)(1) of the Intelligence Reform and Terrorism
2 Prevention Act of 2004 (50 U.S.C. 3341(j)).

3 **SEC. 9322. INSPECTOR GENERAL EXTERNAL REVIEW**
4 **PANEL.**

5 (a) AUTHORITY TO CONVENE EXTERNAL REVIEW
6 PANELS.—

7 (1) IN GENERAL.—Title XI of the National Se-
8 curity Act of 1947 (50 U.S.C. 3231 et seq.) is
9 amended by adding at the end the following new sec-
10 tion:

11 **“SEC. 1105. INSPECTOR GENERAL EXTERNAL REVIEW**
12 **PANEL.**

13 “(a) REQUEST FOR REVIEW.—An individual with a
14 claim described in subsection (b) may submit to the In-
15 spector General of the Intelligence Community a request
16 for a review of such claim by an external review panel con-
17 vened under subsection (c).

18 “(b) CLAIMS AND INDIVIDUALS DESCRIBED.—A
19 claim described in this subsection is any—

20 “(1) claim by an individual—

21 “(A) that the individual has been subjected
22 to a personnel action that is prohibited under
23 section 1104; and

1 “(B) who has exhausted the applicable re-
2 view process for the claim pursuant to enforce-
3 ment of such section; or

4 “(2) claim by an individual—

5 “(A) that he or she has been subjected to
6 a reprisal prohibited by paragraph (1) of sec-
7 tion 3001(j) of the Intelligence Reform and
8 Terrorism Prevention Act of 2004 (50 U.S.C.
9 3341(j)); and

10 “(B) who received a decision on an appeal
11 regarding that claim under paragraph (4) of
12 such section.

13 “(c) EXTERNAL REVIEW PANEL CONVENED.—

14 “(1) DISCRETION TO CONVENE.—Upon receipt
15 of a request under subsection (a) regarding a claim,
16 the Inspector General of the Intelligence Community
17 may, at the discretion of the Inspector General, con-
18 vene an external review panel under this subsection
19 to review the claim.

20 “(2) MEMBERSHIP.—

21 “(A) COMPOSITION.—An external review
22 panel convened under this subsection shall be
23 composed of three members as follows:

24 “(i) The Inspector General of the In-
25 telligence Community.

1 “(ii) Except as provided in subpara-
2 graph (B), two members selected by the
3 Inspector General as the Inspector General
4 considers appropriate on a case-by-case
5 basis from among inspectors general of the
6 following:

7 “(I) The Department of Defense.

8 “(II) The Department of Energy.

9 “(III) The Department of Home-
10 land Security.

11 “(IV) The Department of Jus-
12 tice.

13 “(V) The Department of State.

14 “(VI) The Department of the
15 Treasury.

16 “(VII) The Central Intelligence
17 Agency.

18 “(VIII) The Defense Intelligence
19 Agency.

20 “(IX) The National Geospatial-
21 Intelligence Agency.

22 “(X) The National Reconnaissance
23 Office.

24 “(XI) The National Security
25 Agency.

1 “(B) LIMITATION.—An inspector general
2 of an agency may not be selected to sit on the
3 panel under subparagraph (A)(ii) to review any
4 matter relating to a decision made by such
5 agency.

6 “(C) CHAIRPERSON.—

7 “(i) IN GENERAL.—Except as pro-
8 vided in clause (ii), the chairperson of any
9 panel convened under this subsection shall
10 be the Inspector General of the Intelligence
11 Community.

12 “(ii) CONFLICTS OF INTEREST.—If
13 the Inspector General of the Intelligence
14 Community finds cause to recuse himself
15 or herself from a panel convened under
16 this subsection, the Inspector General of
17 the Intelligence Community shall—

18 “(I) select a chairperson from in-
19 spectors general of the elements listed
20 under subparagraph (A)(ii) whom the
21 Inspector General of the Intelligence
22 Community considers appropriate;
23 and

1 “(II) notify the congressional in-
2 telligence committees of such selec-
3 tion.

4 “(3) PERIOD OF REVIEW.—Each external re-
5 view panel convened under this subsection to review
6 a claim shall complete review of the claim no later
7 than 270 days after the date on which the Inspector
8 General convenes the external review panel.

9 “(d) REMEDIES.—

10 “(1) PANEL RECOMMENDATIONS.—If an exter-
11 nal review panel convened under subsection (c) de-
12 termines, pursuant to a review of a claim submitted
13 by an individual under subsection (a), that the indi-
14 vidual was the subject of a personnel action prohib-
15 ited under section 1104 or was subjected to a re-
16 prisal prohibited by section 3001(j)(1) of the Intel-
17 ligence Reform and Terrorism Prevention Act of
18 2004 (50 U.S.C. 3341(j)(1)), the panel may rec-
19 ommend that the agency head take corrective ac-
20 tion—

21 “(A) in the case of an employee or former
22 employee—

23 “(i) to return the employee or former
24 employee, as nearly as practicable and rea-
25 sonable, to the position such employee or

1 former employee would have held had the
2 reprisal not occurred; or

3 “(ii) reconsider the employee’s or
4 former employee’s eligibility for access to
5 classified information consistent with na-
6 tional security; or

7 “(B) in any other case, such other action
8 as the external review panel considers appro-
9 priate.

10 “(2) AGENCY ACTION.—

11 “(A) IN GENERAL.—Not later than 90
12 days after the date on which the head of an
13 agency receives a recommendation from an ex-
14 ternal review panel under paragraph (1), the
15 head shall—

16 “(i) give full consideration to such
17 recommendation; and

18 “(ii) inform the panel and the Direc-
19 tor of National Intelligence of what action
20 the head has taken with respect to the rec-
21 ommendation.

22 “(B) FAILURE TO INFORM.—The Director
23 shall notify the President of any failures to
24 comply with subparagraph (A)(ii).

25 “(e) ANNUAL REPORTS.—

1 “(1) IN GENERAL.—Not less frequently than
 2 once each year, the Inspector General of the Intel-
 3 ligence Community shall submit to the congressional
 4 intelligence committees and the Director of National
 5 Intelligence a report on the activities under this sec-
 6 tion during the previous year.

7 “(2) CONTENTS.—Subject to such limitations
 8 as the Inspector General of the Intelligence Commu-
 9 nity considers necessary to protect the privacy of an
 10 individual who has made a claim described in sub-
 11 section (b), each report submitted under paragraph
 12 (1) shall include, for the period covered by the re-
 13 port, the following:

14 “(A) The determinations and recommenda-
 15 tions made by the external review panels con-
 16 vened under this section.

17 “(B) The responses of the heads of agen-
 18 cies that received recommendations from the ex-
 19 ternal review panels.”.

20 (2) TABLE OF CONTENTS AMENDMENT.—The
 21 table of contents in the first section of the National
 22 Security Act of 1947 is amended by adding at the
 23 end the following new item:

“Sec. 1105. Inspector General external review panel.”.

1 (b) RECOMMENDATION ON ADDRESSING WHISTLE-
2 BLOWER APPEALS RELATING TO REPRISAL COMPLAINTS
3 AGAINST INSPECTORS GENERAL.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the In-
6 spector General of the Intelligence Community shall
7 submit to the congressional intelligence committees a
8 recommendation on how to ensure that—

9 (A) a whistleblower in the intelligence com-
10 munity who has a complaint against an inspec-
11 tor general in the intelligence community and
12 who alleges a reprisal, has available the agency
13 adjudication and appellate review provided
14 under section 1104 of the National Security Act
15 of 1947 (50 U.S.C. 3234); and

16 (B) any such whistleblower who has ex-
17 hausted the applicable review process may re-
18 quest an external review panel and receive one,
19 at the discretion of the Inspector General of the
20 Intelligence Community.

21 (2) CONTENTS.—The recommendation sub-
22 mitted pursuant to paragraph (1) shall include the
23 following:

24 (A) A discussion of whether and to what
25 degree section 1105 of the National Security

1 Act of 1947, as added by subsection (a)(1), pro-
2 vides appropriate authorities and mechanisms
3 to provide an external review panel as described
4 in paragraph (1) of this subsection and for the
5 purposes described in such paragraph.

6 (B) Such recommendations for legislative
7 or administrative action as the Inspector Gen-
8 eral may have with respect to providing an ex-
9 ternal review panel as described in paragraph
10 (1) and for the purposes described in such
11 paragraph.

12 **SEC. 9323. HARMONIZATION OF WHISTLEBLOWER PROC-**
13 **ESSES AND PROCEDURES.**

14 (a) IN GENERAL.—Not later than 270 days after the
15 date of the enactment of this Act, the Inspector General
16 of the Intelligence Community, in coordination with the
17 Intelligence Community Inspectors General Forum, shall
18 develop recommendations, applicable to all inspectors gen-
19 eral of elements of the intelligence community, regarding
20 the harmonization of instructions, policies, and directives
21 relating to processes, procedures, and timelines for claims
22 and appeals relating to allegations of personnel actions
23 prohibited under section 1104 of the National Security
24 Act of 1947 or reprisals prohibited by section 3001(j)(1)

1 of the Intelligence Reform and Terrorism Prevention Act
2 of 2004 (50 U.S.C. 3341(j)(1)).

3 (b) TRANSPARENCY AND PROTECTION.—In devel-
4 oping recommendations under subsection (a), the Inspec-
5 tor General of the Intelligence Community shall make ef-
6 forts to maximize transparency and protect whistle-
7 blowers.

8 **SEC. 9324. INTELLIGENCE COMMUNITY OVERSIGHT OF**
9 **AGENCY WHISTLEBLOWER ACTIONS.**

10 (a) FEASIBILITY STUDY.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of the enactment of this Act, the Inspector
13 General of the Intelligence Community, in consulta-
14 tion with the Intelligence Community Inspectors
15 General Forum, shall complete a feasibility study on
16 establishing a hotline whereby all complaints of
17 whistleblowers relating to the intelligence community
18 are automatically referred to the Inspector General
19 of the Intelligence Community.

20 (2) ELEMENTS.—The feasibility study con-
21 ducted pursuant to paragraph (1) shall include the
22 following:

23 (A) The anticipated number of annual
24 whistleblower complaints received by all ele-
25 ments of the intelligence community.

1 (B) The additional resources required to
2 implement the hotline, including personnel and
3 technology.

4 (C) The resulting budgetary effects.

5 (D) Findings from the system established
6 pursuant to subsection (b).

7 (b) OVERSIGHT SYSTEM REQUIRED.—Not later than
8 180 days after the date of the enactment of this Act, the
9 Inspector General of the Intelligence Community shall es-
10 tablish a system whereby the Inspector General is pro-
11 vided, in near real time, the following:

12 (1) All information relating to complaints by
13 whistleblowers relating to the programs and activi-
14 ties under the jurisdiction of the Director of Na-
15 tional Intelligence.

16 (2) Any inspector general actions relating to
17 such complaints.

18 (c) PRIVACY PROTECTIONS.—

19 (1) POLICIES AND PROCEDURES REQUIRED.—
20 Before establishing the system required by sub-
21 section (b), the Inspector General of the Intelligence
22 Community shall establish policies and procedures to
23 protect the privacy of whistleblowers and protect
24 against further dissemination of whistleblower infor-
25 mation without consent of the whistleblower.

1 (2) CONTROL OF DISTRIBUTION.—The system
2 established under subsection (b) shall provide whis-
3 tleblowers the option of prohibiting distribution of
4 their complaints to the Inspector General of the In-
5 telligence Community.

6 **SEC. 9325. REPORT ON CLEARED WHISTLEBLOWER ATTOR-**
7 **NEYS.**

8 (a) REPORT REQUIRED.—Not later than 1 year after
9 the date of the enactment of this Act, the Inspector Gen-
10 eral of the Intelligence Community shall submit to the con-
11 gressional intelligence committees a report on access to
12 cleared attorneys by whistleblowers in the intelligence
13 community.

14 (b) CONTENTS.—The report submitted pursuant to
15 subsection (a) shall include the following:

16 (1) The number of whistleblowers in the intel-
17 ligence community who sought to retain a cleared at-
18 torney and at what stage they sought such an attor-
19 ney.

20 (2) For the 3-year period preceding the report,
21 the following:

22 (A) The number of limited security agree-
23 ments (LSAs).

24 (B) The scope and clearance levels of such
25 limited security agreements.

1 (C) The number of whistleblowers rep-
2 resented by cleared counsel.

3 (3) Recommendations for legislative or adminis-
4 trative action to ensure that whistleblowers in the
5 intelligence community have access to cleared attor-
6 neys, including improvements to the limited security
7 agreement process and such other options as the In-
8 spector General of the Intelligence Community con-
9 siders appropriate.

10 (c) SURVEY.—The Inspector General of the Intel-
11 ligence Community shall ensure that the report submitted
12 under subsection (a) is based on—

13 (1) data from a survey of whistleblowers whose
14 claims are reported to the Inspector General of the
15 Intelligence Community by means of the oversight
16 system established pursuant to section 9324;

17 (2) information obtained from the inspectors
18 general of the intelligence community; or

19 (3) information from such other sources as may
20 be identified by the Inspector General of the Intel-
21 ligence Community.

1 **TITLE XCIV—REPORTS AND**
2 **OTHER MATTERS**

3 **SEC. 9401. STUDY ON FOREIGN EMPLOYMENT OF FORMER**
4 **PERSONNEL OF INTELLIGENCE COMMUNITY.**

5 (a) STUDY.—The Director of National Intelligence,
6 in coordination with the Secretary of Defense and the Sec-
7 retary of State, shall conduct a study of matters relating
8 to the foreign employment of former personnel of the intel-
9 ligence community.

10 (b) ELEMENTS.—The study conducted pursuant to
11 subsection (a) shall address the following:

12 (1) Issues that pertain to former employees of
13 the intelligence community working with, or in sup-
14 port of, foreign governments, and the nature and
15 scope of those concerns.

16 (2) Such legislative or administrative action as
17 may be necessary for both front-end screening and
18 in-progress oversight by the Director of Defense
19 Trade Controls of licenses issued by the Director for
20 former employees of the intelligence community
21 working for foreign governments.

22 (3) How increased requirements could be im-
23 posed for periodic compliance reporting when li-
24 censes are granted for companies or organizations
25 that employ former personnel of the intelligence

1 community to execute contracts with foreign govern-
2 ments.

3 (c) REPORT AND PLAN.—

4 (1) DEFINITION OF APPROPRIATE COMMITTEES
5 OF CONGRESS.—In this subsection, the term “appro-
6 priate committees of Congress” means—

7 (A) the congressional intelligence commit-
8 tees;

9 (B) the Committee on Armed Services and
10 the Committee on Foreign Relations of the Sen-
11 ate; and

12 (C) the Committee on Armed Services and
13 the Committee on Foreign Affairs of the House
14 of Representatives.

15 (2) IN GENERAL.—Not later than 180 days
16 after the date of the enactment of this Act, the Di-
17 rector of National Intelligence shall submit to the
18 appropriate committees of Congress—

19 (A) a report on the findings of the Direc-
20 tor with respect to the study conducted pursu-
21 ant to subsection (a); and

22 (B) a plan to carry out such administrative
23 actions as the Director considers appropriate
24 pursuant to the findings described in subpara-
25 graph (A).

1 **SEC. 9402. COMPREHENSIVE ECONOMIC ASSESSMENT OF**
2 **INVESTMENT IN KEY UNITED STATES TECH-**
3 **NOLOGIES BY COMPANIES OR ORGANIZA-**
4 **TIONS LINKED TO CHINA.**

5 (a) ASSESSMENT REQUIRED.—Not later than 90
6 days after the date of the enactment of this Act, the Direc-
7 tor of National Intelligence, in coordination with the Di-
8 rector of the National Counterintelligence and Security
9 Center, the Director of the Federal Bureau of Investiga-
10 tion, the Director of the Central Intelligence Agency, the
11 Secretary of the Treasury, and the heads of such other
12 Federal agencies as the Director of National Intelligence
13 considers appropriate, shall submit to the congressional
14 intelligence committees a comprehensive economic assess-
15 ment of investment in key United States technologies, in-
16 cluding emerging technologies, by companies or organiza-
17 tions linked to China, including the implications of these
18 investments for the national security of the United States.

19 (b) FORM OF ASSESSMENT.—The assessment sub-
20 mitted under subsection (a) shall be submitted in unclassi-
21 fied form, but may include a classified annex.

22 **SEC. 9403. ANALYSIS OF AND PERIODIC BRIEFINGS ON**
23 **MAJOR INITIATIVES OF INTELLIGENCE COM-**
24 **MUNITY IN ARTIFICIAL INTELLIGENCE AND**
25 **MACHINE LEARNING.**

26 (a) ANALYSIS.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of the enactment of this Act, the Director
3 of National Intelligence shall, in coordination with
4 the heads of such elements of the intelligence com-
5 munity as the Director considers appropriate—

6 (A) complete a comprehensive analysis of
7 the major initiatives of the intelligence commu-
8 nity in artificial intelligence and machine learn-
9 ing; and

10 (B) submit to the congressional intelligence
11 committees a report on the findings of the Di-
12 rector with respect to the analysis conducted
13 pursuant to subparagraph (A).

14 (2) ELEMENTS.—The analysis conducted under
15 paragraph (1)(A) shall include analyses of how the
16 initiatives described in such paragraph—

17 (A) correspond with the strategy of the in-
18 telligence community entitled “Augmenting In-
19 telligence Using Machines”;

20 (B) complement each other and avoid un-
21 necessary duplication;

22 (C) are coordinated with the efforts of the
23 Defense Department on artificial intelligence,
24 including efforts at the Joint Artificial Intel-
25 ligence Center (JAIC) and Project Maven; and

1 (D) leverage advances in artificial intel-
2 ligence and machine learning in the private sec-
3 tor.

4 (b) PERIODIC BRIEFINGS.—Not later than 30 days
5 after the date of the enactment of this Act, not less fre-
6 quently than twice each year thereafter until the date that
7 is 2 years after the date of the enactment of this Act,
8 and not less frequently than once each year thereafter
9 until the date that is 7 years after the date of the enact-
10 ment of this Act, the Director and the Chief Information
11 Officer of the Department of Defense shall jointly provide
12 to the congressional intelligence committees and congres-
13 sional defense committees (as defined in section 101 of
14 title 10, United States Code) briefings with updates on
15 activities relating to, and the progress of, their respective
16 artificial intelligence and machine learning initiatives, par-
17 ticularly the Augmenting Intelligence Using Machines ini-
18 tiative and the Joint Artificial Intelligence Center.

19 **SEC. 9404. ENCOURAGING COOPERATIVE ACTIONS TO DE-**
20 **TECT AND COUNTER FOREIGN INFLUENCE**
21 **OPERATIONS.**

22 (a) FINDINGS.—Congress makes the following find-
23 ings:

24 (1) The Russian Federation, through military
25 intelligence units, also known as the “GRU”, and

1 Kremlin-linked troll organizations often referred to
2 as the “Internet Research Agency”, deploy informa-
3 tion warfare operations against the United States,
4 its allies and partners, with the goal of advancing
5 the strategic interests of the Russian Federation.

6 (2) One line of effort deployed as part of these
7 information warfare operations is the weaponization
8 of social media platforms with the goals of inten-
9 sifying societal tensions, undermining trust in gov-
10 ernmental institutions within the United States, its
11 allies and partners in the West, and generally sow-
12 ing division, fear, and confusion.

13 (3) These information warfare operations are a
14 threat to the national security of the United States
15 and that of the allies and partners of the United
16 States. As Director of National Intelligence Dan
17 Coats stated, “These actions are persistent, they are
18 pervasive and they are meant to undermine Amer-
19 ica’s democracy.”.

20 (4) These information warfare operations con-
21 tinue to evolve and increase in sophistication.

22 (5) Other foreign adversaries and hostile non-
23 state actors will increasingly adopt similar tactics of
24 deploying information warfare operations against the
25 West.

1 (6) Technological advances, including artificial
2 intelligence, will only make it more difficult in the
3 future to detect fraudulent accounts, deceptive mate-
4 rial posted on social media, and malign behavior on
5 social media platforms.

6 (7) Because these information warfare oper-
7 ations are deployed within and across private social
8 media platforms, the companies that own these plat-
9 forms have a responsibility to detect and remove for-
10 eign adversary networks operating clandestinely on
11 their platforms.

12 (8) The social media companies are inherently
13 technologically sophisticated and adept at rapidly
14 analyzing large amounts of data and developing soft-
15 ware-based solutions to diverse and ever-changing
16 challenges on their platforms, which makes them
17 well-equipped to address the threat occurring on
18 their platforms.

19 (9) Independent analyses confirmed Kremlin-
20 linked threat networks, based on data provided by
21 several social media companies to the Select Com-
22 mittee on Intelligence of the Senate, thereby dem-
23 onstrating that it is possible to discern both broad
24 patterns of cross-platform information warfare oper-

1 ations and specific fraudulent behavior on social
2 media platforms.

3 (10) General Paul Nakasone, Director of the
4 National Security Agency, emphasized the impor-
5 tance of these independent analyses to the planning
6 and conduct of military cyber operations to frustrate
7 Kremlin-linked information warfare operations
8 against the 2018 mid-term elections. General
9 Nakasone stated that the reports “were very, very
10 helpful in terms of being able to understand exactly
11 what our adversary was trying to do to build dissent
12 within our nation.”.

13 (11) Institutionalizing ongoing robust, inde-
14 pendent, and vigorous analysis of data related to
15 foreign threat networks within and across social
16 media platforms will help counter ongoing informa-
17 tion warfare operations against the United States,
18 its allies, and its partners.

19 (12) Archiving and disclosing to the public the
20 results of these analyses by the social media compa-
21 nies and trusted third-party experts in a transparent
22 manner will serve to demonstrate that the social
23 media companies are detecting and removing foreign
24 malign activities from their platforms while pro-
25 tecting the privacy of the people of the United

1 States and will build public understanding of the
2 scale and scope of these foreign threats to our de-
3 mocracy, since exposure is one of the most effective
4 means to build resilience.

5 (b) SENSE OF THE SENATE.—It is the sense of the
6 Senate that—

7 (1) the social media companies should cooperate
8 among themselves and with independent organiza-
9 tions and researchers on a sustained and regular
10 basis to share and analyze data and indicators rel-
11 evant to foreign information warfare operations
12 within and across their platforms in order to detect
13 and counter foreign information warfare operations
14 that threaten the national security of the United
15 States and its allies and partners;

16 (2) these analytic efforts should be organized in
17 such a fashion as to meet the highest standards of
18 ethics, confidentiality, and privacy protection of the
19 people of the United States;

20 (3) these analytic efforts should be undertaken
21 as soon as possible to facilitate countering ongoing
22 Kremlin, Kremlin-linked, and other foreign informa-
23 tion warfare operations and to aid in preparations
24 for the United States presidential and congressional
25 elections in 2020 and beyond;

1 (4) the structure and operations of social media
2 companies make them well positioned to address for-
3 eign adversary threat networks within and across
4 their platforms, and these efforts could be conducted
5 without direct Government involvement, direction, or
6 regulation; and

7 (5) if the social media industry fails to take
8 sufficient action to address foreign adversary threat
9 networks operating within or across their platforms,
10 Congress would have to consider additional safe-
11 guards for ensuring that this threat is effectively
12 mitigated.

13 (c) AUTHORITY TO FACILITATE ESTABLISHMENT OF
14 SOCIAL MEDIA DATA ANALYSIS CENTER.—

15 (1) AUTHORITY.—The Director of National In-
16 telligence, in coordination with the Secretary of De-
17 fense, may facilitate, by grant or contract or under
18 an existing authority of the Director, the establish-
19 ment of a Social Media Data Analysis Center with
20 the functions described in paragraph (2) at an inde-
21 pendent, nonprofit organization.

22 (2) FUNCTIONS.—The functions described in
23 this paragraph are the following:

24 (A) Acting as a convening and sponsoring
25 authority for cooperative social media data

1 analysis of foreign threat networks involving so-
2 cial media companies and third-party experts,
3 nongovernmental organizations, data journal-
4 ists, federally funded research and development
5 centers, and academic researchers.

6 (B) Facilitating analysis within and across
7 the individual social media platforms for the
8 purpose of detecting, exposing, and countering
9 clandestine foreign influence operations and re-
10 lated unlawful activities that fund or subsidize
11 such operations.

12 (C) Developing processes to share informa-
13 tion from government entities on foreign influ-
14 ence operations with the individual social media
15 companies to inform threat analysis, and work-
16 ing with the Office of the Director of National
17 Intelligence as appropriate.

18 (D) Determining and making public cri-
19 teria for identifying which companies, organiza-
20 tions, or researchers qualify for inclusion in the
21 activities of the Center, and inviting entities
22 that fit the criteria to join.

23 (E) Determining jointly with the social
24 media companies what data and metadata re-
25 lated to indicators of foreign adversary threat

1 networks from their platforms and business op-
2 erations will be made available for access and
3 analysis.

4 (F) Developing and making public the cri-
5 teria and standards that must be met for com-
6 panies, other organizations, and individual re-
7 searchers to access and analyze data relating to
8 foreign adversary threat networks within and
9 across social media platforms and publish or
10 otherwise use the results.

11 (G) Developing and making public the eth-
12 ical standards for investigation of foreign threat
13 networks and use of analytic results and for
14 protection of the privacy of the customers and
15 users of the social media platforms and of the
16 proprietary information of the social media
17 companies.

18 (H) Developing technical, contractual, and
19 procedural controls to prevent misuse of data,
20 including any necessary auditing procedures,
21 compliance checks, and review mechanisms.

22 (I) Developing and making public criteria
23 and conditions under which the Center shall
24 share information with the appropriate Govern-
25 ment agencies regarding threats to national se-

1 curity from, or violations of the law involving,
2 foreign activities on social media platforms.

3 (J) Developing a searchable, public archive
4 aggregating information related to foreign influ-
5 ence and disinformation operations to build a
6 collective understanding of the threats and fa-
7 cilitate future examination consistent with pri-
8 vacy protections.

9 (d) REPORTING AND NOTIFICATIONS.—If the Direc-
10 tor of National Intelligence chooses to use funds under
11 subsection (c)(1) to facilitate the establishment of the
12 Center, the Director of the Center shall—

13 (1) not later than March 1, 2020, submit to
14 Congress a report on—

15 (A) the estimated funding needs of the
16 Center for fiscal year 2021 and for subsequent
17 years;

18 (B) such statutory protections from liabil-
19 ity as the Director considers necessary for the
20 Center, participating social media companies,
21 and participating third-party analytical partici-
22 pants;

23 (C) such statutory penalties as the Direc-
24 tor considers necessary to ensure against mis-
25 use of data by researchers; and

1 (D) such changes to the Center's mission
2 to fully capture broader unlawful activities that
3 intersect with, complement, or support informa-
4 tion warfare tactics; and

5 (2) not less frequently than once each year,
6 submit to the Director of National Intelligence, the
7 Secretary of Defense, and the appropriate congres-
8 sional committees a report—

9 (A) that assesses—

10 (i) degree of cooperation and commit-
11 ment from the social media companies to
12 the mission of the Center; and

13 (ii) effectiveness of the Center in de-
14 tecting and removing clandestine foreign
15 information warfare operations from social
16 media platforms; and

17 (B) includes such recommendations for leg-
18 islative or administrative action as the Center
19 considers appropriate to carry out the functions
20 of the Center.

21 (e) PERIODIC REPORTING TO THE PUBLIC.—The Di-
22 rector of the Center shall—

23 (1) once each quarter, make available to the
24 public a report on key trends in foreign influence
25 and disinformation operations, including any threats

1 to campaigns and elections, to inform the public of
2 the United States; and

3 (2) as the Director considers necessary, provide
4 more timely assessments relating to ongoing
5 disinformation campaigns.

6 (f) FUNDING.—Of the amounts appropriated or oth-
7 erwise made available to the National Intelligence Pro-
8 gram (as defined in section 3 of the National Security Act
9 of 1947 (50 U.S.C. 3003)) in fiscal year 2020 and 2021,
10 the Director of National Intelligence may use up to
11 \$30,000,000 to carry out this section.

12 (g) DEFINITION OF APPROPRIATE CONGRESSIONAL
13 COMMITTEES.—In this section, the term “appropriate
14 congressional committees” means—

15 (1) the Committee on Armed Services of the
16 Senate;

17 (2) the Committee on Homeland Security and
18 Governmental Affairs of the Senate;

19 (3) the Committee on Foreign Relations of the
20 Senate;

21 (4) the Committee on the Judiciary of the Sen-
22 ate;

23 (5) the Select Committee on Intelligence of the
24 Senate;

1 (6) the Committee on Armed Services of the
2 House of Representatives;

3 (7) the Committee on Homeland Security of the
4 House of Representatives;

5 (8) the Committee on Foreign Affairs of the
6 House of Representatives;

7 (9) the Committee on the Judiciary of the
8 House of Representatives; and

9 (10) the Permanent Select Committee on Intel-
10 ligence of the House of Representatives.

11 **SEC. 9405. OVERSIGHT OF FOREIGN INFLUENCE IN ACA-**
12 **DEMIA.**

13 (a) DEFINITIONS.—In this section:

14 (1) COVERED INSTITUTION OF HIGHER EDU-
15 CATION.—The term “covered institution of higher
16 education” means an institution described in section
17 102 of the Higher Education Act of 1965 (20
18 U.S.C. 1002) that receives Federal funds in any
19 amount and for any purpose.

20 (2) SENSITIVE RESEARCH SUBJECT.—The term
21 “sensitive research subject” means a subject of re-
22 search that is carried out at a covered institution of
23 higher education that receives funds that were ap-
24 propriated for—

25 (A) the National Intelligence Program; or

1 (B) any Federal agency the Director of
2 National Intelligence deems appropriate.

3 (b) REPORT REQUIRED.—Not later than 180 days
4 after the date of the enactment of this Act and not less
5 frequently than once each year thereafter, the Director of
6 National Intelligence, in consultation with such elements
7 of the intelligence community as the Director considers
8 appropriate and consistent with the privacy protections af-
9 farded to United States persons, shall submit to congres-
10 sional intelligence committees a report on risks to sensitive
11 research subjects posed by foreign entities in order to pro-
12 vide Congress and covered institutions of higher education
13 with more complete information on these risks and to help
14 ensure academic freedom.

15 (c) CONTENTS.—The report required by subsection
16 (b) shall include the following:

17 (1) A list of sensitive research subjects that
18 could affect national security.

19 (2) A list of foreign entities, including govern-
20 ments, corporations, nonprofit organizations and for-
21 profit organizations, and any subsidiary or affiliate
22 of such an entity, that the Director determines pose
23 a counterintelligence, espionage (including economic
24 espionage), or other national security threats with
25 respect to sensitive research subjects.

1 (3) A list of any known or suspected attempts
2 by foreign entities to exert pressure on covered insti-
3 tutions of higher education, including attempts to
4 limit freedom of speech, propagate misinformation
5 or disinformation, or to influence professors, re-
6 searchers, or students.

7 (4) Recommendations for collaboration between
8 covered institutions of higher education and the in-
9 telligence community to mitigate threats to sensitive
10 research subjects associated with foreign influence in
11 academia, including any necessary legislative or ad-
12 ministrative action.

13 (d) CONGRESSIONAL NOTIFICATIONS REQUIRED.—
14 Not later than 30 days after the date on which the Direc-
15 tor identifies a change to either list described in paragraph
16 (1) or (2) of subsection (c), the Director shall notify the
17 congressional intelligence committees of the change.

18 **SEC. 9406. DIRECTOR OF NATIONAL INTELLIGENCE RE-**
19 **PORT ON FIFTH-GENERATION WIRELESS NET-**
20 **WORK TECHNOLOGY.**

21 (a) REPORT REQUIRED.—Not later than 180 days
22 after the date of the enactment of this Act, the Director
23 of National Intelligence shall submit to the congressional
24 intelligence committees a report on—

1 (1) the threat to United States national secu-
2 rity posed by the global and regional adoption of
3 fifth-generation (5G) wireless network technology
4 built by foreign companies; and

5 (2) the effect of possible efforts to mitigate the
6 threat.

7 (b) CONTENTS.—The report required by subsection
8 (a) shall include:

9 (1) The timeline and scale of global and re-
10 gional adoption of foreign fifth-generation wireless
11 network technology.

12 (2) The implications of such global and regional
13 adoption on the cyber and espionage threat to the
14 United States and United States interests as well as
15 to United States cyber and collection capabilities.

16 (3) The effect of possible mitigation efforts, in-
17 cluding:

18 (A) United States Government policy pro-
19 moting the use of strong, end-to-end encryption
20 for data transmitted over fifth-generation wire-
21 less networks.

22 (B) United States Government policy pro-
23 moting or funding free, open-source implemen-
24 tation of fifth-generation wireless network tech-
25 nology.

1 (C) United States Government subsidies or
2 incentives that could be used to promote the
3 adoption of secure fifth-generation wireless net-
4 work technology developed by companies of the
5 United States or companies of allies of the
6 United States.

7 (D) United States Government strategy to
8 reduce foreign influence and political pressure
9 in international standard-setting bodies.

10 (c) FORM.—The report submitted under subsection
11 (a) shall be submitted in unclassified form to the greatest
12 extent practicable, but may include a classified appendix
13 if necessary.

14 **SEC. 9407. ANNUAL REPORT BY COMPTROLLER GENERAL**
15 **OF THE UNITED STATES ON CYBERSECURITY**
16 **AND SURVEILLANCE THREATS TO CONGRESS.**

17 (a) ANNUAL REPORT REQUIRED.—Not later than
18 180 days after the date of the enactment of this Act and
19 not less frequently than once each year thereafter, the
20 Comptroller General of the United States shall submit to
21 the congressional intelligence committees a report on cy-
22 bersecurity and surveillance threats to Congress.

23 (b) STATISTICS.—Each report submitted under sub-
24 section (a) shall include statistics on cyber attacks and
25 other incidents of espionage or surveillance targeted

1 against Senators or the immediate families or staff of the
2 Senators, in which the nonpublic communications and
3 other private information of such targeted individuals were
4 lost, stolen, or otherwise subject to unauthorized access
5 by criminals or a foreign government.

6 (c) CONSULTATION.—In preparing a report to be
7 submitted under subsection (a), the Comptroller General
8 shall consult with the Director of National Intelligence,
9 the Secretary of Homeland Security, and the Sergeant at
10 Arms and Doorkeeper of the Senate.

11 **SEC. 9408. DIRECTOR OF NATIONAL INTELLIGENCE AS-**
12 **SESSMENT OF FOREIGN INTERFERENCE IN**
13 **ELECTIONS.**

14 (a) ASSESSMENTS REQUIRED.—Not later than 45
15 days after the conclusion of a United States election, the
16 Director of National Intelligence, in consultation with the
17 heads of such other executive departments and agencies
18 as the Director considers appropriate, shall—

19 (1) conduct an assessment of any information
20 indicating that a foreign government, or any person
21 acting as an agent of or on behalf of a foreign gov-
22 ernment, has acted with the intent or purpose of
23 interfering in that election; and

24 (2) transmit the findings of the Director with
25 respect to the assessment conducted under para-

1 graph (1), along with such supporting information
2 as the Director considers appropriate, to the fol-
3 lowing:

4 (A) The President.

5 (B) The Secretary of State.

6 (C) The Secretary of the Treasury.

7 (D) The Secretary of Defense.

8 (E) The Attorney General.

9 (F) The Secretary of Homeland Security.

10 (G) Congress.

11 (b) ELEMENTS.—An assessment conducted under
12 subsection (a)(1), with respect to an act described in such
13 subsection, shall identify, to the maximum extent ascer-
14 tainable, the following:

15 (1) The nature of any foreign interference and
16 any methods employed to execute the act.

17 (2) The persons involved.

18 (3) The foreign government or governments
19 that authorized, directed, sponsored, or supported
20 the act.

21 (c) PUBLICATION.—In a case in which the Director
22 conducts an assessment under subsection (a)(1) with re-
23 spect to an election, the Director shall, as soon as prac-
24 ticable after the date of the conclusion of such election
25 and not later than 60 days after the date of such conclu-

1 sion, make available to the public, to the greatest extent
2 possible consistent with the protection of sources and
3 methods, the findings transmitted under subsection (a)(2).

4 **SEC. 9409. STUDY ON FEASIBILITY AND ADVISABILITY OF**
5 **ESTABLISHING GEOSPATIAL-INTELLIGENCE**
6 **MUSEUM AND LEARNING CENTER.**

7 (a) STUDY REQUIRED.—Not later than 180 days
8 after the date of the enactment of this Act, the Director
9 of the National Geospatial-Intelligence Agency shall com-
10 plete a study on the feasibility and advisability of estab-
11 lishing a Geospatial-Intelligence Museum and learning
12 center.

13 (b) ELEMENTS.—The study required by subsection
14 (a) shall include the following:

15 (1) Identifying the costs, opportunities, and
16 challenges of establishing the museum and learning
17 center as described in such subsection.

18 (2) Developing recommendations concerning
19 such establishment.

20 (3) Identifying and reviewing lessons learned
21 from the establishment of the Cyber Center for Edu-
22 cation and Innovation-Home of the National
23 Cryptologic Museum under section 7781(a) of title
24 10, United States Code.

1 (c) REPORT.—Not later than 180 days after the date
 2 of the enactment of this Act, the Director shall submit
 3 to the congressional intelligence committees and the con-
 4 gressional defense committees (as defined in section 101
 5 of title 10, United States Code) a report on the findings
 6 of the Director with respect to the study completed under
 7 subsection (a).

8 **SEC. 9410. REPORT ON DEATH OF JAMAL KHASHOGGI.**

9 (a) IN GENERAL.—Not later than 30 days after the
 10 date of the enactment of this Act, the Director of National
 11 Intelligence shall submit to Congress a report on the death
 12 of Jamal Khashoggi, consistent with protecting sources
 13 and methods. Such report shall include identification of
 14 those who carried out, participated in, ordered, or were
 15 otherwise complicit in or responsible for the death of
 16 Jamal Khashoggi.

17 (b) FORM.—The report submitted under subsection
 18 (a) shall be submitted in unclassified form.

19 **DIVISION G—INTELLIGENCE AU-**
 20 **THORIZATIONS FOR FISCAL**
 21 **YEARS 2018 AND 2019**

22 **SEC. 10001. SHORT TITLE.**

23 This division may be cited as the “Damon Paul Nel-
 24 son and Matthew Young Pollard Intelligence Authoriza-
 25 tion Act for Fiscal Years 2018 and 2019”.

1 **SEC. 10002. DEFINITIONS.**

2 In this division:

3 (1) CONGRESSIONAL INTELLIGENCE COMMIT-
4 TEES.—The term “congressional intelligence com-
5 mittees” has the meaning given such term in section
6 3 of the National Security Act of 1947 (50 U.S.C.
7 3003).

8 (2) INTELLIGENCE COMMUNITY.—The term
9 “intelligence community” has the meaning given
10 such term in such section.

11 **TITLE CI—INTELLIGENCE**
12 **ACTIVITIES**

13 **SEC. 10101. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) FISCAL YEAR 2019.—Funds are hereby author-
15 ized to be appropriated for fiscal year 2019 for the con-
16 duct of the intelligence and intelligence-related activities
17 of the following elements of the United States Govern-
18 ment:

19 (1) The Office of the Director of National Intel-
20 ligence.

21 (2) The Central Intelligence Agency.

22 (3) The Department of Defense.

23 (4) The Defense Intelligence Agency.

24 (5) The National Security Agency.

1 (6) The Department of the Army, the Depart-
2 ment of the Navy, and the Department of the Air
3 Force.

4 (7) The Coast Guard.

5 (8) The Department of State.

6 (9) The Department of the Treasury.

7 (10) The Department of Energy.

8 (11) The Department of Justice.

9 (12) The Federal Bureau of Investigation.

10 (13) The Drug Enforcement Administration.

11 (14) The National Reconnaissance Office.

12 (15) The National Geospatial-Intelligence Agen-
13 cy.

14 (16) The Department of Homeland Security.

15 (b) FISCAL YEAR 2018.—Funds that were appro-
16 priated for fiscal year 2018 for the conduct of the intel-
17 ligence and intelligence-related activities of the elements
18 of the United States set forth in subsection (a) are hereby
19 authorized.

20 **SEC. 10102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

21 (a) SPECIFICATIONS OF AMOUNTS.—The amounts
22 authorized to be appropriated under section 10101 for the
23 conduct of the intelligence activities of the elements listed
24 in paragraphs (1) through (16) of section 10101, are those

1 specified in the classified Schedule of Authorizations pre-
2 pared to accompany this division.

3 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
4 THORIZATIONS.—

5 (1) AVAILABILITY.—The classified Schedule of
6 Authorizations referred to in subsection (a) shall be
7 made available to the Committee on Appropriations
8 of the Senate, the Committee on Appropriations of
9 the House of Representatives, and to the President.

10 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
11 ject to paragraph (3), the President shall provide for
12 suitable distribution of the classified Schedule of Au-
13 thorizations referred to in subsection (a), or of ap-
14 propriate portions of such Schedule, within the exec-
15 utive branch.

16 (3) LIMITS ON DISCLOSURE.—The President
17 shall not publicly disclose the classified Schedule of
18 Authorizations or any portion of such Schedule ex-
19 cept—

20 (A) as provided in section 601(a) of the
21 Implementing Recommendations of the 9/11
22 Commission Act of 2007 (50 U.S.C. 3306(a));

23 (B) to the extent necessary to implement
24 the budget; or

25 (C) as otherwise required by law.

1 **SEC. 10103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
 2 **COUNT.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
 4 authorized to be appropriated for the Intelligence Commu-
 5 nity Management Account of the Director of National In-
 6 telligence for fiscal year 2019 the sum of \$522,424,000.

7 (b) CLASSIFIED AUTHORIZATION OF APPROPRIA-
 8 TIONS.—In addition to amounts authorized to be appro-
 9 priated for the Intelligence Community Management Ac-
 10 count by subsection (a), there are authorized to be appro-
 11 priated for the Intelligence Community Management Ac-
 12 count for fiscal year 2019 such additional amounts as are
 13 specified in the classified Schedule of Authorizations re-
 14 ferred to in section 10102(a).

15 **TITLE CII—CENTRAL INTEL-**
 16 **LIGENCE AGENCY RETIRE-**
 17 **MENT AND DISABILITY SYS-**
 18 **TEM**

19 **SEC. 10201. AUTHORIZATION OF APPROPRIATIONS.**

20 There is authorized to be appropriated for the Cen-
 21 tral Intelligence Agency Retirement and Disability Fund
 22 \$514,000,000 for fiscal year 2019.

23 **SEC. 10202. COMPUTATION OF ANNUITIES FOR EMPLOYEES**
 24 **OF THE CENTRAL INTELLIGENCE AGENCY.**

25 (a) COMPUTATION OF ANNUITIES.—

1 (1) IN GENERAL.—Section 221 of the Central
2 Intelligence Agency Retirement Act (50 U.S.C.
3 2031) is amended—

4 (A) in subsection (a)(3)(B), by striking the
5 period at the end and inserting “, as deter-
6 mined by using the annual rate of basic pay
7 that would be payable for full-time service in
8 that position.”;

9 (B) in subsection (b)(1)(C)(i), by striking
10 “12-month” and inserting “2-year”;

11 (C) in subsection (f)(2), by striking “one
12 year” and inserting “two years”;

13 (D) in subsection (g)(2), by striking “one
14 year” each place such term appears and insert-
15 ing “two years”;

16 (E) by redesignating subsections (h), (i),
17 (j), (k), and (l) as subsections (i), (j), (k), (l),
18 and (m), respectively; and

19 (F) by inserting after subsection (g) the
20 following:

21 “(h) CONDITIONAL ELECTION OF INSURABLE INTER-
22 EST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT
23 THE TIME OF RETIREMENT.—

24 “(1) AUTHORITY TO MAKE DESIGNATION.—
25 Subject to the rights of former spouses under sub-

1 section (b) and section 222, at the time of retire-
2 ment a married participant found by the Director to
3 be in good health may elect to receive an annuity re-
4 duced in accordance with subsection (f)(1)(B) and
5 designate in writing an individual having an insur-
6 able interest in the participant to receive an annuity
7 under the system after the participant's death, ex-
8 cept that any such election to provide an insurable
9 interest survivor annuity to the participant's spouse
10 shall only be effective if the participant's spouse
11 waives the spousal right to a survivor annuity under
12 this Act. The amount of the annuity shall be equal
13 to 55 percent of the participant's reduced annuity.

14 “(2) REDUCTION IN PARTICIPANT’S ANNUITY.—

15 The annuity payable to the participant making such
16 election shall be reduced by 10 percent of an annuity
17 computed under subsection (a) and by an additional
18 5 percent for each full 5 years the designated indi-
19 vidual is younger than the participant. The total re-
20 duction under this subparagraph may not exceed 40
21 percent.

22 “(3) COMMENCEMENT OF SURVIVOR ANNU-

23 ITY.—The annuity payable to the designated indi-
24 vidual shall begin on the day after the retired partic-

1 ipant dies and terminate on the last day of the
 2 month before the designated individual dies.

3 “(4) RECOMPUTATION OF PARTICIPANT’S AN-
 4 NUITY ON DEATH OF DESIGNATED INDIVIDUAL.—An
 5 annuity that is reduced under this subsection shall,
 6 effective the first day of the month following the
 7 death of the designated individual, be recomputed
 8 and paid as if the annuity had not been so re-
 9 duced.”.

10 (2) CONFORMING AMENDMENTS.—

11 (A) CENTRAL INTELLIGENCE AGENCY RE-
 12 TIREMENT ACT.—The Central Intelligence
 13 Agency Retirement Act (50 U.S.C. 2001 et
 14 seq.) is amended—

15 (i) in section 232(b)(1) (50 U.S.C.
 16 2052(b)(1)), by striking “221(h),” and in-
 17 serting “221(i),”; and

18 (ii) in section 252(h)(4) (50 U.S.C.
 19 2082(h)(4)), by striking “221(k)” and in-
 20 serting “221(l)”.

21 (B) CENTRAL INTELLIGENCE AGENCY ACT
 22 OF 1949.—Subsection (a) of section 14 of the
 23 Central Intelligence Agency Act of 1949 (50
 24 U.S.C. 3514(a)) is amended by striking

1 “221(h)(2), 221(i), 221(l),” and inserting
2 “221(i)(2), 221(j), 221(m),”.

3 (b) ANNUITIES FOR FORMER SPOUSES.—Subpara-
4 graph (B) of section 222(b)(5) of the Central Intelligence
5 Agency Retirement Act (50 U.S.C. 2032(b)(5)(B)) is
6 amended by striking “one year” and inserting “two
7 years”.

8 (c) PRIOR SERVICE CREDIT.—Subparagraph (A) of
9 section 252(b)(3) of the Central Intelligence Agency Re-
10 tirement Act (50 U.S.C. 2082(b)(3)(A)) is amended by
11 striking “October 1, 1990” both places that term appears
12 and inserting “March 31, 1991”.

13 (d) REEMPLOYMENT COMPENSATION.—Section 273
14 of the Central Intelligence Agency Retirement Act (50
15 U.S.C. 2113) is amended—

16 (1) by redesignating subsections (b) and (c) as
17 subsections (c) and (d), respectively; and

18 (2) by inserting after subsection (a) the fol-
19 lowing:

20 “(b) PART-TIME REEMPLOYED ANNUITANTS.—The
21 Director shall have the authority to reemploy an annuitant
22 on a part-time basis in accordance with section 8344(l)
23 of title 5, United States Code.”.

24 (e) EFFECTIVE DATE AND APPLICATION.—The
25 amendments made by subsection (a)(1)(A) and subsection

1 (c) shall take effect as if enacted on October 28, 2009,
2 and shall apply to computations or participants, respec-
3 tively, as of such date.

4 **TITLE CIII—GENERAL INTEL-**
5 **LIGENCE COMMUNITY MAT-**
6 **TERS**

7 **SEC. 10301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
8 **ACTIVITIES.**

9 The authorization of appropriations by this division
10 shall not be deemed to constitute authority for the conduct
11 of any intelligence activity which is not otherwise author-
12 ized by the Constitution or the laws of the United States.

13 **SEC. 10302. INCREASE IN EMPLOYEE COMPENSATION AND**
14 **BENEFITS AUTHORIZED BY LAW.**

15 Appropriations authorized by this division for salary,
16 pay, retirement, and other benefits for Federal employees
17 may be increased by such additional or supplemental
18 amounts as may be necessary for increases in such com-
19 pensation or benefits authorized by law.

1 **SEC. 10303. MODIFICATION OF SPECIAL PAY AUTHORITY**
2 **FOR SCIENCE, TECHNOLOGY, ENGINEERING,**
3 **OR MATHEMATICS POSITIONS AND ADDITION**
4 **OF SPECIAL PAY AUTHORITY FOR CYBER PO-**
5 **SITIONS.**

6 Section 113B of the National Security Act of 1947
7 (50 U.S.C. 3049a) is amended—

8 (1) by amending subsection (a) to read as fol-
9 lows:

10 “(a) SPECIAL RATES OF PAY FOR POSITIONS RE-
11 QUIRING EXPERTISE IN SCIENCE, TECHNOLOGY, ENGI-
12 NEERING, OR MATHEMATICS.—

13 “(1) IN GENERAL.—Notwithstanding part III
14 of title 5, United States Code, the head of each ele-
15 ment of the intelligence community may, for 1 or
16 more categories of positions in such element that re-
17 quire expertise in science, technology, engineering,
18 or mathematics—

19 “(A) establish higher minimum rates of
20 pay; and

21 “(B) make corresponding increases in all
22 rates of pay of the pay range for each grade or
23 level, subject to subsection (b) or (c), as appli-
24 cable.

25 “(2) TREATMENT.—The special rate supple-
26 ments resulting from the establishment of higher

1 rates under paragraph (1) shall be basic pay for the
2 same or similar purposes as those specified in sec-
3 tion 5305(j) of title 5, United States Code.”;

4 (2) by redesignating subsections (b) through (f)
5 as subsections (c) through (g), respectively;

6 (3) by inserting after subsection (a) the fol-
7 lowing:

8 “(b) SPECIAL RATES OF PAY FOR CYBER POSI-
9 TIONS.—

10 “(1) IN GENERAL.—Notwithstanding subsection
11 (c), the Director of the National Security Agency
12 may establish a special rate of pay—

13 “(A) not to exceed the rate of basic pay
14 payable for level II of the Executive Schedule
15 under section 5313 of title 5, United States
16 Code, if the Director certifies to the Under Sec-
17 retary of Defense for Intelligence, in consulta-
18 tion with the Under Secretary of Defense for
19 Personnel and Readiness, that the rate of pay
20 is for positions that perform functions that exe-
21cute the cyber mission of the Agency; or

22 “(B) not to exceed the rate of basic pay
23 payable for the Vice President of the United
24 States under section 104 of title 3, United
25 States Code, if the Director certifies to the Sec-

1 retary of Defense, by name, individuals that
2 have advanced skills and competencies and that
3 perform critical functions that execute the cyber
4 mission of the Agency.

5 “(2) PAY LIMITATION.—Employees receiving a
6 special rate under paragraph (1) shall be subject to
7 an aggregate pay limitation that parallels the limita-
8 tion established in section 5307 of title 5, United
9 States Code, except that—

10 “(A) any allowance, differential, bonus,
11 award, or other similar cash payment in addi-
12 tion to basic pay that is authorized under title
13 10, United States Code, (or any other applica-
14 ble law in addition to title 5 of such Code, ex-
15 cluding the Fair Labor Standards Act of 1938
16 (29 U.S.C. 201 et seq.)) shall also be counted
17 as part of aggregate compensation; and

18 “(B) aggregate compensation may not ex-
19 ceed the rate established for the Vice President
20 of the United States under section 104 of title
21 3, United States Code.

22 “(3) LIMITATION ON NUMBER OF RECIPI-
23 ENTS.—The number of individuals who receive basic
24 pay established under paragraph (1)(B) may not ex-
25 ceed 100 at any time.

1 “(4) LIMITATION ON USE AS COMPARATIVE
2 REFERENCE.—Notwithstanding any other provision
3 of law, special rates of pay and the limitation estab-
4 lished under paragraph (1)(B) may not be used as
5 comparative references for the purpose of fixing the
6 rates of basic pay or maximum pay limitations of
7 qualified positions under section 1599f of title 10,
8 United States Code, or section 226 of the Homeland
9 Security Act of 2002 (6 U.S.C. 147).”;

10 (4) in subsection (c), as redesignated by para-
11 graph (2), by striking “A minimum” and inserting
12 “Except as provided in subsection (b), a minimum”;

13 (5) in subsection (d), as redesignated by para-
14 graph (2), by inserting “or (b)” after “by subsection
15 (a)”; and

16 (6) in subsection (g), as redesignated by para-
17 graph (2)—

18 (A) in paragraph (1), by striking “Not
19 later than 90 days after the date of the enact-
20 ment of the Intelligence Authorization Act for
21 Fiscal Year 2017” and inserting “Not later
22 than 90 days after the date of the enactment of
23 the Damon Paul Nelson and Matthew Young
24 Pollard Intelligence Authorization Act for Fis-
25 cal Years 2018 and 2019”; and

1 (B) in paragraph (2)(A), by inserting “or
2 (b)” after “subsection (a)”.

3 **SEC. 10304. MODIFICATION OF APPOINTMENT OF CHIEF IN-**
4 **FORMATION OFFICER OF THE INTELLIGENCE**
5 **COMMUNITY.**

6 Section 103G(a) of the National Security Act of 1947
7 (50 U.S.C. 3032(a)) is amended by striking “President”
8 and inserting “Director”.

9 **SEC. 10305. DIRECTOR OF NATIONAL INTELLIGENCE RE-**
10 **VIEW OF PLACEMENT OF POSITIONS WITHIN**
11 **THE INTELLIGENCE COMMUNITY ON THE EX-**
12 **ECUTIVE SCHEDULE.**

13 (a) REVIEW.—The Director of National Intelligence,
14 in coordination with the Director of the Office of Per-
15 sonnel Management, shall conduct a review of positions
16 within the intelligence community regarding the placement
17 of such positions on the Executive Schedule under sub-
18 chapter II of chapter 53 of title 5, United States Code.
19 In carrying out such review, the Director of National In-
20 telligence, in coordination with the Director of the Office
21 of Personnel Management, shall determine—

22 (1) the standards under which such review will
23 be conducted;

24 (2) which positions should or should not be on
25 the Executive Schedule; and

1 (3) for those positions that should be on the
2 Executive Schedule, the level of the Executive
3 Schedule at which such positions should be placed.

4 (b) REPORT.—Not later than 60 days after the date
5 on which the review under subsection (a) is completed, the
6 Director of National Intelligence shall submit to the con-
7 gressional intelligence committees, the Committee on
8 Homeland Security and Governmental Affairs of the Sen-
9 ate, and the Committee on Oversight and Reform of the
10 House of Representatives an unredacted report describing
11 the standards by which the review was conducted and the
12 outcome of the review.

13 **SEC. 10306. SUPPLY CHAIN AND COUNTERINTELLIGENCE**
14 **RISK MANAGEMENT TASK FORCE.**

15 (a) APPROPRIATE CONGRESSIONAL COMMITTEES
16 DEFINED.—In this section, the term “appropriate con-
17 gressional committees” means the following:

18 (1) The congressional intelligence committees.

19 (2) The Committee on Armed Services and the
20 Committee on Homeland Security and Governmental
21 Affairs of the Senate.

22 (3) The Committee on Armed Services, the
23 Committee on Homeland Security, and the Com-
24 mittee on Oversight and Reform of the House of
25 Representatives.

1 (b) REQUIREMENT TO ESTABLISH.—The Director of
2 National Intelligence shall establish a Supply Chain and
3 Counterintelligence Risk Management Task Force to
4 standardize information sharing between the intelligence
5 community and the acquisition community of the United
6 States Government with respect to the supply chain and
7 counterintelligence risks.

8 (c) MEMBERS.—The Supply Chain and Counterintel-
9 ligence Risk Management Task Force established under
10 subsection (b) shall be composed of—

11 (1) a representative of the Defense Security
12 Service of the Department of Defense;

13 (2) a representative of the General Services Ad-
14 ministration;

15 (3) a representative of the Office of Federal
16 Procurement Policy of the Office of Management
17 and Budget;

18 (4) a representative of the Department of
19 Homeland Security;

20 (5) a representative of the Federal Bureau of
21 Investigation;

22 (6) the Director of the National Counterintel-
23 ligence and Security Center; and

24 (7) any other members the Director of National
25 Intelligence determines appropriate.

1 (d) SECURITY CLEARANCES.—Each member of the
 2 Supply Chain and Counterintelligence Risk Management
 3 Task Force established under subsection (b) shall have a
 4 security clearance at the top secret level and be able to
 5 access sensitive compartmented information.

6 (e) ANNUAL REPORT.—The Supply Chain and Coun-
 7 terintelligence Risk Management Task Force established
 8 under subsection (b) shall submit to the appropriate con-
 9 gressional committees an annual report that describes the
 10 activities of the Task Force during the previous year, in-
 11 cluding identification of the supply chain and counterintel-
 12 ligence risks shared with the acquisition community of the
 13 United States Government by the intelligence community.

14 **SEC. 10307. CONSIDERATION OF ADVERSARIAL TELE-**
 15 **COMMUNICATIONS AND CYBERSECURITY IN-**
 16 **FRASTRUCTURE WHEN SHARING INTEL-**
 17 **LIGENCE WITH FOREIGN GOVERNMENTS AND**
 18 **ENTITIES.**

19 Whenever the head of an element of the intelligence
 20 community enters into an intelligence sharing agreement
 21 with a foreign government or any other foreign entity, the
 22 head of the element shall consider the pervasiveness of
 23 telecommunications and cybersecurity infrastructure,
 24 equipment, and services provided by adversaries of the
 25 United States, particularly China and Russia, or entities

1 of such adversaries in the country or region of the foreign
2 government or other foreign entity entering into the agree-
3 ment.

4 **SEC. 10308. CYBER PROTECTION SUPPORT FOR THE PER-**
5 **SONNEL OF THE INTELLIGENCE COMMUNITY**
6 **IN POSITIONS HIGHLY VULNERABLE TO**
7 **CYBER ATTACK.**

8 (a) DEFINITIONS.—In this section:

9 (1) PERSONAL ACCOUNTS.—The term “personal
10 accounts” means accounts for online and tele-
11 communications services, including telephone, resi-
12 dential Internet access, email, text and multimedia
13 messaging, cloud computing, social media, health
14 care, and financial services, used by personnel of the
15 intelligence community outside of the scope of their
16 employment with elements of the intelligence com-
17 munity.

18 (2) PERSONAL TECHNOLOGY DEVICES.—The
19 term “personal technology devices” means tech-
20 nology devices used by personnel of the intelligence
21 community outside of the scope of their employment
22 with elements of the intelligence community, includ-
23 ing networks to which such devices connect.

24 (b) AUTHORITY TO PROVIDE CYBER PROTECTION
25 SUPPORT.—

1 (1) IN GENERAL.—Subject to a determination
2 by the Director of National Intelligence, the Director
3 may provide cyber protection support for the per-
4 sonal technology devices and personal accounts of
5 the personnel described in paragraph (2).

6 (2) AT-RISK PERSONNEL.—The personnel de-
7 scribed in this paragraph are personnel of the intel-
8 ligence community—

9 (A) who the Director determines to be
10 highly vulnerable to cyber attacks and hostile
11 information collection activities because of the
12 positions occupied by such personnel in the in-
13 telligence community; and

14 (B) whose personal technology devices or
15 personal accounts are highly vulnerable to cyber
16 attacks and hostile information collection activi-
17 ties.

18 (c) NATURE OF CYBER PROTECTION SUPPORT.—
19 Subject to the availability of resources, the cyber protec-
20 tion support provided to personnel under subsection (b)
21 may include training, advice, assistance, and other services
22 relating to cyber attacks and hostile information collection
23 activities.

24 (d) LIMITATION ON SUPPORT.—Nothing in this sec-
25 tion shall be construed—

1 (1) to encourage personnel of the intelligence
2 community to use personal technology devices for of-
3 ficial business; or

4 (2) to authorize cyber protection support for
5 senior intelligence community personnel using per-
6 sonal devices, networks, and personal accounts in an
7 official capacity.

8 (e) REPORT.—Not later than 180 days after the date
9 of the enactment of this Act, the Director shall submit
10 to the congressional intelligence committees a report on
11 the provision of cyber protection support under subsection
12 (b). The report shall include—

13 (1) a description of the methodology used to
14 make the determination under subsection (b)(2); and

15 (2) guidance for the use of cyber protection
16 support and tracking of support requests for per-
17 sonnel receiving cyber protection support under sub-
18 section (b).

19 **SEC. 10309. MODIFICATION OF AUTHORITY RELATING TO**
20 **MANAGEMENT OF SUPPLY-CHAIN RISK.**

21 (a) MODIFICATION OF EFFECTIVE DATE.—Sub-
22 section (f) of section 309 of the Intelligence Authorization
23 Act for Fiscal Year 2012 (Public Law 112–87; 50 U.S.C.
24 3329 note) is amended by striking “the date that is 180
25 days after”.

1 (b) REPEAL OF SUNSET.—Such section is amended
2 by striking subsection (g).

3 (c) REPORTS.—Such section, as amended by sub-
4 section (b), is further amended—

5 (1) by redesignating subsection (f), as amended
6 by subsection (a), as subsection (g); and

7 (2) by inserting after subsection (e) the fol-
8 lowing:

9 “(f) ANNUAL REPORTS.—

10 “(1) IN GENERAL.—Except as provided in para-
11 graph (2), not later than 180 days after the date of
12 the enactment of the Damon Paul Nelson and Mat-
13 thew Young Pollard Intelligence Authorization Act
14 for Fiscal Years 2018 and 2019 and not less fre-
15 quently than once each calendar year thereafter, the
16 Director of National Intelligence shall, in consulta-
17 tion with each head of a covered agency, submit to
18 the congressional intelligence committees (as defined
19 in section 3 of the National Security Act of 1947
20 (50 U.S.C. 3003)), a report that details the deter-
21 minations and notifications made under subsection
22 (c) during the most recently completed calendar
23 year.

24 “(2) INITIAL REPORT.—The first report sub-
25 mitted under paragraph (1) shall detail all the deter-

1 minations and notifications made under subsection
2 (c) before the date of the submittal of the report.”.

3 **SEC. 10310. LIMITATIONS ON DETERMINATIONS REGARD-**
4 **ING CERTAIN SECURITY CLASSIFICATIONS.**

5 (a) PROHIBITION.—An officer of an element of the
6 intelligence community who has been nominated by the
7 President for a position that requires the advice and con-
8 sent of the Senate may not make a classification decision
9 with respect to information related to such officer’s nomi-
10 nation.

11 (b) CLASSIFICATION DETERMINATIONS.—

12 (1) IN GENERAL.—Except as provided in para-
13 graph (2), in a case in which an officer described in
14 subsection (a) has been nominated as described in
15 such subsection and classification authority rests
16 with the officer or another officer who reports di-
17 rectly to such officer, a classification decision with
18 respect to information relating to the officer shall be
19 made by the Director of National Intelligence.

20 (2) NOMINATIONS OF DIRECTOR OF NATIONAL
21 INTELLIGENCE.—In a case described in paragraph
22 (1) in which the officer nominated is the Director of
23 National Intelligence, the classification decision shall
24 be made by the Principal Deputy Director of Na-
25 tional Intelligence.

1 (c) REPORTS.—Whenever the Director or the Prin-
2 cipal Deputy Director makes a decision under subsection
3 (b), the Director or the Principal Deputy Director, as the
4 case may be, shall submit to the congressional intelligence
5 committees a report detailing the reasons for the decision.

6 **SEC. 10311. JOINT INTELLIGENCE COMMUNITY COUNCIL.**

7 (a) MEETINGS.—Section 101A(d) of the National Se-
8 curity Act of 1947 (50 U.S.C. 3022(d)) is amended—

9 (1) by striking “regular”; and

10 (2) by inserting “as the Director considers ap-
11 propriate” after “Council”.

12 (b) REPORT ON FUNCTION AND UTILITY OF THE
13 JOINT INTELLIGENCE COMMUNITY COUNCIL.—

14 (1) IN GENERAL.—No later than 180 days after
15 the date of the enactment of this Act, the Director
16 of National Intelligence, in coordination with the Ex-
17 ecutive Office of the President and members of the
18 Joint Intelligence Community Council, shall submit
19 to the congressional intelligence committees a report
20 on the function and utility of the Joint Intelligence
21 Community Council.

22 (2) CONTENTS.—The report required by para-
23 graph (1) shall include the following:

1 (A) The number of physical or virtual
2 meetings held by the Council per year since the
3 Council's inception.

4 (B) A description of the effect and accom-
5 plishments of the Council.

6 (C) An explanation of the unique role of
7 the Council relative to other entities, including
8 with respect to the National Security Council
9 and the Executive Committee of the intelligence
10 community.

11 (D) Recommendations for the future role
12 and operation of the Council.

13 (E) Such other matters relating to the
14 function and utility of the Council as the Direc-
15 tor considers appropriate.

16 (3) FORM.—The report submitted under para-
17 graph (1) shall be submitted in unclassified form,
18 but may include a classified annex.

19 **SEC. 10312. INTELLIGENCE COMMUNITY INFORMATION**
20 **TECHNOLOGY ENVIRONMENT.**

21 (a) DEFINITIONS.—In this section:

22 (1) CORE SERVICE.—The term “core service”
23 means a capability that is available to multiple ele-
24 ments of the intelligence community and required

1 for consistent operation of the intelligence commu-
2 nity information technology environment.

3 (2) INTELLIGENCE COMMUNITY INFORMATION
4 TECHNOLOGY ENVIRONMENT.—The term “intel-
5 ligence community information technology environ-
6 ment” means all of the information technology serv-
7 ices across the intelligence community, including the
8 data sharing and protection environment across mul-
9 tiple classification domains.

10 (b) ROLES AND RESPONSIBILITIES.—

11 (1) DIRECTOR OF NATIONAL INTELLIGENCE.—
12 The Director of National Intelligence shall be re-
13 sponsible for coordinating the performance by ele-
14 ments of the intelligence community of the intel-
15 ligence community information technology environ-
16 ment, including each of the following:

17 (A) Ensuring compliance with all applica-
18 ble environment rules and regulations of such
19 environment.

20 (B) Ensuring measurable performance
21 goals exist for such environment.

22 (C) Documenting standards and practices
23 of such environment.

24 (D) Acting as an arbiter among elements
25 of the intelligence community related to any

1 disagreements arising out of the implementa-
2 tion of such environment.

3 (E) Delegating responsibilities to the ele-
4 ments of the intelligence community and car-
5 rying out such other responsibilities as are nec-
6 essary for the effective implementation of such
7 environment.

8 (2) CORE SERVICE PROVIDERS.—Providers of
9 core services shall be responsible for—

10 (A) providing core services, in coordination
11 with the Director of National Intelligence; and

12 (B) providing the Director with informa-
13 tion requested and required to fulfill the re-
14 sponsibilities of the Director under paragraph
15 (1).

16 (3) USE OF CORE SERVICES.—

17 (A) IN GENERAL.—Except as provided in
18 subparagraph (B), each element of the intel-
19 ligence community shall use core services when
20 such services are available.

21 (B) EXCEPTION.—The Director of Na-
22 tional Intelligence may provide for a written ex-
23 ception to the requirement under subparagraph
24 (A) if the Director determines there is a com-

1 pelling financial or mission need for such excep-
2 tion.

3 (c) MANAGEMENT ACCOUNTABILITY.—Not later than
4 90 days after the date of the enactment of this Act, the
5 Director of National Intelligence shall designate and main-
6 tain one or more accountable executives of the intelligence
7 community information technology environment to be re-
8 sponsible for—

9 (1) management, financial control, and integra-
10 tion of such environment;

11 (2) overseeing the performance of each core
12 service, including establishing measurable service re-
13 quirements and schedules;

14 (3) to the degree feasible, ensuring testing of
15 each core service of such environment, including
16 testing by the intended users, to evaluate perform-
17 ance against measurable service requirements and to
18 ensure the capability meets user requirements; and

19 (4) coordinate transition or restructuring ef-
20 forts of such environment, including phaseout of leg-
21 acy systems.

22 (d) SECURITY PLAN.—Not later than 180 days after
23 the date of the enactment of this Act, the Director of Na-
24 tional Intelligence shall develop and maintain a security

1 plan for the intelligence community information tech-
2 nology environment.

3 (e) LONG-TERM ROADMAP.—Not later than 180 days
4 after the date of the enactment of this Act, and during
5 each of the second and fourth fiscal quarters thereafter,
6 the Director of National Intelligence shall submit to the
7 congressional intelligence committees a long-term road-
8 map that shall include each of the following:

9 (1) A description of the minimum required and
10 desired core service requirements, including—

11 (A) key performance parameters; and

12 (B) an assessment of current, measured
13 performance.

14 (2) implementation milestones for the intel-
15 ligence community information technology environ-
16 ment, including each of the following:

17 (A) A schedule for expected deliveries of
18 core service capabilities during each of the fol-
19 lowing phases:

20 (i) Concept refinement and technology
21 maturity demonstration.

22 (ii) Development, integration, and
23 demonstration.

24 (iii) Production, deployment, and
25 sustainment.

1 (iv) System retirement.

2 (B) Dependencies of such core service ca-
3 pabilities.

4 (C) Plans for the transition or restruc-
5 turing necessary to incorporate core service ca-
6 pabilities.

7 (D) A description of any legacy systems
8 and discontinued capabilities to be phased out.

9 (3) Such other matters as the Director deter-
10 mines appropriate.

11 (f) BUSINESS PLAN.—Not later than 180 days after
12 the date of the enactment of this Act, and during each
13 of the second and fourth fiscal quarters thereafter, the Di-
14 rector of National Intelligence shall submit to the congres-
15 sional intelligence committees a business plan that in-
16 cludes each of the following:

17 (1) A systematic approach to identify core serv-
18 ice funding requests for the intelligence community
19 information technology environment within the pro-
20 posed budget, including multiyear plans to imple-
21 ment the long-term roadmap required by subsection
22 (e).

23 (2) A uniform approach by which each element
24 of the intelligence community shall identify the cost
25 of legacy information technology or alternative capa-

1 bilities where services of the intelligence community
2 information technology environment will also be
3 available.

4 (3) A uniform effort by which each element of
5 the intelligence community shall identify transition
6 and restructuring costs for new, existing, and retir-
7 ing services of the intelligence community informa-
8 tion technology environment, as well as services of
9 such environment that have changed designations as
10 a core service.

11 (g) QUARTERLY PRESENTATIONS.—Beginning not
12 later than 180 days after the date of the enactment of
13 this Act, the Director of National Intelligence shall provide
14 to the congressional intelligence committees quarterly up-
15 dates regarding ongoing implementation of the intelligence
16 community information technology environment as com-
17 pared to the requirements in the most recently submitted
18 security plan required by subsection (d), long-term road-
19 map required by subsection (e), and business plan re-
20 quired by subsection (f).

21 (h) ADDITIONAL NOTIFICATIONS.—The Director of
22 National Intelligence shall provide timely notification to
23 the congressional intelligence committees regarding any
24 policy changes related to or affecting the intelligence com-
25 munity information technology environment, new initia-

1 tives or strategies related to or impacting such environ-
2 ment, and changes or deficiencies in the execution of the
3 security plan required by subsection (d), long-term road-
4 map required by subsection (e), and business plan re-
5 quired by subsection (f)

6 (i) SUNSET.—The section shall have no effect on or
7 after September 30, 2024.

8 **SEC. 10313. REPORT ON DEVELOPMENT OF SECURE MO-**
9 **BILE VOICE SOLUTION FOR INTELLIGENCE**
10 **COMMUNITY.**

11 (a) IN GENERAL.—Not later than 180 days after the
12 date of the enactment of this Act, the Director of National
13 Intelligence, in coordination with the Director of the Cen-
14 tral Intelligence Agency and the Director of the National
15 Security Agency, shall submit to the congressional intel-
16 ligence committees a classified report on the feasibility,
17 desirability, cost, and required schedule associated with
18 the implementation of a secure mobile voice solution for
19 the intelligence community.

20 (b) CONTENTS.—The report required by subsection

21 (a) shall include, at a minimum, the following:

22 (1) The benefits and disadvantages of a secure
23 mobile voice solution.

24 (2) Whether the intelligence community could
25 leverage commercially available technology for classi-

1 fied voice communications that operates on commer-
2 cial mobile networks in a secure manner and identi-
3 fying the accompanying security risks to such net-
4 works.

5 (3) A description of any policies or community
6 guidance that would be necessary to govern the po-
7 tential solution, such as a process for determining
8 the appropriate use of a secure mobile telephone and
9 any limitations associated with such use.

10 **SEC. 10314. POLICY ON MINIMUM INSIDER THREAT STAND-**
11 **ARDS.**

12 (a) **POLICY REQUIRED.**—Not later than 60 days after
13 the date of the enactment of this Act, the Director of Na-
14 tional Intelligence shall establish a policy for minimum in-
15 sider threat standards that is consistent with the National
16 Insider Threat Policy and Minimum Standards for Execu-
17 tive Branch Insider Threat Programs.

18 (b) **IMPLEMENTATION.**—Not later than 180 days
19 after the date of the enactment of this Act, the head of
20 each element of the intelligence community shall imple-
21 ment the policy established under subsection (a).

22 **SEC. 10315. SUBMISSION OF INTELLIGENCE COMMUNITY**
23 **POLICIES.**

24 (a) **DEFINITIONS.**—In this section:

1 (1) ELECTRONIC REPOSITORY.—The term
2 “electronic repository” means the electronic distribu-
3 tion mechanism, in use as of the date of the enact-
4 ment of this Act, or any successor electronic dis-
5 tribution mechanism, by which the Director of Na-
6 tional Intelligence submits to the congressional intel-
7 ligence committees information.

8 (2) POLICY.—The term “policy”, with respect
9 to the intelligence community, includes unclassified
10 or classified—

11 (A) directives, policy guidance, and policy
12 memoranda of the intelligence community;

13 (B) executive correspondence of the Direc-
14 tor of National Intelligence; and

15 (C) any equivalent successor policy instru-
16 ments.

17 (b) SUBMISSION OF POLICIES.—

18 (1) CURRENT POLICY.—Not later than 180
19 days after the date of the enactment of this Act, the
20 Director of National Intelligence shall submit to the
21 congressional intelligence committees using the elec-
22 tronic repository all nonpublicly available policies
23 issued by the Director of National Intelligence for
24 the intelligence community that are in effect as of
25 the date of the submission.

1 (2) CONTINUOUS UPDATES.—Not later than 15
2 days after the date on which the Director of Na-
3 tional Intelligence issues, modifies, or rescinds a pol-
4 icy of the intelligence community, the Director
5 shall—

6 (A) notify the congressional intelligence
7 committees of such addition, modification, or
8 removal; and

9 (B) update the electronic repository with
10 respect to such addition, modification, or re-
11 moval.

12 **SEC. 10316. EXPANSION OF INTELLIGENCE COMMUNITY RE-**
13 **CRUITMENT EFFORTS.**

14 In order to further increase the diversity of the intel-
15 ligence community workforce, not later than 90 days after
16 the date of the enactment of this Act, the Director of Na-
17 tional Intelligence, in consultation with heads of elements
18 of the Intelligence Community, shall create, implement,
19 and submit to the congressional intelligence committees a
20 written plan to ensure that rural and underrepresented re-
21 gions are more fully and consistently represented in such
22 elements' employment recruitment efforts. Upon receipt of
23 the plan, the congressional committees shall have 60 days
24 to submit comments to the Director of National Intel-
25 ligence before such plan shall be implemented.

1 **TITLE CIV—MATTERS RELATING**
 2 **TO ELEMENTS OF THE INTEL-**
 3 **LIGENCE COMMUNITY**
 4 **Subtitle A—Office of the Director**
 5 **of National Intelligence**

6 **SEC. 10401. AUTHORITY FOR PROTECTION OF CURRENT**
 7 **AND FORMER EMPLOYEES OF THE OFFICE**
 8 **OF THE DIRECTOR OF NATIONAL INTEL-**
 9 **LIGENCE.**

10 Section 5(a)(4) of the Central Intelligence Agency
 11 Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by strik-
 12 ing “such personnel of the Office of the Director of Na-
 13 tional Intelligence as the Director of National Intelligence
 14 may designate;” and inserting “current and former per-
 15 sonnel of the Office of the Director of National Intel-
 16 ligence and their immediate families as the Director of Na-
 17 tional Intelligence may designate;”.

18 **SEC. 10402. DESIGNATION OF THE PROGRAM MANAGER-IN-**
 19 **FORMATION SHARING ENVIRONMENT.**

20 (a) INFORMATION SHARING ENVIRONMENT.—Sec-
 21 tion 1016(b) of the Intelligence Reform and Terrorism
 22 Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

23 (1) in paragraph (1), by striking “President”
 24 and inserting “Director of National Intelligence”;
 25 and

1 (2) in paragraph (2), by striking “President”
2 both places that term appears and inserting “Direc-
3 tor of National Intelligence”.

4 (b) PROGRAM MANAGER.—Section 1016(f)(1) of the
5 Intelligence Reform and Terrorism Prevention Act of
6 2004 (6 U.S.C. 485(f)(1)) is amended by striking “The
7 individual designated as the program manager shall serve
8 as program manager until removed from service or re-
9 placed by the President (at the President’s sole discre-
10 tion).” and inserting “Beginning on the date of the enact-
11 ment of the Damon Paul Nelson and Matthew Young Pol-
12 lard Intelligence Authorization Act for Fiscal Years 2018
13 and 2019, each individual designated as the program man-
14 ager shall be appointed by the Director of National Intel-
15 ligence.”.

16 **SEC. 10403. TECHNICAL MODIFICATION TO THE EXECUTIVE**
17 **SCHEDULE.**

18 Section 5315 of title 5, United States Code, is
19 amended by adding at the end the following:

20 “Director of the National Counterintelligence and Se-
21 curity Center.”.

22 **SEC. 10404. CHIEF FINANCIAL OFFICER OF THE INTEL-**
23 **LIGENCE COMMUNITY.**

24 Section 103I(a) of the National Security Act of 1947
25 (50 U.S.C. 3034(a)) is amended by adding at the end the

1 following new sentence: “The Chief Financial Officer shall
 2 report directly to the Director of National Intelligence.”.

3 **SEC. 10405. CHIEF INFORMATION OFFICER OF THE INTEL-**
 4 **LIGENCE COMMUNITY.**

5 Section 103G(a) of the National Security Act of 1947
 6 (50 U.S.C. 3032(a)) is amended by adding at the end the
 7 following new sentence: “The Chief Information Officer
 8 shall report directly to the Director of National Intel-
 9 ligence.”.

10 **Subtitle B—Central Intelligence**
 11 **Agency**

12 **SEC. 10411. CENTRAL INTELLIGENCE AGENCY SUBSIST-**
 13 **ENCE FOR PERSONNEL ASSIGNED TO AUS-**
 14 **TERE LOCATIONS.**

15 Subsection (a) of section 5 of the Central Intelligence
 16 Agency Act of 1949 (50 U.S.C. 3506) is amended—

17 (1) in paragraph (1), by striking “(50 U.S.C.
 18 403–4a).,” and inserting “(50 U.S.C. 403–4a),”;

19 (2) in paragraph (6), by striking “and” at the
 20 end;

21 (3) in paragraph (7), by striking the period at
 22 the end and inserting “; and”; and

23 (4) by adding at the end the following new
 24 paragraph (8):

1 “(8) Upon the approval of the Director, pro-
 2 vide, during any fiscal year, with or without reim-
 3 bursement, subsistence to any personnel assigned to
 4 an overseas location designated by the Agency as an
 5 austere location.”.

6 **SEC. 10412. EXPANSION OF SECURITY PROTECTIVE SERV-**
 7 **ICE JURISDICTION OF THE CENTRAL INTEL-**
 8 **LIGENCE AGENCY.**

9 Subsection (a) of section 15 of the Central Intel-
 10 ligence Act of 1949 (50 U.S.C. 3515(a)) is amended—

11 (1) in the subsection heading, by striking “Po-
 12 LICEMEN” and inserting “POLICE OFFICERS”; and

13 (2) in paragraph (1)—

14 (A) in subparagraph (B), by striking “500
 15 feet;” and inserting “500 yards;”; and

16 (B) in subparagraph (D), by striking “500
 17 feet.” and inserting “500 yards.”.

18 **SEC. 10413. REPEAL OF FOREIGN LANGUAGE PROFICIENCY**
 19 **REQUIREMENT FOR CERTAIN SENIOR LEVEL**
 20 **POSITIONS IN THE CENTRAL INTELLIGENCE**
 21 **AGENCY.**

22 (a) REPEAL OF FOREIGN LANGUAGE PROFICIENCY
 23 REQUIREMENT.—Section 104A of the National Security
 24 Act of 1947 (50 U.S.C. 3036) is amended by striking sub-
 25 section (g).

1 (b) CONFORMING REPEAL OF REPORT REQUIRE-
 2 MENT.—Section 611 of the Intelligence Authorization Act
 3 for Fiscal Year 2005 (Public Law 108–487) is amended
 4 by striking subsection (c).

5 **Subtitle C—Office of Intelligence**
 6 **and Counterintelligence of De-**
 7 **partment of Energy**

8 **SEC. 10421. CONSOLIDATION OF DEPARTMENT OF ENERGY**
 9 **OFFICES OF INTELLIGENCE AND COUNTER-**
 10 **INTELLIGENCE.**

11 (a) IN GENERAL.—Section 215 of the Department of
 12 Energy Organization Act (42 U.S.C. 7144b) is amended
 13 to read as follows:

14 “OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE

15 “SEC. 215. (a) DEFINITIONS.—In this section, the
 16 terms ‘intelligence community’ and ‘National Intelligence
 17 Program’ have the meanings given such terms in section
 18 3 of the National Security Act of 1947 (50 U.S.C. 3003).

19 “(b) IN GENERAL.—There is in the Department an
 20 Office of Intelligence and Counterintelligence. Such office
 21 shall be under the National Intelligence Program.

22 “(c) DIRECTOR.—(1) The head of the Office shall be
 23 the Director of the Office of Intelligence and Counterintel-
 24 ligence, who shall be an employee in the Senior Executive
 25 Service, the Senior Intelligence Service, the Senior Na-
 26 tional Intelligence Service, or any other Service that the

1 Secretary, in coordination with the Director of National
2 Intelligence, considers appropriate. The Director of the
3 Office shall report directly to the Secretary.

4 “(2) The Secretary shall select an individual to serve
5 as the Director from among individuals who have substan-
6 tial expertise in matters relating to the intelligence com-
7 munity, including foreign intelligence and counterintel-
8 ligence.

9 “(d) DUTIES.—(1) Subject to the authority, direc-
10 tion, and control of the Secretary, the Director shall per-
11 form such duties and exercise such powers as the Sec-
12 retary may prescribe.

13 “(2) The Director shall be responsible for estab-
14 lishing policy for intelligence and counterintelligence pro-
15 grams and activities at the Department.”.

16 (b) CONFORMING REPEAL.—Section 216 of the De-
17 partment of Energy Organization Act (42 U.S.C. 7144c)
18 is hereby repealed.

19 (c) CLERICAL AMENDMENT.—The table of contents
20 at the beginning of the Department of Energy Organiza-
21 tion Act is amended by striking the items relating to sec-
22 tions 215 and 216 and inserting the following new item:

“215. Office of Intelligence and Counterintelligence.”.

1 **SEC. 10422. REPEAL OF DEPARTMENT OF ENERGY INTEL-**
 2 **LIGENCE EXECUTIVE COMMITTEE AND BUDG-**
 3 **ET REPORTING REQUIREMENT.**

4 Section 214 of the Department of Energy Organiza-
 5 tion Act (42 U.S.C. 7144a) is amended—

6 (1) by striking “(a) DUTY OF SECRETARY.—”;
 7 and

8 (2) by striking subsections (b) and (c).

9 **Subtitle D—Other Elements**

10 **SEC. 10431. PLAN FOR DESIGNATION OF COUNTERINTEL-**
 11 **LIGENCE COMPONENT OF DEFENSE SECU-**
 12 **RITY SERVICE AS AN ELEMENT OF INTEL-**
 13 **LIGENCE COMMUNITY.**

14 Not later than 90 days after the date of the enact-
 15 ment of this Act, the Director of National Intelligence and
 16 Under Secretary of Defense for Intelligence, in coordina-
 17 tion with the Director of the National Counterintelligence
 18 and Security Center, shall submit to the congressional in-
 19 telligence committees, the Committee on Armed Services
 20 of the Senate, and the Committee on Armed Services of
 21 the House of Representatives a plan to designate the coun-
 22 terintelligence component of the Defense Security Service
 23 of the Department of Defense as an element of the intel-
 24 ligence community by not later than January 1, 2019.
 25 Such plan shall—

1 (1) address the implications of such designation
2 on the authorities, governance, personnel, resources,
3 information technology, collection, analytic products,
4 information sharing, and business processes of the
5 Defense Security Service and the intelligence com-
6 munity; and

7 (2) not address the personnel security functions
8 of the Defense Security Service.

9 **SEC. 10432. NOTICE NOT REQUIRED FOR PRIVATE ENTI-**
10 **TIES.**

11 Section 3553 of title 44, United States Code, is
12 amended—

13 (1) by redesignating subsection (j) as sub-
14 section (k); and

15 (2) by inserting after subsection (i) the fol-
16 lowing:

17 “(j) **RULE OF CONSTRUCTION.**—Nothing in this sec-
18 tion shall be construed to require the Secretary to provide
19 notice to any private entity before the Secretary issues a
20 binding operational directive under subsection (b)(2).”.

21 **SEC. 10433. FRAMEWORK FOR ROLES, MISSIONS, AND FUNC-**
22 **TIONS OF DEFENSE INTELLIGENCE AGENCY.**

23 (a) **IN GENERAL.**—The Director of National Intel-
24 ligence and the Secretary of Defense shall jointly establish
25 a framework to ensure the appropriate balance of re-

1 sources for the roles, missions, and functions of the De-
2 fense Intelligence Agency in its capacity as an element of
3 the intelligence community and as a combat support agen-
4 cy. The framework shall include supporting processes to
5 provide for the consistent and regular reevaluation of the
6 responsibilities and resources of the Defense Intelligence
7 Agency to prevent imbalanced priorities, insufficient or
8 misaligned resources, and the unauthorized expansion of
9 mission parameters.

10 (b) MATTERS FOR INCLUSION.—The framework re-
11 quired under subsection (a) shall include each of the fol-
12 lowing:

13 (1) A lexicon providing for consistent defini-
14 tions of relevant terms used by both the intelligence
15 community and the Department of Defense, includ-
16 ing each of the following:

17 (A) Defense intelligence enterprise.

18 (B) Enterprise manager.

19 (C) Executive agent.

20 (D) Function.

21 (E) Functional manager.

22 (F) Mission.

23 (G) Mission manager.

24 (H) Responsibility.

25 (I) Role.

1 (J) Service of common concern.

2 (2) An assessment of the necessity of maintain-
3 ing separate designations for the intelligence com-
4 munity and the Department of Defense for intel-
5 ligence functional or enterprise management con-
6 structs.

7 (3) A repeatable process for evaluating the ad-
8 dition, transfer, or elimination of defense intelligence
9 missions, roles, and functions, currently performed
10 or to be performed in the future by the Defense In-
11 telligence Agency, which includes each of the fol-
12 lowing:

13 (A) A justification for the addition, trans-
14 fer, or elimination of a mission, role, or func-
15 tion.

16 (B) The identification of which, if any, ele-
17 ment of the Federal Government performs the
18 considered mission, role, or function.

19 (C) In the case of any new mission, role,
20 or function—

21 (i) an assessment of the most appro-
22 priate agency or element to perform such
23 mission, role, or function, taking into ac-
24 count the resource profiles, scope of re-
25 sponsibilities, primary customers, and ex-

1 isting infrastructure necessary to support
2 such mission, role, or function; and

3 (ii) a determination of the appropriate
4 resource profile and an identification of the
5 projected resources needed and the pro-
6 posed source of such resources over the fu-
7 ture-years defense program, to be provided
8 in writing to any elements of the intel-
9 ligence community or the Department of
10 Defense affected by the assumption, trans-
11 fer, or elimination of any mission, role, or
12 function.

13 (D) In the case of any mission, role, or
14 function proposed to be assumed, transferred,
15 or eliminated, an assessment, which shall be
16 completed jointly by the heads of each element
17 affected by such assumption, transfer, or elimi-
18 nation, of the risks that would be assumed by
19 the intelligence community and the Department
20 if such mission, role, or function is assumed,
21 transferred, or eliminated.

22 (E) A description of how determinations
23 are made regarding the funding of programs
24 and activities under the National Intelligence

1 Program and the Military Intelligence Program,
2 including—

3 (i) which programs or activities are
4 funded under each such Program;

5 (ii) which programs or activities
6 should be jointly funded under both such
7 Programs and how determinations are
8 made with respect to funding allocations
9 for such programs and activities; and

10 (iii) the thresholds and process for
11 changing a program or activity from being
12 funded under one such Program to being
13 funded under the other such Program.

14 **SEC. 10434. ESTABLISHMENT OF ADVISORY BOARD FOR NA-**
15 **TIONAL RECONNAISSANCE OFFICE.**

16 (a) ESTABLISHMENT.—Section 106A of the National
17 Security Act of 1947 (50 U.S.C. 3041a) is amended by
18 adding at the end the following new subsection:

19 “(d) ADVISORY BOARD.—

20 “(1) ESTABLISHMENT.—There is established in
21 the National Reconnaissance Office an advisory
22 board (in this section referred to as the ‘Board’).

23 “(2) DUTIES.—The Board shall—

24 “(A) study matters relating to the mission
25 of the National Reconnaissance Office, includ-

1 ing with respect to promoting innovation, com-
2 petition, and resilience in space, overhead re-
3 connaissance, acquisition, and other matters;
4 and

5 “(B) advise and report directly to the Di-
6 rector with respect to such matters.

7 “(3) MEMBERS.—

8 “(A) NUMBER AND APPOINTMENT.—

9 “(i) IN GENERAL.—The Board shall
10 be composed of 5 members appointed by
11 the Director from among individuals with
12 demonstrated academic, government, busi-
13 ness, or other expertise relevant to the mis-
14 sion and functions of the National Recon-
15 naissance Office.

16 “(ii) NOTIFICATION.—Not later than
17 30 days after the date on which the Direc-
18 tor appoints a member to the Board, the
19 Director shall notify the congressional in-
20 telligence committees and the congressional
21 defense committees (as defined in section
22 101(a) of title 10, United States Code) of
23 such appointment.

24 “(B) TERMS.—Each member shall be ap-
25 pointed for a term of 2 years. Except as pro-

1 vided by subparagraph (C), a member may not
2 serve more than 3 terms.

3 “(C) VACANCY.—Any member appointed to
4 fill a vacancy occurring before the expiration of
5 the term for which the member’s predecessor
6 was appointed shall be appointed only for the
7 remainder of that term. A member may serve
8 after the expiration of that member’s term until
9 a successor has taken office.

10 “(D) CHAIR.—The Board shall have a
11 Chair, who shall be appointed by the Director
12 from among the members.

13 “(E) TRAVEL EXPENSES.—Each member
14 shall receive travel expenses, including per diem
15 in lieu of subsistence, in accordance with appli-
16 cable provisions under subchapter I of chapter
17 57 of title 5, United States Code.

18 “(F) EXECUTIVE SECRETARY.—The Direc-
19 tor may appoint an executive secretary, who
20 shall be an employee of the National Reconnaissance
21 Office, to support the Board.

22 “(4) MEETINGS.—The Board shall meet not
23 less than quarterly, but may meet more frequently
24 at the call of the Director.

1 “(5) REPORTS.—Not later than March 31 of
 2 each year, the Board shall submit to the Director
 3 and to the congressional intelligence committees a
 4 report on the activities and significant findings of
 5 the Board during the preceding year.

6 “(6) NONAPPLICABILITY OF CERTAIN REQUIRE-
 7 MENTS.—The Federal Advisory Committee Act (5
 8 U.S.C. App.) shall not apply to the Board.

9 “(7) TERMINATION.—The Board shall termi-
 10 nate on the date that is 3 years after the date of the
 11 first meeting of the Board.”.

12 (b) INITIAL APPOINTMENTS.—Not later than 180
 13 days after the date of the enactment of this Act, the Direc-
 14 tor of the National Reconnaissance Office shall appoint
 15 the initial 5 members to the advisory board under sub-
 16 section (d) of section 106A of the National Security Act
 17 of 1947 (50 U.S.C. 3041a), as added by subsection (a).

18 **SEC. 10435. COLLOCATION OF CERTAIN DEPARTMENT OF**
 19 **HOMELAND SECURITY PERSONNEL AT FIELD**
 20 **LOCATIONS.**

21 (a) IDENTIFICATION OF OPPORTUNITIES FOR COL-
 22 LOCATION.—Not later than 60 days after the date of the
 23 enactment of this Act, the Under Secretary of Homeland
 24 Security for Intelligence and Analysis shall identify, in
 25 consultation with the Commissioner of U.S. Customs and

1 Border Protection, the Administrator of the Transpor-
 2 tation Security Administration, the Director of U.S. Immi-
 3 gration and Customs Enforcement, and the heads of such
 4 other elements of the Department of Homeland Security
 5 as the Under Secretary considers appropriate, opportuni-
 6 ties for collocation of officers of the Office of Intelligence
 7 and Analysis in the field outside of the greater Wash-
 8 ington, District of Columbia, area in order to support
 9 operational units from U.S. Customs and Border Protec-
 10 tion, the Transportation Security Administration, U.S.
 11 Immigration and Customs Enforcement, and other ele-
 12 ments of the Department of Homeland Security.

13 (b) PLAN FOR COLLOCATION.—Not later than 120
 14 days after the date of the enactment of this Act, the Under
 15 Secretary shall submit to the congressional intelligence
 16 committees a report that includes a plan for collocation
 17 as described in subsection (a).

18 **TITLE CV—ELECTION MATTERS**

19 **SEC. 10501. REPORT ON CYBER ATTACKS BY FOREIGN GOV-** 20 **ERNMENTS AGAINST UNITED STATES ELEC-** 21 **TION INFRASTRUCTURE.**

22 (a) DEFINITIONS.—In this section:

23 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 24 TEES.—The term “appropriate congressional com-
 25 mittees” means—

1 (A) the congressional intelligence commit-
2 tees;

3 (B) the Committee on Homeland Security
4 and Governmental Affairs of the Senate;

5 (C) the Committee on Homeland Security
6 of the House of Representatives;

7 (D) the Committee on Foreign Relations of
8 the Senate; and

9 (E) the Committee on Foreign Affairs of
10 the House of Representatives.

11 (2) CONGRESSIONAL LEADERSHIP.—The term
12 “congressional leadership” includes the following:

13 (A) The majority leader of the Senate.

14 (B) The minority leader of the Senate.

15 (C) The Speaker of the House of Rep-
16 resentatives.

17 (D) The minority leader of the House of
18 Representatives.

19 (3) STATE.—The term “State” means any
20 State of the United States, the District of Columbia,
21 the Commonwealth of Puerto Rico, and any territory
22 or possession of the United States.

23 (b) REPORT REQUIRED.—Not later than 60 days
24 after the date of the enactment of this Act, the Under
25 Secretary of Homeland Security for Intelligence and Anal-

1 ysis shall submit to congressional leadership and the ap-
2 propriate congressional committees a report on cyber at-
3 tacks and attempted cyber attacks by foreign governments
4 on United States election infrastructure in States and lo-
5 calities in connection with the 2016 Presidential election
6 in the United States and such cyber attacks or attempted
7 cyber attacks as the Under Secretary anticipates against
8 such infrastructure. Such report shall identify the States
9 and localities affected and shall include cyber attacks and
10 attempted cyber attacks against voter registration data-
11 bases, voting machines, voting-related computer networks,
12 and the networks of Secretaries of State and other election
13 officials of the various States.

14 (c) FORM.—The report submitted under subsection
15 (b) shall be submitted in unclassified form, but may in-
16 clude a classified annex.

17 **SEC. 10502. REVIEW OF INTELLIGENCE COMMUNITY'S POS-**
18 **TURE TO COLLECT AGAINST AND ANALYZE**
19 **RUSSIAN EFFORTS TO INFLUENCE THE PRES-**
20 **IDENTIAL ELECTION.**

21 (a) REVIEW REQUIRED.—Not later than 1 year after
22 the date of the enactment of this Act, the Director of Na-
23 tional Intelligence shall—

24 (1) complete an after action review of the pos-
25 ture of the intelligence community to collect against

1 and analyze efforts of the Government of Russia to
2 interfere in the 2016 Presidential election in the
3 United States; and

4 (2) submit to the congressional intelligence
5 committees a report on the findings of the Director
6 with respect to such review.

7 (b) ELEMENTS.—The review required by subsection
8 (a) shall include, with respect to the posture and efforts
9 described in paragraph (1) of such subsection, the fol-
10 lowing:

11 (1) An assessment of whether the resources of
12 the intelligence community were properly aligned to
13 detect and respond to the efforts described in sub-
14 section (a)(1).

15 (2) An assessment of the information sharing
16 that occurred within elements of the intelligence
17 community.

18 (3) An assessment of the information sharing
19 that occurred between elements of the intelligence
20 community.

21 (4) An assessment of applicable authorities nec-
22 essary to collect on any such efforts and any defi-
23 ciencies in those authorities.

24 (5) A review of the use of open source material
25 to inform analysis and warning of such efforts.

1 (6) A review of the use of alternative and pre-
 2 dictive analysis.

3 (c) FORM OF REPORT.—The report required by sub-
 4 section (a)(2) shall be submitted to the congressional intel-
 5 ligence committees in a classified form.

6 **SEC. 10503. ASSESSMENT OF FOREIGN INTELLIGENCE**
 7 **THREATS TO FEDERAL ELECTIONS.**

8 (a) DEFINITIONS.—In this section:

9 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 10 TEES.—The term “appropriate congressional com-
 11 mittees” means—

12 (A) the congressional intelligence commit-
 13 tees;

14 (B) the Committee on Homeland Security
 15 and Governmental Affairs of the Senate; and

16 (C) the Committee on Homeland Security
 17 of the House of Representatives.

18 (2) CONGRESSIONAL LEADERSHIP.—The term
 19 “congressional leadership” includes the following:

20 (A) The majority leader of the Senate.

21 (B) The minority leader of the Senate.

22 (C) The Speaker of the House of Rep-
 23 resentatives.

24 (D) The minority leader of the House of
 25 Representatives.

1 (3) SECURITY VULNERABILITY.—The term “se-
2 curity vulnerability” has the meaning given such
3 term in section 102 of the Cybersecurity Information
4 Sharing Act of 2015 (6 U.S.C. 1501).

5 (b) IN GENERAL.—The Director of National Intel-
6 ligence, in coordination with the Director of the Central
7 Intelligence Agency, the Director of the National Security
8 Agency, the Director of the Federal Bureau of Investiga-
9 tion, the Secretary of Homeland Security, and the heads
10 of other relevant elements of the intelligence community,
11 shall—

12 (1) commence not later than 1 year before any
13 regularly scheduled Federal election occurring after
14 December 31, 2018, and complete not later than
15 180 days before such election, an assessment of se-
16 curity vulnerabilities of State election systems; and

17 (2) not later than 180 days before any regularly
18 scheduled Federal election occurring after December
19 31, 2018, submit a report on such security
20 vulnerabilities and an assessment of foreign intel-
21 ligence threats to the election to—

22 (A) congressional leadership; and

23 (B) the appropriate congressional commit-
24 tees.

1 (c) UPDATE.—Not later than 90 days before any reg-
2 ularly scheduled Federal election occurring after Decem-
3 ber 31, 2018, the Director of National Intelligence shall—

4 (1) update the assessment of foreign intel-
5 ligence threats to that election; and

6 (2) submit the updated assessment to—

7 (A) congressional leadership; and

8 (B) the appropriate congressional commit-
9 tees.

10 **SEC. 10504. STRATEGY FOR COUNTERING RUSSIAN CYBER**
11 **THREATS TO UNITED STATES ELECTIONS.**

12 (a) APPROPRIATE CONGRESSIONAL COMMITTEES
13 DEFINED.—In this section, the term “appropriate con-
14 gressional committees” means the following:

15 (1) The congressional intelligence committees.

16 (2) The Committee on Armed Services and the
17 Committee on Homeland Security and Governmental
18 Affairs of the Senate.

19 (3) The Committee on Armed Services and the
20 Committee on Homeland Security of the House of
21 Representatives.

22 (4) The Committee on Foreign Relations of the
23 Senate.

24 (5) The Committee on Foreign Affairs of the
25 House of Representatives.

1 (b) REQUIREMENT FOR A STRATEGY.—Not later
2 than 90 days after the date of the enactment of this Act,
3 the Director of National Intelligence, in coordination with
4 the Secretary of Homeland Security, the Director of the
5 Federal Bureau of Investigation, the Director of the Cen-
6 tral Intelligence Agency, the Secretary of State, the Sec-
7 retary of Defense, and the Secretary of the Treasury, shall
8 develop a whole-of-government strategy for countering the
9 threat of Russian cyber attacks and attempted cyber at-
10 tacks against electoral systems and processes in the
11 United States, including Federal, State, and local election
12 systems, voter registration databases, voting tabulation
13 equipment, and equipment and processes for the secure
14 transmission of election results.

15 (c) ELEMENTS OF THE STRATEGY.—The strategy re-
16 quired by subsection (b) shall include the following ele-
17 ments:

18 (1) A whole-of-government approach to pro-
19 tecting United States electoral systems and proc-
20 esses that includes the agencies and departments in-
21 dicated in subsection (b) as well as any other agen-
22 cies and departments of the United States, as deter-
23 mined appropriate by the Director of National Intel-
24 ligence and the Secretary of Homeland Security.

1 (2) Input solicited from Secretaries of State of
2 the various States and the chief election officials of
3 the States.

4 (3) Technical security measures, including
5 auditable paper trails for voting machines, securing
6 wireless and Internet connections, and other tech-
7 nical safeguards.

8 (4) Detection of cyber threats, including attacks
9 and attempted attacks by Russian government or
10 nongovernment cyber threat actors.

11 (5) Improvements in the identification and at-
12 tribution of Russian government or nongovernment
13 cyber threat actors.

14 (6) Deterrence, including actions and measures
15 that could or should be undertaken against or com-
16 municated to the Government of Russia or other en-
17 tities to deter attacks against, or interference with,
18 United States election systems and processes.

19 (7) Improvements in Federal Government com-
20 munications with State and local election officials.

21 (8) Public education and communication ef-
22 forts.

23 (9) Benchmarks and milestones to enable the
24 measurement of concrete steps taken and progress
25 made in the implementation of the strategy.

1 (d) CONGRESSIONAL BRIEFING.—Not later than 90
2 days after the date of the enactment of this Act, the Direc-
3 tor of National Intelligence and the Secretary of Home-
4 land Security shall jointly brief the appropriate congres-
5 sional committees on the strategy developed under sub-
6 section (b).

7 **SEC. 10505. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLU-**
8 **ENCE CAMPAIGNS DIRECTED AT FOREIGN**
9 **ELECTIONS AND REFERENDA.**

10 (a) RUSSIAN INFLUENCE CAMPAIGN DEFINED.—In
11 this section, the term “Russian influence campaign”
12 means any effort, covert or overt, and by any means, at-
13 tributable to the Russian Federation directed at an elec-
14 tion, referendum, or similar process in a country other
15 than the Russian Federation or the United States.

16 (b) ASSESSMENT REQUIRED.—Not later than 60
17 days after the date of the enactment of this Act, the Direc-
18 tor of National Intelligence shall submit to the congres-
19 sional intelligence committees a report containing an ana-
20 lytical assessment of the most significant Russian influ-
21 ence campaigns, if any, conducted during the 3-year pe-
22 riod preceding the date of the enactment of this Act, as
23 well as the most significant current or planned such Rus-
24 sian influence campaigns, if any. Such assessment shall
25 include—

1 (1) a summary of such significant Russian in-
2 fluence campaigns, including, at a minimum, the
3 specific means by which such campaigns were con-
4 ducted, are being conducted, or likely will be con-
5 ducted, as appropriate, and the specific goal of each
6 such campaign;

7 (2) a summary of any defenses against or re-
8 sponses to such Russian influence campaigns by the
9 foreign state holding the elections or referenda;

10 (3) a summary of any relevant activities by ele-
11 ments of the intelligence community undertaken for
12 the purpose of assisting the government of such for-
13 eign state in defending against or responding to
14 such Russian influence campaigns; and

15 (4) an assessment of the effectiveness of such
16 defenses and responses described in paragraphs (2)
17 and (3).

18 (c) FORM.—The report required by subsection (b)
19 may be submitted in classified form, but if so submitted,
20 shall contain an unclassified summary.

21 **SEC. 10506. FOREIGN COUNTERINTELLIGENCE AND CYBER-**
22 **SECURITY THREATS TO FEDERAL ELECTION**
23 **CAMPAIGNS.**

24 (a) REPORTS REQUIRED.—

1 (1) IN GENERAL.—As provided in paragraph
2 (2), for each Federal election, the Director of Na-
3 tional Intelligence, in coordination with the Under
4 Secretary of Homeland Security for Intelligence and
5 Analysis and the Director of the Federal Bureau of
6 Investigation, shall make publicly available on an
7 Internet website an advisory report on foreign coun-
8 terintelligence and cybersecurity threats to election
9 campaigns for Federal offices. Each such report
10 shall include, consistent with the protection of
11 sources and methods, each of the following:

12 (A) A description of foreign counterintel-
13 ligence and cybersecurity threats to election
14 campaigns for Federal offices.

15 (B) A summary of best practices that elec-
16 tion campaigns for Federal offices can employ
17 in seeking to counter such threats.

18 (C) An identification of any publicly avail-
19 able resources, including United States Govern-
20 ment resources, for countering such threats.

21 (2) SCHEDULE FOR SUBMITTAL.—A report
22 under this subsection shall be made available as fol-
23 lows:

24 (A) In the case of a report regarding an
25 election held for the office of Senator or Mem-

1 ber of the House of Representatives during
2 2018, not later than the date that is 60 days
3 after the date of the enactment of this Act.

4 (B) In the case of a report regarding an
5 election for a Federal office during any subse-
6 quent year, not later than the date that is 1
7 year before the date of the election.

8 (3) INFORMATION TO BE INCLUDED.—A report
9 under this subsection shall reflect the most current
10 information available to the Director of National In-
11 telligence regarding foreign counterintelligence and
12 cybersecurity threats.

13 (b) TREATMENT OF CAMPAIGNS SUBJECT TO
14 HEIGHTENED THREATS.—If the Director of the Federal
15 Bureau of Investigation and the Under Secretary of
16 Homeland Security for Intelligence and Analysis jointly
17 determine that an election campaign for Federal office is
18 subject to a heightened foreign counterintelligence or cy-
19 bersecurity threat, the Director and the Under Secretary,
20 consistent with the protection of sources and methods,
21 may make available additional information to the appro-
22 priate representatives of such campaign.

1 **SEC. 10507. INFORMATION SHARING WITH STATE ELECTION**
2 **OFFICIALS.**

3 (a) STATE DEFINED.—In this section, the term
4 “State” means any State of the United States, the Dis-
5 trict of Columbia, the Commonwealth of Puerto Rico, and
6 any territory or possession of the United States.

7 (b) SECURITY CLEARANCES.—

8 (1) IN GENERAL.—Not later than 30 days after
9 the date of the enactment of this Act, the Director
10 of National Intelligence shall support the Under Sec-
11 retary of Homeland Security for Intelligence and
12 Analysis, and any other official of the Department
13 of Homeland Security designated by the Secretary of
14 Homeland Security, in sponsoring a security clear-
15 ance up to the top secret level for each eligible chief
16 election official of a State or the District of Colum-
17 bia, and additional eligible designees of such election
18 official as appropriate, at the time that such election
19 official assumes such position.

20 (2) INTERIM CLEARANCES.—Consistent with
21 applicable policies and directives, the Director of Na-
22 tional Intelligence may issue interim clearances, for
23 a period to be determined by the Director, to a chief
24 election official as described in paragraph (1) and up
25 to 1 designee of such official under such paragraph.

26 (c) INFORMATION SHARING.—

1 (1) IN GENERAL.—The Director of National In-
2 telligence shall assist the Under Secretary of Home-
3 land Security for Intelligence and Analysis and the
4 Under Secretary responsible for overseeing critical
5 infrastructure protection, cybersecurity, and other
6 related programs of the Department (as specified in
7 section 103(a)(1)(H) of the Homeland Security Act
8 of 2002 (6 U.S.C. 113(a)(1)(H))) with sharing any
9 appropriate classified information related to threats
10 to election systems and to the integrity of the elec-
11 tion process with chief election officials and such
12 designees who have received a security clearance
13 under subsection (b).

14 (2) COORDINATION.—The Under Secretary of
15 Homeland Security for Intelligence and Analysis
16 shall coordinate with the Director of National Intel-
17 ligence and the Under Secretary responsible for
18 overseeing critical infrastructure protection, cyberse-
19 curity, and other related programs of the Depart-
20 ment (as specified in section 103(a)(1)(H) of the
21 Homeland Security Act of 2002 (6 U.S.C.
22 113(a)(1)(H))) to facilitate the sharing of informa-
23 tion to the affected Secretaries of State or States.

1 **SEC. 10508. NOTIFICATION OF SIGNIFICANT FOREIGN**
2 **CYBER INTRUSIONS AND ACTIVE MEASURES**
3 **CAMPAIGNS DIRECTED AT ELECTIONS FOR**
4 **FEDERAL OFFICES.**

5 (a) DEFINITIONS.—In this section:

6 (1) ACTIVE MEASURES CAMPAIGN.—The term
7 “active measures campaign” means a foreign semi-
8 covert or covert intelligence operation.

9 (2) CANDIDATE, ELECTION, AND POLITICAL
10 PARTY.—The terms “candidate”, “election”, and
11 “political party” have the meanings given those
12 terms in section 301 of the Federal Election Cam-
13 paign Act of 1971 (52 U.S.C. 30101).

14 (3) CONGRESSIONAL LEADERSHIP.—The term
15 “congressional leadership” includes the following:

16 (A) The majority leader of the Senate.

17 (B) The minority leader of the Senate.

18 (C) The Speaker of the House of Rep-
19 resentatives.

20 (D) The minority leader of the House of
21 Representatives.

22 (4) CYBER INTRUSION.—The term “cyber in-
23 trusion” means an electronic occurrence that actu-
24 ally or imminently jeopardizes, without lawful au-
25 thority, electronic election infrastructure, or the in-

1 integrity, confidentiality, or availability of information
2 within such infrastructure.

3 (5) ELECTRONIC ELECTION INFRASTRUC-
4 TURE.—The term “electronic election infrastruc-
5 ture” means an electronic information system of any
6 of the following that is related to an election for
7 Federal office:

8 (A) The Federal Government.

9 (B) A State or local government.

10 (C) A political party.

11 (D) The election campaign of a candidate.

12 (6) FEDERAL OFFICE.—The term “Federal of-
13 fice” has the meaning given that term in section 301
14 of the Federal Election Campaign Act of 1971 (52
15 U.S.C. 30101).

16 (7) HIGH CONFIDENCE.—The term “high con-
17 fidence”, with respect to a determination, means
18 that the determination is based on high-quality in-
19 formation from multiple sources.

20 (8) MODERATE CONFIDENCE.—The term “mod-
21 erate confidence”, with respect to a determination,
22 means that a determination is credibly sourced and
23 plausible but not of sufficient quality or corrobo-
24 rated sufficiently to warrant a higher level of con-
25 fidence.

1 (9) OTHER APPROPRIATE CONGRESSIONAL COM-
2 MITTEES.—The term “other appropriate congres-
3 sional committees” means—

4 (A) the Committee on Armed Services, the
5 Committee on Homeland Security and Govern-
6 mental Affairs, and the Committee on Appro-
7 priations of the Senate; and

8 (B) the Committee on Armed Services, the
9 Committee on Homeland Security, and the
10 Committee on Appropriations of the House of
11 Representatives.

12 (b) DETERMINATIONS OF SIGNIFICANT FOREIGN
13 CYBER INTRUSIONS AND ACTIVE MEASURES CAM-
14 PAIGNS.—The Director of National Intelligence, the Di-
15 rector of the Federal Bureau of Investigation, and the
16 Secretary of Homeland Security shall jointly carry out
17 subsection (c) if such Directors and the Secretary jointly
18 determine—

19 (1) that on or after the date of the enactment
20 of this Act, a significant foreign cyber intrusion or
21 active measures campaign intended to influence an
22 upcoming election for any Federal office has oc-
23 curred or is occurring; and

24 (2) with moderate or high confidence, that such
25 intrusion or campaign can be attributed to a foreign

1 state or to a foreign nonstate person, group, or other
2 entity.

3 (c) BRIEFING.—

4 (1) IN GENERAL.—Not later than 14 days after
5 making a determination under subsection (b), the
6 Director of National Intelligence, the Director of the
7 Federal Bureau of Investigation, and the Secretary
8 of Homeland Security shall jointly provide a briefing
9 to the congressional leadership, the congressional in-
10 telligence committees and, consistent with the pro-
11 tection of sources and methods, the other appro-
12 priate congressional committees. The briefing shall
13 be classified and address, at a minimum, the fol-
14 lowing:

15 (A) A description of the significant foreign
16 cyber intrusion or active measures campaign, as
17 the case may be, covered by the determination.

18 (B) An identification of the foreign state
19 or foreign nonstate person, group, or other enti-
20 ty, to which such intrusion or campaign has
21 been attributed.

22 (C) The desirability and feasibility of the
23 public release of information about the cyber in-
24 trusion or active measures campaign.

1 (D) Any other information such Directors
2 and the Secretary jointly determine appropriate.

3 (2) ELECTRONIC ELECTION INFRASTRUCTURE
4 BRIEFINGS.—With respect to a significant foreign
5 cyber intrusion covered by a determination under
6 subsection (b), the Secretary of Homeland Security,
7 in consultation with the Director of National Intel-
8 ligence and the Director of the Federal Bureau of
9 Investigation, shall offer to the owner or operator of
10 any electronic election infrastructure directly af-
11 fected by such intrusion, a briefing on such intru-
12 sion, including steps that may be taken to mitigate
13 such intrusion. Such briefing may be classified and
14 made available only to individuals with appropriate
15 security clearances.

16 (3) PROTECTION OF SOURCES AND METH-
17 ODS.—This subsection shall be carried out in a man-
18 ner that is consistent with the protection of sources
19 and methods.

20 **SEC. 10509. DESIGNATION OF COUNTERINTELLIGENCE OF-**
21 **FICER TO LEAD ELECTION SECURITY MAT-**
22 **TERS.**

23 (a) IN GENERAL.—The Director of National Intel-
24 ligence shall designate a national counterintelligence offi-
25 cer within the National Counterintelligence and Security

1 Center to lead, manage, and coordinate counterintelligence
2 matters relating to election security.

3 (b) ADDITIONAL RESPONSIBILITIES.—The person
4 designated under subsection (a) shall also lead, manage,
5 and coordinate counterintelligence matters relating to
6 risks posed by interference from foreign powers (as de-
7 fined in section 101 of the Foreign Intelligence Surveil-
8 lance Act of 1978 (50 U.S.C. 1801)) to the following:

9 (1) The Federal Government election security
10 supply chain.

11 (2) Election voting systems and software.

12 (3) Voter registration databases.

13 (4) Critical infrastructure related to elections.

14 (5) Such other Government goods and services
15 as the Director of National Intelligence considers ap-
16 propriate.

17 **TITLE CVI—SECURITY** 18 **CLEARANCES**

19 **SEC. 10601. DEFINITIONS.**

20 In this title:

21 (1) APPROPRIATE CONGRESSIONAL COMMIT-
22 TEES.—The term “appropriate congressional com-
23 mittees” means—

24 (A) the congressional intelligence commit-
25 tees;

1 (B) the Committee on Armed Services of
2 the Senate;

3 (C) the Committee on Appropriations of
4 the Senate;

5 (D) the Committee on Homeland Security
6 and Governmental Affairs of the Senate;

7 (E) the Committee on Armed Services of
8 the House of Representatives;

9 (F) the Committee on Appropriations of
10 the House of Representatives;

11 (G) the Committee on Homeland Security
12 of the House of Representatives; and

13 (H) the Committee on Oversight and Re-
14 form of the House of Representatives.

15 (2) APPROPRIATE INDUSTRY PARTNERS.—The
16 term “appropriate industry partner” means a con-
17 tractor, licensee, or grantee (as defined in section
18 101(a) of Executive Order 12829 (50 U.S.C. 3161
19 note; relating to National Industrial Security Pro-
20 gram)) that is participating in the National Indus-
21 trial Security Program established by such Executive
22 Order.

23 (3) CONTINUOUS VETTING.—The term “contin-
24 uous vetting” has the meaning given such term in
25 Executive Order 13467 (50 U.S.C. 3161 note; relat-

1 ing to reforming processes related to suitability for
2 government employment, fitness for contractor em-
3 ployees, and eligibility for access to classified na-
4 tional security information).

5 (4) COUNCIL.—The term “Council” means the
6 Security, Suitability, and Credentialing Performance
7 Accountability Council established pursuant to such
8 Executive Order, or any successor entity.

9 (5) SECURITY EXECUTIVE AGENT.—The term
10 “Security Executive Agent” means the officer serv-
11 ing as the Security Executive Agent pursuant to sec-
12 tion 803 of the National Security Act of 1947, as
13 added by section 10605.

14 (6) SUITABILITY AND CREDENTIALING EXECU-
15 TIVE AGENT.—The term “Suitability and
16 Credentialing Executive Agent” means the Director
17 of the Office of Personnel Management acting as the
18 Suitability and Credentialing Executive Agent in ac-
19 cordance with Executive Order 13467 (50 U.S.C.
20 3161 note; relating to reforming processes related to
21 suitability for government employment, fitness for
22 contractor employees, and eligibility for access to
23 classified national security information), or any suc-
24 cessor entity.

1 **SEC. 10602. REPORTS AND PLANS RELATING TO SECURITY**
2 **CLEARANCES AND BACKGROUND INVESTIGA-**
3 **TIONS.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that—

6 (1) ensuring the trustworthiness and security of
7 the workforce, facilities, and information of the Fed-
8 eral Government is of the highest priority to na-
9 tional security and public safety;

10 (2) the President and Congress should
11 prioritize the modernization of the personnel security
12 framework to improve its efficiency, effectiveness,
13 and accountability;

14 (3) the current system for security clearance,
15 suitability and fitness for employment, and
16 credentialing lacks efficiencies and capabilities to
17 meet the current threat environment, recruit and re-
18 tain a trusted workforce, and capitalize on modern
19 technologies; and

20 (4) changes to policies or processes to improve
21 this system should be vetted through the Council to
22 ensure standardization, portability, and reciprocity
23 in security clearances across the Federal Govern-
24 ment.

25 (b) ACCOUNTABILITY PLANS AND REPORTS.—

1 (1) PLANS.—Not later than 90 days after the
2 date of the enactment of this Act, the Council shall
3 submit to the appropriate congressional committees
4 and make available to appropriate industry partners
5 the following:

6 (A) A plan, with milestones, to reduce the
7 background investigation inventory to 200,000,
8 or an otherwise sustainable steady-level, by the
9 end of year 2020. Such plan shall include notes
10 of any required changes in investigative and ad-
11 judicative standards or resources.

12 (B) A plan to consolidate the conduct of
13 background investigations associated with the
14 processing for security clearances in the most
15 effective and efficient manner between the Na-
16 tional Background Investigation Bureau and
17 the Defense Security Service, or a successor or-
18 ganization. Such plan shall address required
19 funding, personnel, contracts, information tech-
20 nology, field office structure, policy, governance,
21 schedule, transition costs, and effects on stake-
22 holders.

23 (2) REPORT ON THE FUTURE OF PERSONNEL
24 SECURITY.—

1 (A) IN GENERAL.—Not later than 180
2 days after the date of the enactment of this
3 Act, the Chairman of the Council, in coordina-
4 tion with the members of the Council, shall sub-
5 mit to the appropriate congressional committees
6 and make available to appropriate industry
7 partners a report on the future of personnel se-
8 curity to reflect changes in threats, the work-
9 force, and technology.

10 (B) CONTENTS.—The report submitted
11 under subparagraph (A) shall include the fol-
12 lowing:

13 (i) A risk framework for granting and
14 renewing access to classified information.

15 (ii) A discussion of the use of tech-
16 nologies to prevent, detect, and monitor
17 threats.

18 (iii) A discussion of efforts to address
19 reciprocity and portability.

20 (iv) A discussion of the characteristics
21 of effective insider threat programs.

22 (v) An analysis of how to integrate
23 data from continuous evaluation, insider
24 threat programs, and human resources
25 data.

1 (vi) Recommendations on interagency
2 governance.

3 (3) PLAN FOR IMPLEMENTATION.—Not later
4 than 180 days after the date of the enactment of
5 this Act, the Chairman of the Council, in coordina-
6 tion with the members of the Council, shall submit
7 to the appropriate congressional committees and
8 make available to appropriate industry partners a
9 plan to implement the report’s framework and rec-
10 ommendations submitted under paragraph (2)(A).

11 (4) CONGRESSIONAL NOTIFICATIONS.—Not less
12 frequently than quarterly, the Security Executive
13 Agent shall make available to the public a report re-
14 garding the status of the disposition of requests re-
15 ceived from departments and agencies of the Federal
16 Government for a change to, or approval under, the
17 Federal investigative standards, the national adju-
18 dicative guidelines, continuous evaluation, or other
19 national policy regarding personnel security.

20 **SEC. 10603. IMPROVING THE PROCESS FOR SECURITY**
21 **CLEARANCES.**

22 (a) REVIEWS.—Not later than 180 days after the
23 date of the enactment of this Act, the Security Executive
24 Agent, in coordination with the members of the Council,
25 shall submit to the appropriate congressional committees

1 and make available to appropriate industry partners a re-
2 port that includes the following:

3 (1) A review of whether the information re-
4 requested on the Questionnaire for National Security
5 Positions (Standard Form 86) and by the Federal
6 Investigative Standards prescribed by the Office of
7 Personnel Management and the Office of the Direc-
8 tor of National Intelligence appropriately supports
9 the adjudicative guidelines under Security Executive
10 Agent Directive 4 (known as the “National Security
11 Adjudicative Guidelines”). Such review shall include
12 identification of whether any such information cur-
13 rently collected is unnecessary to support the adju-
14 dicative guidelines.

15 (2) An assessment of whether such Question-
16 naire, Standards, and guidelines should be revised to
17 account for the prospect of a holder of a security
18 clearance becoming an insider threat.

19 (3) Recommendations to improve the back-
20 ground investigation process by—

21 (A) simplifying the Questionnaire for Na-
22 tional Security Positions (Standard Form 86)
23 and increasing customer support to applicants
24 completing such Questionnaire;

1 (B) using remote techniques and central-
2 ized locations to support or replace field inves-
3 tigation work;

4 (C) using secure and reliable digitization of
5 information obtained during the clearance proc-
6 ess;

7 (D) building the capacity of the back-
8 ground investigation labor sector; and

9 (E) replacing periodic reinvestigations with
10 continuous evaluation techniques in all appro-
11 priate circumstances.

12 (b) POLICY, STRATEGY, AND IMPLEMENTATION.—
13 Not later than 180 days after the date of the enactment
14 of this Act, the Security Executive Agent shall, in coordi-
15 nation with the members of the Council, establish the fol-
16 lowing:

17 (1) A policy and implementation plan for the
18 issuance of interim security clearances.

19 (2) A policy and implementation plan to ensure
20 contractors are treated consistently in the security
21 clearance process across agencies and departments
22 of the United States as compared to employees of
23 such agencies and departments. Such policy shall
24 address—

1 (A) prioritization of processing security
2 clearances based on the mission the contractors
3 will be performing;

4 (B) standardization in the forms that
5 agencies issue to initiate the process for a secu-
6 rity clearance;

7 (C) digitization of background investiga-
8 tion-related forms;

9 (D) use of the polygraph;

10 (E) the application of the adjudicative
11 guidelines under Security Executive Agent Di-
12 rective 4 (known as the “National Security Ad-
13 judicative Guidelines”);

14 (F) reciprocal recognition of clearances
15 across agencies and departments of the United
16 States, regardless of status of periodic reinves-
17 tigation;

18 (G) tracking of clearance files as individ-
19 uals move from employment with an agency or
20 department of the United States to employment
21 in the private sector;

22 (H) collection of timelines for movement of
23 contractors across agencies and departments;

24 (I) reporting on security incidents and job
25 performance, consistent with section 552a of

1 title 5, United States Code (commonly known
2 as the “Privacy Act of 1974”), that may affect
3 the ability to hold a security clearance;

4 (J) any recommended changes to the Fed-
5 eral Acquisition Regulations (FAR) necessary
6 to ensure that information affecting contractor
7 clearances or suitability is appropriately and ex-
8 peditiously shared between and among agencies
9 and contractors; and

10 (K) portability of contractor security clear-
11 ances between or among contracts at the same
12 agency and between or among contracts at dif-
13 ferent agencies that require the same level of
14 clearance.

15 (3) A strategy and implementation plan that—

16 (A) provides for periodic reinvestigations
17 as part of a security clearance determination
18 only on an as-needed, risk-based basis;

19 (B) includes actions to assess the extent to
20 which automated records checks and other con-
21 tinuous evaluation methods may be used to ex-
22 pedite or focus reinvestigations; and

23 (C) provides an exception for certain popu-
24 lations if the Security Executive Agent—

- 1 (i) determines such populations re-
2 quire reinvestigations at regular intervals;
3 and
4 (ii) provides written justification to
5 the appropriate congressional committees
6 for any such determination.

7 (4) A policy and implementation plan for agen-
8 cies and departments of the United States, as a part
9 of the security clearance process, to accept auto-
10 mated records checks generated pursuant to a secu-
11 rity clearance applicant's employment with a prior
12 employer.

13 (5) A policy for the use of certain background
14 materials on individuals collected by the private sec-
15 tor for background investigation purposes.

16 (6) Uniform standards for agency continuous
17 evaluation programs to ensure quality and reci-
18 procity in accepting enrollment in a continuous vet-
19 ting program as a substitute for a periodic investiga-
20 tion for continued access to classified information.

21 **SEC. 10604. GOALS FOR PROMPTNESS OF DETERMINATIONS**
22 **REGARDING SECURITY CLEARANCES.**

23 (a) **RECIPROCITY DEFINED.**—In this section, the
24 term “reciprocity” means reciprocal recognition by Fed-

1 eral departments and agencies of eligibility for access to
2 classified information.

3 (b) IN GENERAL.—The Council shall reform the se-
4 curity clearance process with the objective that, by Decem-
5 ber 31, 2021, 90 percent of all determinations, other than
6 determinations regarding populations identified under sec-
7 tion 10603(b)(3)(C), regarding—

8 (1) security clearances—

9 (A) at the secret level are issued in 30
10 days or fewer; and

11 (B) at the top secret level are issued in 90
12 days or fewer; and

13 (2) reciprocity of security clearances at the
14 same level are recognized in 2 weeks or fewer.

15 (c) CERTAIN REINVESTIGATIONS.—The Council shall
16 reform the security clearance process with the goal that
17 by December 31, 2021, reinvestigation on a set periodicity
18 is not required for more than 10 percent of the population
19 that holds a security clearance.

20 (d) EQUIVALENT METRICS.—

21 (1) IN GENERAL.—If the Council develops a set
22 of performance metrics that it certifies to the appro-
23 priate congressional committees should achieve sub-
24 stantially equivalent outcomes as those outlined in
25 subsections (b) and (c), the Council may use those

1 metrics for purposes of compliance within this provi-
2 sion.

3 (2) NOTICE.—If the Council uses the authority
4 provided by paragraph (1) to use metrics as de-
5 scribed in such paragraph, the Council shall, not
6 later than 30 days after communicating such metrics
7 to departments and agencies, notify the appropriate
8 congressional committees that it is using such au-
9 thority.

10 (e) PLAN.—Not later than 180 days after the date
11 of the enactment of this Act, the Council shall submit to
12 the appropriate congressional committees and make avail-
13 able to appropriate industry partners a plan to carry out
14 this section. Such plan shall include recommended interim
15 milestones for the goals set forth in subsections (b) and
16 (c) for 2019, 2020, and 2021.

17 **SEC. 10605. SECURITY EXECUTIVE AGENT.**

18 (a) IN GENERAL.—Title VIII of the National Secu-
19 rity Act of 1947 (50 U.S.C. 3161 et seq.) is amended—

20 (1) by redesignating sections 803 and 804 as
21 sections 804 and 805, respectively; and

22 (2) by inserting after section 802 the following:

23 **“SEC. 803. SECURITY EXECUTIVE AGENT.**

24 “(a) IN GENERAL.—The Director of National Intel-
25 ligence, or such other officer of the United States as the

1 President may designate, shall serve as the Security Exec-
2 utive Agent for all departments and agencies of the United
3 States.

4 “(b) DUTIES.—The duties of the Security Executive
5 Agent are as follows:

6 “(1) To direct the oversight of investigations,
7 reinvestigations, adjudications, and, as applicable,
8 polygraphs for eligibility for access to classified in-
9 formation or eligibility to hold a sensitive position
10 made by any Federal agency.

11 “(2) To review the national security back-
12 ground investigation and adjudication programs of
13 Federal agencies to determine whether such pro-
14 grams are being implemented in accordance with
15 this section.

16 “(3) To develop and issue uniform and con-
17 sistent policies and procedures to ensure the effec-
18 tive, efficient, timely, and secure completion of inves-
19 tigations, polygraphs, and adjudications relating to
20 determinations of eligibility for access to classified
21 information or eligibility to hold a sensitive position.

22 “(4) Unless otherwise designated by law, to
23 serve as the final authority to designate a Federal
24 agency or agencies to conduct investigations of per-
25 sons who are proposed for access to classified infor-

1 mation or for eligibility to hold a sensitive position
2 to ascertain whether such persons satisfy the criteria
3 for obtaining and retaining access to classified infor-
4 mation or eligibility to hold a sensitive position, as
5 applicable.

6 “(5) Unless otherwise designated by law, to
7 serve as the final authority to designate a Federal
8 agency or agencies to determine eligibility for access
9 to classified information or eligibility to hold a sen-
10 sitive position in accordance with Executive Order
11 12968 (50 U.S.C. 3161 note; relating to access to
12 classified information).

13 “(6) To ensure reciprocal recognition of eligi-
14 bility for access to classified information or eligibility
15 to hold a sensitive position among Federal agencies,
16 including acting as the final authority to arbitrate
17 and resolve disputes among such agencies involving
18 the reciprocity of investigations and adjudications of
19 eligibility.

20 “(7) To execute all other duties assigned to the
21 Security Executive Agent by law.

22 “(c) AUTHORITIES.—The Security Executive Agent
23 shall—

24 “(1) issue guidelines and instructions to the
25 heads of Federal agencies to ensure appropriate uni-

1 formity, centralization, efficiency, effectiveness, time-
2 liness, and security in processes relating to deter-
3 minations by such agencies of eligibility for access to
4 classified information or eligibility to hold a sensitive
5 position, including such matters as investigations,
6 polygraphs, adjudications, and reciprocity;

7 “(2) have the authority to grant exceptions to,
8 or waivers of, national security investigative require-
9 ments, including issuing implementing or clarifying
10 guidance, as necessary;

11 “(3) have the authority to assign, in whole or
12 in part, to the head of any Federal agency (solely or
13 jointly) any of the duties of the Security Executive
14 Agent described in subsection (b) or the authorities
15 described in paragraphs (1) and (2), provided that
16 the exercise of such assigned duties or authorities is
17 subject to the oversight of the Security Executive
18 Agent, including such terms and conditions (includ-
19 ing approval by the Security Executive Agent) as the
20 Security Executive Agent determines appropriate;
21 and

22 “(4) define and set standards for continuous
23 evaluation for continued access to classified informa-
24 tion and for eligibility to hold a sensitive position.”.

1 (b) REPORT ON RECOMMENDATIONS FOR REVISING
 2 AUTHORITIES.—Not later than 30 days after the date on
 3 which the Chairman of the Council submits to the appro-
 4 priate congressional committees the report required by
 5 section 602(b)(2)(A), the Chairman shall submit to the
 6 appropriate congressional committees such recommenda-
 7 tions as the Chairman may have for revising the authori-
 8 ties of the Security Executive Agent.

9 (c) CONFORMING AMENDMENT.—Section
 10 103H(j)(4)(A) of such Act (50 U.S.C. 3033(j)(4)(A)) is
 11 amended by striking “in section 804” and inserting “in
 12 section 805”.

13 (d) CLERICAL AMENDMENT.—The table of contents
 14 in the matter preceding section 2 of such Act (50 U.S.C.
 15 3002) is amended by striking the items relating to sections
 16 803 and 804 and inserting the following:

“Sec. 803. Security Executive Agent.

“Sec. 804. Exceptions.

“Sec. 805. Definitions.”.

17 **SEC. 10606. REPORT ON UNIFIED, SIMPLIFIED, GOVERN-**
 18 **MENTWIDE STANDARDS FOR POSITIONS OF**
 19 **TRUST AND SECURITY CLEARANCES.**

20 Not later than 90 days after the date of the enact-
 21 ment of this Act, the Security Executive Agent and the
 22 Suitability and Credentialing Executive Agent, in coordi-
 23 nation with the other members of the Council, shall jointly
 24 submit to the appropriate congressional committees and

1 make available to appropriate industry partners a report
2 regarding the advisability and the risks, benefits, and
3 costs to the Government and to industry of consolidating
4 to not more than 3 tiers for positions of trust and security
5 clearances.

6 **SEC. 10607. REPORT ON CLEARANCE IN PERSON CONCEPT.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that to reflect the greater mobility of the modern
9 workforce, alternative methodologies merit analysis to
10 allow greater flexibility for individuals moving in and out
11 of positions that require access to classified information,
12 while still preserving security.

13 (b) REPORT REQUIRED.—Not later than 90 days
14 after the date of the enactment of this Act, the Security
15 Executive Agent shall submit to the appropriate congres-
16 sional committees and make available to appropriate in-
17 dustry partners a report that describes the requirements,
18 feasibility, and advisability of implementing a clearance in
19 person concept described in subsection (c).

20 (c) CLEARANCE IN PERSON CONCEPT.—The clear-
21 ance in person concept—

22 (1) permits an individual who once held a secu-
23 rity clearance to maintain his or her eligibility for
24 access to classified information, networks, and facili-
25 ties for up to 3 years after the individual's eligibility

1 for access to classified information would otherwise
2 lapse; and

3 (2) recognizes, unless otherwise directed by the
4 Security Executive Agent, an individual's security
5 clearance and background investigation as current,
6 regardless of employment status, contingent on en-
7 rollment in a continuous vetting program.

8 (d) CONTENTS.—The report required under sub-
9 section (b) shall address—

10 (1) requirements for an individual to voluntarily
11 remain in a continuous evaluation program validated
12 by the Security Executive Agent even if the indi-
13 vidual is not in a position requiring access to classi-
14 fied information;

15 (2) appropriate safeguards for privacy;

16 (3) advantages to government and industry;

17 (4) the costs and savings associated with imple-
18 mentation;

19 (5) the risks of such implementation, including
20 security and counterintelligence risks;

21 (6) an appropriate funding model; and

22 (7) fairness to small companies and inde-
23 pendent contractors.

1 **SEC. 10608. BUDGET REQUEST DOCUMENTATION ON FUND-**
2 **ING FOR BACKGROUND INVESTIGATIONS.**

3 (a) IN GENERAL.—As part of the fiscal year 2020
4 budget request submitted to Congress pursuant to section
5 1105(a) of title 31, United States Code, the President
6 shall include exhibits that identify the resources expended
7 by each agency during the prior fiscal year for processing
8 background investigations and continuous evaluation pro-
9 grams, disaggregated by tier and whether the individual
10 was a Government employee or contractor.

11 (b) CONTENTS.—Each exhibit submitted under sub-
12 section (a) shall include details on—

13 (1) the costs of background investigations or re-
14 investigations;

15 (2) the costs associated with background inves-
16 tigations for Government or contract personnel;

17 (3) costs associated with continuous evaluation
18 initiatives monitoring for each person for whom a
19 background investigation or reinvestigation was con-
20 ducted, other than costs associated with adjudica-
21 tion;

22 (4) the average per person cost for each type of
23 background investigation; and

24 (5) a summary of transfers and
25 reprogrammings that were executed in the previous
26 year to support the processing of security clearances.

1 **SEC. 10609. REPORTS ON RECIPROCITY FOR SECURITY**
2 **CLEARANCES INSIDE OF DEPARTMENTS AND**
3 **AGENCIES.**

4 (a) RECIPROCALLY RECOGNIZED DEFINED.—In this
5 section, the term “reciprocally recognized” means recip-
6 rocal recognition by Federal departments and agencies of
7 eligibility for access to classified information.

8 (b) REPORTS TO SECURITY EXECUTIVE AGENT.—
9 The head of each Federal department or agency shall sub-
10 mit an annual report to the Security Executive Agent
11 that—

12 (1) identifies the number of individuals whose
13 security clearances take more than 2 weeks to be re-
14 ciprocally recognized after such individuals move to
15 another part of such department or agency; and

16 (2) breaks out the information described in
17 paragraph (1) by type of clearance and the reasons
18 for any delays.

19 (c) ANNUAL REPORT.—Not less frequently than once
20 each year, the Security Executive Agent shall submit to
21 the appropriate congressional committees and make avail-
22 able to industry partners an annual report that summa-
23 rizes the information received pursuant to subsection (b)
24 during the period covered by such report.

1 **SEC. 10610. INTELLIGENCE COMMUNITY REPORTS ON SE-**
2 **URITY CLEARANCES.**

3 Section 506H of the National Security Act of 1947
4 (50 U.S.C. 3104) is amended—

5 (1) in subsection (a)(1)—

6 (A) in subparagraph (A)(ii), by adding
7 “and” at the end;

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

10 (C) by striking subparagraph (C);

11 (2) by redesignating subsection (b) as sub-
12 section (c);

13 (3) by inserting after subsection (a) the fol-
14 lowing:

15 “(b) INTELLIGENCE COMMUNITY REPORTS.—(1)(A)
16 Not later than March 1 of each year, the Director of Na-
17 tional Intelligence shall submit a report to the congres-
18 sional intelligence committees, the Committee on Home-
19 land Security and Governmental Affairs of the Senate, the
20 Committee on Homeland Security of the House of Rep-
21 resentatives, and the Committee on Oversight and Reform
22 of the House of Representatives regarding the security
23 clearances processed by each element of the intelligence
24 community during the preceding fiscal year.

25 “(B) The Director shall submit to the Committee on
26 Armed Services of the Senate and the Committee on

1 Armed Services of the House of Representatives such por-
2 tions of the report submitted under subparagraph (A) as
3 the Director determines address elements of the intel-
4 ligence community that are within the Department of De-
5 fense.

6 “(C) Each report submitted under this paragraph
7 shall separately identify security clearances processed for
8 Federal employees and contractor employees sponsored by
9 each such element.

10 “(2) Each report submitted under paragraph (1)(A)
11 shall include, for each element of the intelligence commu-
12 nity for the fiscal year covered by the report, the following:

13 “(A) The total number of initial security clear-
14 ance background investigations sponsored for new
15 applicants.

16 “(B) The total number of security clearance
17 periodic reinvestigations sponsored for existing em-
18 ployees.

19 “(C) The total number of initial security clear-
20 ance background investigations for new applicants
21 that were adjudicated with notice of a determination
22 provided to the prospective applicant, including—

23 “(i) the total number of such adjudications
24 that were adjudicated favorably and granted ac-
25 cess to classified information; and

1 “(ii) the total number of such adjudica-
2 tions that were adjudicated unfavorably and re-
3 sulted in a denial or revocation of a security
4 clearance.

5 “(D) The total number of security clearance
6 periodic background investigations that were adjudicated with notice of a determination provided to
7 the existing employee, including—

8 “(i) the total number of such adjudications
9 that were adjudicated favorably; and

10 “(ii) the total number of such adjudica-
11 tions that were adjudicated unfavorably and re-
12 sulted in a denial or revocation of a security
13 clearance.

14 “(E) The total number of pending security
15 clearance background investigations, including initial
16 applicant investigations and periodic reinvestiga-
17 tions, that were not adjudicated as of the last day
18 of such year and that remained pending, categorized
19 as follows:

20 “(i) For 180 days or shorter.

21 “(ii) For longer than 180 days, but shorter
22 than 12 months.

23 “(iii) For 12 months or longer, but shorter
24 than 18 months.

1 “(iv) For 18 months or longer, but shorter
2 than 24 months.

3 “(v) For 24 months or longer.

4 “(F) For any security clearance determinations
5 completed or pending during the year preceding the
6 year for which the report is submitted that have
7 taken longer than 12 months to complete—

8 “(i) an explanation of the causes for the
9 delays incurred during the period covered by
10 the report; and

11 “(ii) the number of such delays involving a
12 polygraph requirement.

13 “(G) The percentage of security clearance in-
14 vestigations, including initial and periodic reinves-
15 tigations, that resulted in a denial or revocation of
16 a security clearance.

17 “(H) The percentage of security clearance in-
18 vestigations that resulted in incomplete information.

19 “(I) The percentage of security clearance inves-
20 tigations that did not result in enough information
21 to make a decision on potentially adverse informa-
22 tion.

23 “(3) The report required under this subsection shall
24 be submitted in unclassified form, but may include a clas-
25 sified annex.”; and

1 (4) in subsection (c), as redesignated, by strik-
2 ing “subsection (a)(1)” and inserting “subsections
3 (a)(1) and (b)”.

4 **SEC. 10611. PERIODIC REPORT ON POSITIONS IN THE IN-**
5 **TELLIGENCE COMMUNITY THAT CAN BE CON-**
6 **DUCTED WITHOUT ACCESS TO CLASSIFIED**
7 **INFORMATION, NETWORKS, OR FACILITIES.**

8 Not later than 180 days after the date of the enact-
9 ment of this Act and not less frequently than once every
10 5 years thereafter, the Director of National Intelligence
11 shall submit to the congressional intelligence committees
12 a report that reviews the intelligence community for which
13 positions can be conducted without access to classified in-
14 formation, networks, or facilities, or may only require a
15 security clearance at the secret level.

16 **SEC. 10612. INFORMATION SHARING PROGRAM FOR POSI-**
17 **TIONS OF TRUST AND SECURITY CLEAR-**
18 **ANCES.**

19 (a) PROGRAM REQUIRED.—

20 (1) IN GENERAL.—Not later than 90 days after
21 the date of the enactment of this Act, the Security
22 Executive Agent and the Suitability and
23 Credentialing Executive Agent shall establish and
24 implement a program to share between and among
25 agencies of the Federal Government and industry

1 partners of the Federal Government relevant back-
2 ground information regarding individuals applying
3 for and currently occupying national security posi-
4 tions and positions of trust, in order to ensure the
5 Federal Government maintains a trusted workforce.

6 (2) DESIGNATION.—The program established
7 under paragraph (1) shall be known as the “Trusted
8 Information Provider Program” (in this section re-
9 ferred to as the “Program”).

10 (b) PRIVACY SAFEGUARDS.—The Security Executive
11 Agent and the Suitability and Credentialing Executive
12 Agent shall ensure that the Program includes such safe-
13 guards for privacy as the Security Executive Agent and
14 the Suitability and Credentialing Executive Agent consider
15 appropriate.

16 (c) PROVISION OF INFORMATION TO THE FEDERAL
17 GOVERNMENT.—The Program shall include requirements
18 that enable investigative service providers and agencies of
19 the Federal Government to leverage certain pre-employ-
20 ment information gathered during the employment or mili-
21 tary recruiting process, and other relevant security or
22 human resources information obtained during employment
23 with or for the Federal Government, that satisfy Federal
24 investigative standards, while safeguarding personnel pri-
25 vacy.

1 (d) INFORMATION AND RECORDS.—The information
2 and records considered under the Program shall include
3 the following:

4 (1) Date and place of birth.

5 (2) Citizenship or immigration and naturaliza-
6 tion information.

7 (3) Education records.

8 (4) Employment records.

9 (5) Employment or social references.

10 (6) Military service records.

11 (7) State and local law enforcement checks.

12 (8) Criminal history checks.

13 (9) Financial records or information.

14 (10) Foreign travel, relatives, or associations.

15 (11) Social media checks.

16 (12) Such other information or records as may
17 be relevant to obtaining or maintaining national se-
18 curity, suitability, fitness, or credentialing eligibility.

19 (e) IMPLEMENTATION PLAN.—

20 (1) IN GENERAL.—Not later than 90 days after
21 the date of the enactment of this Act, the Security
22 Executive Agent and the Suitability and
23 Credentialing Executive Agent shall jointly submit to
24 the appropriate congressional committees and make

1 available to appropriate industry partners a plan for
2 the implementation of the Program.

3 (2) ELEMENTS.—The plan required by para-
4 graph (1) shall include the following:

5 (A) Mechanisms that address privacy, na-
6 tional security, suitability or fitness,
7 credentialing, and human resources or military
8 recruitment processes.

9 (B) Such recommendations for legislative
10 or administrative action as the Security Execu-
11 tive Agent and the Suitability and Credentialing
12 Executive Agent consider appropriate to carry
13 out or improve the Program.

14 (f) PLAN FOR PILOT PROGRAM ON TWO-WAY INFOR-
15 MATION SHARING.—

16 (1) IN GENERAL.—Not later than 180 days
17 after the date of the enactment of this Act, the Se-
18 curity Executive Agent and the Suitability and
19 Credentialing Executive Agent shall jointly submit to
20 the appropriate congressional committees and make
21 available to appropriate industry partners a plan for
22 the implementation of a pilot program to assess the
23 feasibility and advisability of expanding the Program
24 to include the sharing of information held by the
25 Federal Government related to contract personnel

1 with the security office of the employers of those
2 contractor personnel.

3 (2) ELEMENTS.—The plan required by para-
4 graph (1) shall include the following:

5 (A) Mechanisms that address privacy, na-
6 tional security, suitability or fitness,
7 credentialing, and human resources or military
8 recruitment processes.

9 (B) Such recommendations for legislative
10 or administrative action as the Security Execu-
11 tive Agent and the Suitability and Credentialing
12 Executive Agent consider appropriate to carry
13 out or improve the pilot program.

14 (g) REVIEW.—Not later than 1 year after the date
15 of the enactment of this Act, the Security Executive Agent
16 and the Suitability and Credentialing Executive Agent
17 shall jointly submit to the appropriate congressional com-
18 mittees and make available to appropriate industry part-
19 ners a review of the plans submitted under subsections
20 (e)(1) and (f)(1) and utility and effectiveness of the pro-
21 grams described in such plans.

1 **SEC. 10613. REPORT ON PROTECTIONS FOR CONFIDEN-**
2 **TIALITY OF WHISTLEBLOWER-RELATED COM-**
3 **MUNICATIONS.**

4 Not later than 180 days after the date of the enact-
5 ment of this Act, the Security Executive Agent shall, in
6 coordination with the Inspector General of the Intelligence
7 Community, submit to the appropriate congressional com-
8 mittees a report detailing the controls employed by the in-
9 telligence community to ensure that continuous vetting
10 programs, including those involving user activity moni-
11 toring, protect the confidentiality of whistleblower-related
12 communications.

13 **TITLE CVII—REPORTS AND**
14 **OTHER MATTERS**
15 **Subtitle A—Matters Relating to**
16 **Russia and Other Foreign Powers**

17 **SEC. 10701. LIMITATION RELATING TO ESTABLISHMENT OR**
18 **SUPPORT OF CYBERSECURITY UNIT WITH**
19 **THE RUSSIAN FEDERATION.**

20 (a) APPROPRIATE CONGRESSIONAL COMMITTEES
21 DEFINED.—In this section, the term “appropriate con-
22 gressional committees” means—

- 23 (1) the congressional intelligence committees;
24 (2) the Committee on Armed Services of the
25 Senate and the Committee on Armed Services of the
26 House of Representatives; and

1 (3) the Committee on Foreign Relations of the
2 Senate and the Committee on Foreign Affairs of the
3 House of Representatives.

4 (b) LIMITATION.—

5 (1) IN GENERAL.—No amount may be ex-
6 pended by the Federal Government, other than the
7 Department of Defense, to enter into or implement
8 any bilateral agreement between the United States
9 and the Russian Federation regarding cybersecurity,
10 including the establishment or support of any cyber-
11 security unit, unless, at least 30 days prior to the
12 conclusion of any such agreement, the Director of
13 National Intelligence submits to the appropriate con-
14 gressional committees a report on such agreement
15 that includes the elements required by subsection
16 (c).

17 (2) DEPARTMENT OF DEFENSE AGREE-
18 MENTS.—Any agreement between the Department of
19 Defense and the Russian Federation regarding cy-
20 bersecurity shall be conducted in accordance with
21 section 1232 of the National Defense Authorization
22 Act for Fiscal Year 2017 (Public Law 114–328), as
23 amended by section 1231 of the National Defense
24 Authorization Act for Fiscal Year 2018 (Public Law
25 115–91).

1 (c) ELEMENTS.—If the Director submits a report
2 under subsection (b) with respect to an agreement, such
3 report shall include a description of each of the following:

4 (1) The purpose of the agreement.

5 (2) The nature of any intelligence to be shared
6 pursuant to the agreement.

7 (3) The expected value to national security re-
8 sulting from the implementation of the agreement.

9 (4) Such counterintelligence concerns associated
10 with the agreement as the Director may have and
11 such measures as the Director expects to be taken
12 to mitigate such concerns.

13 (d) RULE OF CONSTRUCTION.—This section shall not
14 be construed to affect any existing authority of the Direc-
15 tor of National Intelligence, the Director of the Central
16 Intelligence Agency, or another head of an element of the
17 intelligence community, to share or receive foreign intel-
18 ligence on a case-by-case basis.

19 **SEC. 10702. REPORT ON RETURNING RUSSIAN COMPOUNDS.**

20 (a) COVERED COMPOUNDS DEFINED.—In this sec-
21 tion, the term “covered compounds” means the real prop-
22 erty in New York, the real property in Maryland, and the
23 real property in San Francisco, California, that were
24 under the control of the Government of Russia in 2016
25 and were removed from such control in response to various

1 transgressions by the Government of Russia, including the
2 interference by the Government of Russia in the 2016
3 election in the United States.

4 (b) REQUIREMENT FOR REPORT.—Not later than
5 180 days after the date of the enactment of this Act, the
6 Director of National Intelligence shall submit to the con-
7 gressional intelligence committees, and the Committee on
8 Foreign Relations of the Senate and the Committee on
9 Foreign Affairs of the House of Representatives (only with
10 respect to the unclassified report), a report on the intel-
11 ligence risks of returning the covered compounds to Rus-
12 sian control.

13 (c) FORM OF REPORT.—The report required by this
14 section shall be submitted in classified and unclassified
15 forms.

16 **SEC. 10703. ASSESSMENT OF THREAT FINANCE RELATING**
17 **TO RUSSIA.**

18 (a) THREAT FINANCE DEFINED.—In this section,
19 the term “threat finance” means—

20 (1) the financing of cyber operations, global in-
21 fluence campaigns, intelligence service activities, pro-
22 liferation, terrorism, or transnational crime and
23 drug organizations;

1 (2) the methods and entities used to spend,
2 store, move, raise, conceal, or launder money or
3 value, on behalf of threat actors;

4 (3) sanctions evasion; and

5 (4) other forms of threat finance activity do-
6 mestically or internationally, as defined by the Presi-
7 dent.

8 (b) REPORT REQUIRED.—Not later than 60 days
9 after the date of the enactment of this Act, the Director
10 of National Intelligence, in coordination with the Assistant
11 Secretary of the Treasury for Intelligence and Analysis,
12 shall submit to the congressional intelligence committees
13 a report containing an assessment of Russian threat fi-
14 nance. The assessment shall be based on intelligence from
15 all sources, including from the Office of Terrorism and
16 Financial Intelligence of the Department of the Treasury.

17 (c) ELEMENTS.—The report required by subsection
18 (b) shall include each of the following:

19 (1) A summary of leading examples from the 3-
20 year period preceding the date of the submittal of
21 the report of threat finance activities conducted by,
22 for the benefit of, or at the behest of—

23 (A) officials of the Government of Russia;

1 (B) persons subject to sanctions under any
2 provision of law imposing sanctions with respect
3 to Russia;

4 (C) Russian nationals subject to sanctions
5 under any other provision of law; or

6 (D) Russian oligarchs or organized crimi-
7 nals.

8 (2) An assessment with respect to any trends or
9 patterns in threat finance activities relating to Rus-
10 sia, including common methods of conducting such
11 activities and global nodes of money laundering used
12 by Russian threat actors described in paragraph (1)
13 and associated entities.

14 (3) An assessment of any connections between
15 Russian individuals involved in money laundering
16 and the Government of Russia.

17 (4) A summary of engagement and coordination
18 with international partners on threat finance relat-
19 ing to Russia, especially in Europe, including exam-
20 ples of such engagement and coordination.

21 (5) An identification of any resource and collec-
22 tion gaps.

23 (6) An identification of—

1 (A) entry points of money laundering by
2 Russian and associated entities into the United
3 States;

4 (B) any vulnerabilities within the United
5 States legal and financial system, including spe-
6 cific sectors, which have been or could be ex-
7 ploited in connection with Russian threat fi-
8 nance activities; and

9 (C) the counterintelligence threat posed by
10 Russian money laundering and other forms of
11 threat finance, as well as the threat to the
12 United States financial system and United
13 States efforts to enforce sanctions and combat
14 organized crime.

15 (7) Any other matters the Director determines
16 appropriate.

17 (d) FORM OF REPORT.—The report required under
18 subsection (b) may be submitted in classified form.

19 **SEC. 10704. NOTIFICATION OF AN ACTIVE MEASURES CAM-**
20 **PAIGN.**

21 (a) DEFINITIONS.—In this section:

22 (1) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES.—The term “appropriate congressional com-
24 mittees” means—

1 (A) the congressional intelligence commit-
2 tees;

3 (B) the Committee on Armed Services of
4 the Senate and the Committee on Armed Serv-
5 ices of the House of Representatives; and

6 (C) the Committee on Foreign Relations of
7 the Senate and the Committee on Foreign Af-
8 fairs of the House of Representatives.

9 (2) CONGRESSIONAL LEADERSHIP.—The term
10 “congressional leadership” includes the following:

11 (A) The majority leader of the Senate.

12 (B) The minority leader of the Senate.

13 (C) The Speaker of the House of Rep-
14 resentatives.

15 (D) The minority leader of the House of
16 Representatives.

17 (b) REQUIREMENT FOR NOTIFICATION.—The Direc-
18 tor of National Intelligence, in cooperation with the Direc-
19 tor of the Federal Bureau of Investigation and the head
20 of any other relevant agency, shall notify the congressional
21 leadership and the Chairman and Vice Chairman or Rank-
22 ing Member of each of the appropriate congressional com-
23 mittees, and of other relevant committees of jurisdiction,
24 each time the Director of National Intelligence determines
25 there is credible information that a foreign power has, is,

1 or will attempt to employ a covert influence or active
 2 measures campaign with regard to the modernization, em-
 3 ployment, doctrine, or force posture of the nuclear deter-
 4 rent or missile defense.

5 (c) CONTENT OF NOTIFICATION.—Each notification
 6 required by subsection (b) shall include information con-
 7 cerning actions taken by the United States to expose or
 8 halt an attempt referred to in subsection (b).

9 **SEC. 10705. NOTIFICATION OF TRAVEL BY ACCREDITED**
 10 **DIPLOMATIC AND CONSULAR PERSONNEL OF**
 11 **THE RUSSIAN FEDERATION IN THE UNITED**
 12 **STATES.**

13 In carrying out the advance notification requirements
 14 set out in section 502 of the Intelligence Authorization
 15 Act for Fiscal Year 2017 (division N of Public Law 115–
 16 31; 131 Stat. 825; 22 U.S.C. 254a note), the Secretary
 17 of State shall—

18 (1) ensure that the Russian Federation provides
 19 notification to the Secretary of State at least 2 busi-
 20 ness days in advance of all travel that is subject to
 21 such requirements by accredited diplomatic and con-
 22 sular personnel of the Russian Federation in the
 23 United States, and take necessary action to secure
 24 full compliance by Russian personnel and address
 25 any noncompliance; and

1 (2) provide notice of travel described in para-
2 graph (1) to the Director of National Intelligence
3 and the Director of the Federal Bureau of Investiga-
4 tion within 1 hour of receiving notice of such travel.

5 **SEC. 10706. REPORT ON OUTREACH STRATEGY ADDRESS-**
6 **ING THREATS FROM UNITED STATES ADVER-**
7 **SARIES TO THE UNITED STATES TECH-**
8 **NOLOGY SECTOR.**

9 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
10 FINED.—In this section, the term “appropriate commit-
11 tees of Congress” means—

- 12 (1) the congressional intelligence committees;
13 (2) the Committee on Armed Services and the
14 Committee on Homeland Security and Governmental
15 Affairs of the Senate; and
16 (3) the Committee on Armed Services, Com-
17 mittee on Homeland Security, and the Committee on
18 Oversight and Reform of the House of Representa-
19 tives.

20 (b) REPORT REQUIRED.—Not later than 180 days
21 after the date of the enactment of this Act, the Director
22 of National Intelligence shall submit to the appropriate
23 committees of Congress a report detailing outreach by the
24 intelligence community and the Defense Intelligence En-
25 terprise to United States industrial, commercial, scientific,

1 technical, and academic communities on matters relating
2 to the efforts of adversaries of the United States to ac-
3 quire critical United States technology, intellectual prop-
4 erty, and research and development information.

5 (c) CONTENTS.—The report required by subsection
6 (b) shall include the following:

7 (1) A review of the current outreach efforts of
8 the intelligence community and the Defense Intel-
9 ligence Enterprise described in subsection (b), in-
10 cluding the type of information conveyed in the out-
11 reach.

12 (2) A determination of the appropriate element
13 of the intelligence community to lead such outreach
14 efforts.

15 (3) An assessment of potential methods for im-
16 proving the effectiveness of such outreach, including
17 an assessment of the following:

18 (A) Those critical technologies, infrastruc-
19 ture, or related supply chains that are at risk
20 from the efforts of adversaries described in sub-
21 section (b).

22 (B) The necessity and advisability of
23 granting security clearances to company or
24 community leadership, when necessary and ap-

1 appropriate, to allow for tailored classified brief-
2 ings on specific targeted threats.

3 (C) The advisability of partnering with en-
4 tities of the Federal Government that are not
5 elements of the intelligence community and rel-
6 evant regulatory and industry groups described
7 in subsection (b), to convey key messages across
8 sectors targeted by United States adversaries.

9 (D) Strategies to assist affected elements
10 of the communities described in subparagraph
11 (C) in mitigating, deterring, and protecting
12 against the broad range of threats from the ef-
13 forts of adversaries described in subsection (b),
14 with focus on producing information that en-
15 ables private entities to justify business deci-
16 sions related to national security concerns.

17 (E) The advisability of the establishment
18 of a United States Government-wide task force
19 to coordinate outreach and activities to combat
20 the threats from efforts of adversaries described
21 in subsection (b).

22 (F) Such other matters as the Director of
23 National Intelligence may consider necessary.

24 (d) CONSULTATION ENCOURAGED.—In preparing the
25 report required by subsection (b), the Director is encour-

1 aged to consult with other government agencies, think
 2 tanks, academia, representatives of the financial industry,
 3 or such other entities as the Director considers appro-
 4 priate.

5 (e) FORM.—The report required by subsection (b)
 6 shall be submitted in unclassified form, but may include
 7 a classified annex as necessary.

8 **SEC. 10707. REPORT ON IRANIAN SUPPORT OF PROXY**
 9 **FORCES IN SYRIA AND LEBANON.**

10 (a) DEFINITIONS.—In this section:

11 (1) APPROPRIATE COMMITTEES OF CON-
 12 GRESS.—The term “appropriate committees of Con-
 13 gress” means—

14 (A) the Committee on Armed Services, the
 15 Committee on Foreign Relations, and the Select
 16 Committee on Intelligence of the Senate; and

17 (B) the Committee on Armed Services, the
 18 Committee on Foreign Affairs, and the Perma-
 19 nent Select Committee on Intelligence of the
 20 House of Representatives.

21 (2) ARMS OR RELATED MATERIAL.—The term
 22 “arms or related material” means—

23 (A) nuclear, biological, chemical, or radio-
 24 logical weapons or materials or components of
 25 such weapons;

1 (B) ballistic or cruise missile weapons or
2 materials or components of such weapons;

3 (C) destabilizing numbers and types of ad-
4 vanced conventional weapons;

5 (D) defense articles or defense services, as
6 those terms are defined in paragraphs (3) and
7 (4), respectively, of section 47 of the Arms Ex-
8 port Control Act (22 U.S.C. 2794);

9 (E) defense information, as that term is
10 defined in section 644 of the Foreign Assist-
11 ance Act of 1961 (22 U.S.C. 2403); or

12 (F) items designated by the President for
13 purposes of the United States Munitions List
14 under section 38(a)(1) of the Arms Export
15 Control Act (22 U.S.C. 2778(a)(1)).

16 (b) REPORT REQUIRED.—Not later than 180 days
17 after the date of the enactment of this Act, the Director
18 of National Intelligence shall submit to the appropriate
19 committees of Congress a report on Iranian support of
20 proxy forces in Syria and Lebanon and the threat posed
21 to Israel, other United States regional allies, and other
22 specified interests of the United States as a result of such
23 support.

24 (c) MATTERS FOR INCLUSION.—The report required
25 under subsection (b) shall include information relating to

1 the following matters with respect to both the strategic
2 and tactical implications for the United States and its al-
3 lies:

4 (1) A description of arms or related materiel
5 transferred by Iran to Hizballah since March 2011,
6 including the number of such arms or related mate-
7 riel and whether such transfer was by land, sea, or
8 air, as well as financial and additional technological
9 capabilities transferred by Iran to Hizballah.

10 (2) A description of Iranian and Iranian-con-
11 trolled personnel, including Hizballah, Shiite mili-
12 tias, and Iran's Revolutionary Guard Corps forces,
13 operating within Syria, including the number and
14 geographic distribution of such personnel operating
15 within 30 kilometers of the Israeli borders with
16 Syria and Lebanon.

17 (3) An assessment of Hizballah's operational
18 lessons learned based on its recent experiences in
19 Syria.

20 (4) A description of any rocket-producing facili-
21 ties in Lebanon for nonstate actors, including wheth-
22 er such facilities were assessed to be built at the di-
23 rection of Hizballah leadership, Iranian leadership,
24 or in consultation between Iranian leadership and
25 Hizballah leadership.

1 (5) An analysis of the foreign and domestic
2 supply chains that significantly facilitate, support, or
3 otherwise aid Hizballah's acquisition or development
4 of missile production facilities, including the geo-
5 graphic distribution of such foreign and domestic
6 supply chains.

7 (6) An assessment of the provision of goods,
8 services, or technology transferred by Iran or its af-
9 filiates to Hizballah to indigenously manufacture or
10 otherwise produce missiles.

11 (7) An identification of foreign persons that are
12 based on credible information, facilitating the trans-
13 fer of significant financial support or arms or re-
14 lated materiel to Hizballah.

15 (8) A description of the threat posed to Israel
16 and other United States allies in the Middle East by
17 the transfer of arms or related material or other
18 support offered to Hizballah and other proxies from
19 Iran.

20 (d) FORM OF REPORT.—The report required under
21 subsection (b) shall be submitted in unclassified form, but
22 may include a classified annex.

1 **SEC. 10708. ANNUAL REPORT ON IRANIAN EXPENDITURES**
2 **SUPPORTING FOREIGN MILITARY AND TER-**
3 **RORIST ACTIVITIES.**

4 (a) ANNUAL REPORT REQUIRED.—Not later than 90
5 days after the date of the enactment of this Act and not
6 less frequently than once each year thereafter, the Direc-
7 tor of National Intelligence shall submit to Congress a re-
8 port describing Iranian expenditures in the previous cal-
9 endar year on military and terrorist activities outside the
10 country, including each of the following:

11 (1) The amount spent in such calendar year on
12 activities by the Islamic Revolutionary Guard Corps,
13 including activities providing support for—

14 (A) Hizballah;

15 (B) Houthi rebels in Yemen;

16 (C) Hamas;

17 (D) proxy forces in Iraq and Syria; or

18 (E) any other entity or country the Direc-
19 tor determines to be relevant.

20 (2) The amount spent in such calendar year for
21 ballistic missile research and testing or other activi-
22 ties that the Director determines are destabilizing to
23 the Middle East region.

24 (b) FORM.—The report required under subsection (a)
25 shall be submitted in unclassified form, but may include
26 a classified annex.

1 **SEC. 10709. EXPANSION OF SCOPE OF COMMITTEE TO**
2 **COUNTER ACTIVE MEASURES AND REPORT**
3 **ON ESTABLISHMENT OF FOREIGN MALIGN IN-**
4 **FLUENCE CENTER.**

5 (a) SCOPE OF COMMITTEE TO COUNTER ACTIVE
6 MEASURES.—

7 (1) IN GENERAL.—Section 501 of the Intel-
8 ligence Authorization Act for Fiscal Year 2017
9 (Public Law 115–31; 50 U.S.C. 3001 note) is
10 amended—

11 (A) in subsections (a) through (h)—

12 (i) by inserting “, the People’s Repub-
13 lic of China, the Islamic Republic of Iran,
14 the Democratic People’s Republic of
15 Korea, or other nation state” after “Rus-
16 sian Federation” each place it appears;
17 and

18 (ii) by inserting “, China, Iran, North
19 Korea, or other nation state” after “Rus-
20 sia” each place it appears; and

21 (B) in the section heading, by inserting “,
22 **THE PEOPLE’S REPUBLIC OF CHINA, THE**
23 **ISLAMIC REPUBLIC OF IRAN, THE DEMO-**
24 **CRATIC PEOPLE’S REPUBLIC OF KOREA,**
25 **OR OTHER NATION STATE”** after “**RUSSIAN**
26 **FEDERATION”**’.

1 (2) CLERICAL AMENDMENT.—The table of con-
2 tents in section 1(b) of such Act is amended by
3 striking the item relating to section 501 and insert-
4 ing the following new item:

“Sec. 501. Committee to counter active measures by the Russian Federation,
the People’s Republic of China, the Islamic Republic of Iran,
the Democratic People’s Republic of Korea, and other nation
states to exert covert influence over peoples and governments.”.

5 (b) REPORT REQUIRED.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of the enactment of this Act, the Di-
8 rector of National Intelligence, in coordination with
9 such elements of the intelligence community as the
10 Director considers relevant, shall submit to the con-
11 gressional intelligence committees a report on the
12 feasibility and advisability of establishing a center,
13 to be known as the “Foreign Malign Influence Re-
14 sponse Center”, that—

15 (A) is comprised of analysts from all ap-
16 propriate elements of the intelligence commu-
17 nity, including elements with related diplomatic
18 and law enforcement functions;

19 (B) has access to all intelligence and other
20 reporting acquired by the United States Gov-
21 ernment on foreign efforts to influence, through
22 overt and covert malign activities, United
23 States political processes and elections;

1 (C) provides comprehensive assessment,
 2 and indications and warning, of such activities;
 3 and

4 (D) provides for enhanced dissemination of
 5 such assessment to United States policy mak-
 6 ers.

7 (2) CONTENTS.—The Report required by para-
 8 graph (1) shall include the following:

9 (A) A discussion of the desirability of the
 10 establishment of such center and any barriers
 11 to such establishment.

12 (B) Such recommendations and other mat-
 13 ters as the Director considers appropriate.

14 **Subtitle B—Reports**

15 **SEC. 10711. TECHNICAL CORRECTION TO INSPECTOR GEN- 16 ERAL STUDY.**

17 Section 11001(d) of title 5, United States Code, is
 18 amended—

19 (1) in the subsection heading, by striking
 20 “AUDIT” and inserting “REVIEW”;

21 (2) in paragraph (1), by striking “audit” and
 22 inserting “review”; and

23 (3) in paragraph (2), by striking “audit” and
 24 inserting “review”.

1 **SEC. 10712. REPORTS ON AUTHORITIES OF THE CHIEF IN-**
2 **TELLIGENCE OFFICER OF THE DEPARTMENT**
3 **OF HOMELAND SECURITY.**

4 (a) DEFINITIONS.—In this section:

5 (1) APPROPRIATE COMMITTEES OF CON-
6 GRESS.—The term “appropriate committees of Con-
7 gress” means—

8 (A) the congressional intelligence commit-
9 tees;

10 (B) the Committee on Homeland Security
11 and Governmental Affairs of the Senate; and

12 (C) the Committee on Homeland Security
13 of the House of Representatives.

14 (2) HOMELAND SECURITY INTELLIGENCE EN-
15 TERPRISE.—The term “Homeland Security Intel-
16 ligence Enterprise” has the meaning given such
17 term in Department of Homeland Security Instruc-
18 tion Number 264–01–001, or successor authority.

19 (b) REPORT REQUIRED.—Not later than 120 days
20 after the date of the enactment of this Act, the Secretary
21 of Homeland Security, in consultation with the Under Sec-
22 retary of Homeland Security for Intelligence and Analysis,
23 shall submit to the appropriate committees of Congress
24 a report on the authorities of the Under Secretary.

25 (c) ELEMENTS.—The report required by subsection
26 (b) shall include each of the following:

1 (1) An analysis of whether the Under Secretary
2 has the legal and policy authority necessary to orga-
3 nize and lead the Homeland Security Intelligence
4 Enterprise, with respect to intelligence, and, if not,
5 a description of—

6 (A) the obstacles to exercising the authori-
7 ties of the Chief Intelligence Officer of the De-
8 partment and the Homeland Security Intel-
9 ligence Council, of which the Chief Intelligence
10 Officer is the chair; and

11 (B) the legal and policy changes necessary
12 to effectively coordinate, organize, and lead in-
13 telligence activities of the Department of Home-
14 land Security.

15 (2) A description of the actions that the Sec-
16 retary has taken to address the inability of the
17 Under Secretary to require components of the De-
18 partment, other than the Office of Intelligence and
19 Analysis of the Department to—

20 (A) coordinate intelligence programs; and

21 (B) integrate and standardize intelligence
22 products produced by such other components.

23 **SEC. 10713. REPORT ON CYBER EXCHANGE PROGRAM.**

24 (a) REPORT.—Not later than 90 days after the date
25 of the enactment of this Act, the Director of National In-

1 telligence shall submit to the congressional intelligence
2 committees a report on the potential establishment of a
3 fully voluntary exchange program between elements of the
4 intelligence community and private technology companies
5 under which—

6 (1) an employee of an element of the intel-
7 ligence community with demonstrated expertise and
8 work experience in cybersecurity or related dis-
9 ciplines may elect to be temporarily detailed to a pri-
10 vate technology company that has elected to receive
11 the detailee; and

12 (2) an employee of a private technology com-
13 pany with demonstrated expertise and work experi-
14 ence in cybersecurity or related disciplines may elect
15 to be temporarily detailed to an element of the intel-
16 ligence community that has elected to receive the
17 detailee.

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

20 (1) An assessment of the feasibility of estab-
21 lishing the exchange program described in such sub-
22 section.

23 (2) Identification of any challenges in estab-
24 lishing the exchange program.

1 (3) An evaluation of the benefits to the intel-
2 ligence community that would result from the ex-
3 change program.

4 **SEC. 10714. REVIEW OF INTELLIGENCE COMMUNITY WHIS-**
5 **TLEBLOWER MATTERS.**

6 (a) REVIEW OF WHISTLEBLOWER MATTERS.—The
7 Inspector General of the Intelligence Community, in con-
8 sultation with the inspectors general for the Central Intel-
9 ligence Agency, the National Security Agency, the Na-
10 tional Geospatial-Intelligence Agency, the Defense Intel-
11 ligence Agency, and the National Reconnaissance Office,
12 shall conduct a review of the authorities, policies, inves-
13 tigatory standards, and other practices and procedures re-
14 lating to intelligence community whistleblower matters,
15 with respect to such inspectors general.

16 (b) OBJECTIVE OF REVIEW.—The objective of the re-
17 view required under subsection (a) is to identify any dis-
18 crepancies, inconsistencies, or other issues, which frustrate
19 the timely and effective reporting of intelligence commu-
20 nity whistleblower matters to appropriate inspectors gen-
21 eral and to the congressional intelligence committees, and
22 the fair and expeditious investigation and resolution of
23 such matters.

24 (c) CONDUCT OF REVIEW.—The Inspector General of
25 the Intelligence Community shall take such measures as

1 the Inspector General determines necessary in order to en-
2 sure that the review required by subsection (a) is con-
3 ducted in an independent and objective fashion.

4 (d) REPORT.—Not later than 270 days after the date
5 of the enactment of this Act, the Inspector General of the
6 Intelligence Community shall submit to the congressional
7 intelligence committees a written report containing the re-
8 sults of the review required under subsection (a), along
9 with recommendations to improve the timely and effective
10 reporting of intelligence community whistleblower matters
11 to inspectors general and to the congressional intelligence
12 committees and the fair and expeditious investigation and
13 resolution of such matters.

14 **SEC. 10715. REPORT ON ROLE OF DIRECTOR OF NATIONAL**
15 **INTELLIGENCE WITH RESPECT TO CERTAIN**
16 **FOREIGN INVESTMENTS.**

17 (a) REPORT.—Not later than 180 days after the date
18 of the enactment of this Act, the Director of National In-
19 telligence, in consultation with the heads of the elements
20 of the intelligence community determined appropriate by
21 the Director, shall submit to the congressional intelligence
22 committees a report on the role of the Director in pre-
23 paring analytic materials in connection with the evaluation
24 by the Federal Government of national security risks asso-

1 ciated with potential foreign investments into the United
2 States.

3 (b) ELEMENTS.—The report under subsection (a)
4 shall include—

5 (1) a description of the current process for the
6 provision of the analytic materials described in sub-
7 section (a);

8 (2) an identification of the most significant ben-
9 efits and drawbacks of such process with respect to
10 the role of the Director, including the sufficiency of
11 resources and personnel to prepare such materials;
12 and

13 (3) recommendations to improve such process.

14 **SEC. 10716. REPORT ON SURVEILLANCE BY FOREIGN GOV-**
15 **ERNMENTS AGAINST UNITED STATES TELE-**
16 **COMMUNICATIONS NETWORKS.**

17 (a) APPROPRIATE CONGRESSIONAL COMMITTEES
18 DEFINED.—In this section, the term “appropriate con-
19 gressional committees” means the following:

20 (1) The congressional intelligence committees.

21 (2) The Committee on the Judiciary and the
22 Committee on Homeland Security and Governmental
23 Affairs of the Senate.

1 (3) The Committee on the Judiciary and the
2 Committee on Homeland Security of the House of
3 Representatives.

4 (b) REPORT.—Not later than 180 days after the date
5 of the enactment of this Act, the Director of National In-
6 telligence shall, in coordination with the Director of the
7 Central Intelligence Agency, the Director of the National
8 Security Agency, the Director of the Federal Bureau of
9 Investigation, and the Secretary of Homeland Security,
10 submit to the appropriate congressional committees a re-
11 port describing—

12 (1) any attempts known to the intelligence com-
13 munity by foreign governments to exploit cybersecu-
14 rity vulnerabilities in United States telecommuni-
15 cations networks (including Signaling System No. 7)
16 to target for surveillance United States persons, in-
17 cluding employees of the Federal Government; and

18 (2) any actions, as of the date of the enactment
19 of this Act, taken by the intelligence community to
20 protect agencies and personnel of the United States
21 Government from surveillance conducted by foreign
22 governments.

1 **SEC. 10717. BIENNIAL REPORT ON FOREIGN INVESTMENT**
2 **RISKS.**

3 (a) INTELLIGENCE COMMUNITY INTERAGENCY
4 WORKING GROUP.—

5 (1) REQUIREMENT TO ESTABLISH.—The Direc-
6 tor of National Intelligence shall establish an intel-
7 ligence community interagency working group to
8 prepare the biennial reports required by subsection
9 (b).

10 (2) CHAIRPERSON.—The Director of National
11 Intelligence shall serve as the chairperson of such
12 interagency working group.

13 (3) MEMBERSHIP.—Such interagency working
14 group shall be composed of representatives of each
15 element of the intelligence community that the Di-
16 rector of National Intelligence determines appro-
17 priate.

18 (b) BIENNIAL REPORT ON FOREIGN INVESTMENT
19 RISKS.—

20 (1) REPORT REQUIRED.—Not later than 180
21 days after the date of the enactment of this Act and
22 not less frequently than once every 2 years there-
23 after, the Director of National Intelligence shall sub-
24 mit to the congressional intelligence committees, the
25 Committee on Homeland Security and Governmental
26 Affairs of the Senate, and the Committee on Home-

1 land Security of the House of Representatives a re-
2 port on foreign investment risks prepared by the
3 interagency working group established under sub-
4 section (a).

5 (2) ELEMENTS.—Each report required by para-
6 graph (1) shall include identification, analysis, and
7 explanation of the following:

8 (A) Any current or projected major threats
9 to the national security of the United States
10 with respect to foreign investment.

11 (B) Any strategy used by a foreign country
12 that such interagency working group has identi-
13 fied to be a country of special concern to use
14 foreign investment to target the acquisition of
15 critical technologies, critical materials, or crit-
16 ical infrastructure.

17 (C) Any economic espionage efforts di-
18 rected at the United States by a foreign coun-
19 try, particularly such a country of special con-
20 cern.

1 **SEC. 10718. MODIFICATION OF CERTAIN REPORTING RE-**
 2 **QUIREMENT ON TRAVEL OF FOREIGN DIP-**
 3 **LOMATS.**

4 Section 502(d)(2) of the Intelligence Authorization
 5 Act for Fiscal Year 2017 (Public Law 115–31) is amended
 6 by striking “the number” and inserting “a best estimate”.

7 **SEC. 10719. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
 8 **UNAUTHORIZED DISCLOSURES OF CLASSI-**
 9 **FIED INFORMATION.**

10 (a) IN GENERAL.—Title XI of the National Security
 11 Act of 1947 (50 U.S.C. 3231 et seq.) is amended by add-
 12 ing at the end the following new section:

13 **“SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF**
 14 **UNAUTHORIZED DISCLOSURES OF CLASSI-**
 15 **FIED INFORMATION.**

16 “(a) DEFINITIONS.—In this section:

17 “(1) COVERED OFFICIAL.—The term ‘covered
 18 official’ means—

19 “(A) the heads of each element of the in-
 20 telligence community; and

21 “(B) the inspectors general with oversight
 22 responsibility for an element of the intelligence
 23 community.

24 “(2) INVESTIGATION.—The term ‘investigation’
 25 means any inquiry, whether formal or informal, into

1 the existence of an unauthorized public disclosure of
2 classified information.

3 “(3) UNAUTHORIZED DISCLOSURE OF CLASSI-
4 FIED INFORMATION.—The term ‘unauthorized dis-
5 closure of classified information’ means any unau-
6 thorized disclosure of classified information to any
7 recipient.

8 “(4) UNAUTHORIZED PUBLIC DISCLOSURE OF
9 CLASSIFIED INFORMATION.—The term ‘unauthorized
10 public disclosure of classified information’ means the
11 unauthorized disclosure of classified information to a
12 journalist or media organization.

13 “(b) INTELLIGENCE COMMUNITY REPORTING.—

14 “(1) IN GENERAL.—Not less frequently than
15 once every 6 months, each covered official shall sub-
16 mit to the congressional intelligence committees a
17 report on investigations of unauthorized public dis-
18 closures of classified information.

19 “(2) ELEMENTS.—Each report submitted under
20 paragraph (1) shall include, with respect to the pre-
21 ceding 6-month period, the following:

22 “(A) The number of investigations opened
23 by the covered official regarding an unauthor-
24 ized public disclosure of classified information.

1 “(B) The number of investigations com-
2 pleted by the covered official regarding an un-
3 authorized public disclosure of classified infor-
4 mation.

5 “(C) Of the number of such completed in-
6 vestigations identified under subparagraph (B),
7 the number referred to the Attorney General
8 for criminal investigation.

9 “(c) DEPARTMENT OF JUSTICE REPORTING.—

10 “(1) IN GENERAL.—Not less frequently than
11 once every 6 months, the Assistant Attorney General
12 for National Security of the Department of Justice,
13 in consultation with the Director of the Federal Bu-
14 reau of Investigation, shall submit to the congres-
15 sional intelligence committees, the Committee on the
16 Judiciary of the Senate, and the Committee on the
17 Judiciary of the House of Representatives a report
18 on the status of each referral made to the Depart-
19 ment of Justice from any element of the intelligence
20 community regarding an unauthorized disclosure of
21 classified information made during the most recent
22 365-day period or any referral that has not yet been
23 closed, regardless of the date the referral was made.

1 “(2) CONTENTS.—Each report submitted under
2 paragraph (1) shall include, for each referral covered
3 by the report, at a minimum, the following:

4 “(A) The date the referral was received.

5 “(B) A statement indicating whether the
6 alleged unauthorized disclosure described in the
7 referral was substantiated by the Department
8 of Justice.

9 “(C) A statement indicating the highest
10 level of classification of the information that
11 was revealed in the unauthorized disclosure.

12 “(D) A statement indicating whether an
13 open criminal investigation related to the refer-
14 ral is active.

15 “(E) A statement indicating whether any
16 criminal charges have been filed related to the
17 referral.

18 “(F) A statement indicating whether the
19 Department of Justice has been able to at-
20 tribute the unauthorized disclosure to a par-
21 ticular entity or individual.

22 “(d) FORM OF REPORTS.—Each report submitted
23 under this section shall be submitted in unclassified form,
24 but may have a classified annex.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
 2 in the first section of the National Security Act of 1947
 3 is amended by inserting after the item relating to section
 4 1104 the following new item:

“Sec. 1105. Semiannual reports on investigations of unauthorized disclosures of
 classified information.”.

5 **SEC. 10720. CONGRESSIONAL NOTIFICATION OF DESIGNA-**
 6 **TION OF COVERED INTELLIGENCE OFFICER**
 7 **AS PERSONA NON GRATA.**

8 (a) COVERED INTELLIGENCE OFFICER DEFINED.—
 9 In this section, the term “covered intelligence officer”
 10 means—

11 (1) a United States intelligence officer serving
 12 in a post in a foreign country; or

13 (2) a known or suspected foreign intelligence of-
 14 ficer serving in a United States post.

15 (b) REQUIREMENT FOR REPORTS.—Not later than
 16 72 hours after a covered intelligence officer is designated
 17 as a persona non grata, the Director of National Intel-
 18 ligence, in consultation with the Secretary of State, shall
 19 submit to the congressional intelligence committees, the
 20 Committee on Foreign Relations of the Senate, and the
 21 Committee on Foreign Affairs of the House of Representa-
 22 tives a notification of that designation. Each such notifica-
 23 tion shall include—

24 (1) the date of the designation;

1 (2) the basis for the designation; and

2 (3) a justification for the expulsion.

3 **SEC. 10721. REPORTS ON INTELLIGENCE COMMUNITY PAR-**
 4 **TICIPATION IN VULNERABILITIES EQUITIES**
 5 **PROCESS OF FEDERAL GOVERNMENT.**

6 (a) DEFINITIONS.—In this section:

7 (1) VULNERABILITIES EQUITIES POLICY AND
 8 PROCESS DOCUMENT.—The term “Vulnerabilities
 9 Equities Policy and Process document” means the
 10 executive branch document entitled “Vulnerabilities
 11 Equities Policy and Process” dated November 15,
 12 2017.

13 (2) VULNERABILITIES EQUITIES PROCESS.—
 14 The term “Vulnerabilities Equities Process” means
 15 the interagency review of vulnerabilities, pursuant to
 16 the Vulnerabilities Equities Policy and Process docu-
 17 ment or any successor document.

18 (3) VULNERABILITY.—The term “vulnerability”
 19 means a weakness in an information system or its
 20 components (for example, system security proce-
 21 dures, hardware design, and internal controls) that
 22 could be exploited or could affect confidentiality, in-
 23 tegrity, or availability of information.

24 (b) REPORTS ON PROCESS AND CRITERIA UNDER
 25 VULNERABILITIES EQUITIES POLICY AND PROCESS.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of the enactment of this Act, the Director
3 of National Intelligence shall submit to the congressional intelligence committees a written report describing—
4
5

6 (A) with respect to each element of the intelligence community—
7

8 (i) the title of the official or officials
9 responsible for determining whether, pursuant to criteria contained in the
10 Vulnerabilities Equities Policy and Process document or any successor document, a
11 vulnerability must be submitted for review under the Vulnerabilities Equities Process;
12
13 and
14
15

16 (ii) the process used by such element
17 to make such determination; and

18 (B) the roles or responsibilities of that element during a review of a vulnerability submitted to the Vulnerabilities Equities Process.
19
20

21 (2) CHANGES TO PROCESS OR CRITERIA.—Not
22 later than 30 days after any significant change is
23 made to the process and criteria used by any element of the intelligence community for determining
24 whether to submit a vulnerability for review under
25

1 the Vulnerabilities Equities Process, such element
2 shall submit to the congressional intelligence com-
3 mittees a report describing such change.

4 (3) FORM OF REPORTS.—Each report sub-
5 mitted under this subsection shall be submitted in
6 unclassified form, but may include a classified
7 annex.

8 (c) ANNUAL REPORTS.—

9 (1) IN GENERAL.—Not less frequently than
10 once each calendar year, the Director of National In-
11 telligence shall submit to the congressional intel-
12 ligence committees a classified report containing,
13 with respect to the previous year—

14 (A) the number of vulnerabilities submitted
15 for review under the Vulnerabilities Equities
16 Process;

17 (B) the number of vulnerabilities described
18 in subparagraph (A) disclosed to each vendor
19 responsible for correcting the vulnerability, or
20 to the public, pursuant to the Vulnerabilities
21 Equities Process; and

22 (C) the aggregate number, by category, of
23 the vulnerabilities excluded from review under
24 the Vulnerabilities Equities Process, as de-

1 scribed in paragraph 5.4 of the Vulnerabilities
2 Equities Policy and Process document.

3 (2) UNCLASSIFIED INFORMATION.—Each report
4 submitted under paragraph (1) shall include an un-
5 classified appendix that contains—

6 (A) the aggregate number of vulnerabilities
7 disclosed to vendors or the public pursuant to
8 the Vulnerabilities Equities Process; and

9 (B) the aggregate number of vulnerabilities
10 disclosed to vendors or the public pursuant to
11 the Vulnerabilities Equities Process known to
12 have been patched.

13 (3) NON-DUPLICATION.—The Director of Na-
14 tional Intelligence may forgo submission of an an-
15 nual report required under this subsection for a cal-
16 endar year, if the Director notifies the intelligence
17 committees in writing that, with respect to the same
18 calendar year, an annual report required by para-
19 graph 4.3 of the Vulnerabilities Equities Policy and
20 Process document already has been submitted to
21 Congress, and such annual report contains the infor-
22 mation that would otherwise be required to be in-
23 cluded in an annual report under this subsection.

1 **SEC. 10722. INSPECTORS GENERAL REPORTS ON CLASSI-**
2 **FICATION.**

3 (a) **REPORTS REQUIRED.**—Not later than October 1,
4 2019, each Inspector General listed in subsection (b) shall
5 submit to the congressional intelligence committees a re-
6 port that includes, with respect to the department or agen-
7 cy of the Inspector General, analyses of the following:

8 (1) The accuracy of the application of classi-
9 fication and handling markers on a representative
10 sample of finished reports, including such reports
11 that are compartmented.

12 (2) Compliance with declassification procedures.

13 (3) The effectiveness of processes for identi-
14 fying topics of public or historical importance that
15 merit prioritization for a declassification review.

16 (b) **INSPECTORS GENERAL LISTED.**—The Inspectors
17 General listed in this subsection are as follows:

18 (1) The Inspector General of the Intelligence
19 Community.

20 (2) The Inspector General of the Central Intel-
21 ligence Agency.

22 (3) The Inspector General of the National Se-
23 curity Agency.

24 (4) The Inspector General of the Defense Intel-
25 ligence Agency.

1 (5) The Inspector General of the National Re-
2 connaissance Office.

3 (6) The Inspector General of the National
4 Geospatial-Intelligence Agency.

5 **SEC. 10723. REPORTS ON GLOBAL WATER INSECURITY AND**
6 **NATIONAL SECURITY IMPLICATIONS AND**
7 **BRIEFING ON EMERGING INFECTIOUS DIS-**
8 **EASE AND PANDEMICS.**

9 (a) REPORTS ON GLOBAL WATER INSECURITY AND
10 NATIONAL SECURITY IMPLICATIONS.—

11 (1) REPORTS REQUIRED.—Not later than 180
12 days after the date of the enactment of this Act and
13 not less frequently than once every 5 years there-
14 after, the Director of National Intelligence shall sub-
15 mit to the congressional intelligence committees a
16 report on the implications of water insecurity on the
17 national security interest of the United States, in-
18 cluding consideration of social, economic, agricul-
19 tural, and environmental factors.

20 (2) ASSESSMENT SCOPE AND FOCUS.—Each re-
21 port submitted under paragraph (1) shall include an
22 assessment of water insecurity described in such
23 subsection with a global scope, but focus on areas of
24 the world—

1 (A) of strategic, economic, or humanitarian
2 interest to the United States—

3 (i) that are, as of the date of the re-
4 port, at the greatest risk of instability,
5 conflict, human insecurity, or mass dis-
6 placement; or

7 (ii) where challenges relating to water
8 insecurity are likely to emerge and become
9 significant during the 5-year or the 20-
10 year period beginning on the date of the
11 report; and

12 (B) where challenges relating to water in-
13 security are likely to imperil the national secu-
14 rity interests of the United States or allies of
15 the United States.

16 (3) CONSULTATION.—In researching a report
17 required by paragraph (1), the Director shall consult
18 with—

19 (A) such stakeholders within the intel-
20 ligence community, the Department of Defense,
21 and the Department of State as the Director
22 considers appropriate; and

23 (B) such additional Federal agencies and
24 persons in the private sector as the Director
25 considers appropriate.

1 (4) FORM.—Each report submitted under para-
2 graph (1) shall be submitted in unclassified form,
3 but may include a classified annex.

4 (b) BRIEFING ON EMERGING INFECTIOUS DISEASE
5 AND PANDEMICS.—

6 (1) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES DEFINED.—In this subsection, the term “ap-
8 propriate congressional committees” means—

9 (A) the congressional intelligence commit-
10 tees;

11 (B) the Committee on Foreign Affairs, the
12 Committee on Armed Services, and the Com-
13 mittee on Appropriations of the House of Rep-
14 resentatives; and

15 (C) the Committee on Foreign Relations,
16 the Committee on Armed Services, and the
17 Committee on Appropriations of the Senate.

18 (2) BRIEFING.—Not later than 120 days after
19 the date of the enactment of this Act, the Director
20 of National Intelligence shall provide to the appro-
21 priate congressional committees a briefing on the an-
22 ticipated geopolitical effects of emerging infectious
23 disease (including deliberate, accidental, and natu-
24 rally occurring infectious disease threats) and

1 pandemics, and their implications on the national se-
2 curity of the United States.

3 (3) CONTENT.—The briefing under paragraph
4 (2) shall include an assessment of—

5 (A) the economic, social, political, and se-
6 curity risks, costs, and impacts of emerging in-
7 fectionous diseases on the United States and the
8 international political and economic system;

9 (B) the economic, social, political, and se-
10 curity risks, costs, and impacts of a major
11 transnational pandemic on the United States
12 and the international political and economic
13 system; and

14 (C) contributing trends and factors to the
15 matters assessed under subparagraphs (A) and
16 (B).

17 (4) EXAMINATION OF RESPONSE CAPACITY.—In
18 examining the risks, costs, and impacts of emerging
19 infectious disease and a possible transnational pan-
20 demic under paragraph (3), the Director of National
21 Intelligence shall also examine in the briefing under
22 paragraph (2) the response capacity within affected
23 countries and the international system. In consid-
24 ering response capacity, the Director shall include—

1 (A) the ability of affected nations to effec-
 2 tively detect and manage emerging infectious
 3 diseases and a possible transnational pandemic;

4 (B) the role and capacity of international
 5 organizations and nongovernmental organiza-
 6 tions to respond to emerging infectious disease
 7 and a possible pandemic, and their ability to co-
 8 ordinate with affected and donor nations; and

9 (C) the effectiveness of current inter-
 10 national frameworks, agreements, and health
 11 systems to respond to emerging infectious dis-
 12 eases and a possible transnational pandemic.

13 (5) FORM.—The briefing under paragraph (2)
 14 may be classified.

15 **SEC. 10724. ANNUAL REPORT ON MEMORANDA OF UNDER-**
 16 **STANDING BETWEEN ELEMENTS OF INTEL-**
 17 **LIGENCE COMMUNITY AND OTHER ENTITIES**
 18 **OF THE UNITED STATES GOVERNMENT RE-**
 19 **GARDING SIGNIFICANT OPERATIONAL AC-**
 20 **TIVITIES OR POLICY.**

21 Section 311 of the Intelligence Authorization Act for
 22 Fiscal Year 2017 (50 U.S.C. 3313) is amended—

23 (1) by redesignating subsection (b) as sub-
 24 section (c); and

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

3 “(a) IN GENERAL.—Each year, concurrent with the
4 annual budget request submitted by the President to Con-
5 gress under section 1105 of title 31, United States Code,
6 each head of an element of the intelligence community
7 shall submit to the congressional intelligence committees
8 a report that lists each memorandum of understanding or
9 other agreement regarding significant operational activi-
10 ties or policy entered into during the most recently com-
11 pleted fiscal year between or among such element and any
12 other entity of the United States Government.

13 “(b) PROVISION OF DOCUMENTS.—Each head of an
14 element of an intelligence community who receives a re-
15 quest from the Select Committee on Intelligence of the
16 Senate or the Permanent Select Committee on Intelligence
17 of the House of Representatives for a copy of a memo-
18 randum of understanding or other document listed in a
19 report submitted by the head under subsection (a) shall
20 submit to such committee the requested copy as soon as
21 practicable after receiving such request.”.

1 **SEC. 10725. STUDY ON THE FEASIBILITY OF ENCRYPTING**
2 **UNCLASSIFIED WIRELINE AND WIRELESS**
3 **TELEPHONE CALLS.**

4 (a) STUDY REQUIRED.—Not later than 180 days
5 after the date of the enactment of this Act, the Director
6 of National Intelligence shall complete a study on the fea-
7 sibility of encrypting unclassified wireline and wireless
8 telephone calls between personnel in the intelligence com-
9 munity.

10 (b) REPORT.—Not later than 90 days after the date
11 on which the Director completes the study required by
12 subsection (a), the Director shall submit to the congres-
13 sional intelligence committees a report on the Director’s
14 findings with respect to such study.

15 **SEC. 10726. MODIFICATION OF REQUIREMENT FOR ANNUAL**
16 **REPORT ON HIRING AND RETENTION OF MI-**
17 **NORITY EMPLOYEES.**

18 (a) EXPANSION OF PERIOD OF REPORT.—Subsection
19 (a) of section 114 of the National Security Act of 1947
20 (50 U.S.C. 3050) is amended by inserting “and the pre-
21 ceding 5 fiscal years” after “fiscal year”.

22 (b) CLARIFICATION ON DISAGGREGATION OF
23 DATA.—Subsection (b) of such section is amended, in the
24 matter before paragraph (1), by striking “disaggregated
25 data by category of covered person from each element of
26 the intelligence community” and inserting “data,

1 disaggregated by category of covered person and by ele-
2 ment of the intelligence community,”.

3 **SEC. 10727. REPORTS ON INTELLIGENCE COMMUNITY LOAN**
4 **REPAYMENT AND RELATED PROGRAMS.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) there should be established, through the
8 issuing of an Intelligence Community Directive or
9 otherwise, an intelligence community-wide program
10 for student loan repayment, student loan forgive-
11 ness, financial counseling, and related matters, for
12 employees of the intelligence community;

13 (2) creating such a program would enhance the
14 ability of the elements of the intelligence community
15 to recruit, hire, and retain highly qualified per-
16 sonnel, including with respect to mission-critical and
17 hard-to-fill positions;

18 (3) such a program, including with respect to
19 eligibility requirements, should be designed so as to
20 maximize the ability of the elements of the intel-
21 ligence community to recruit, hire, and retain highly
22 qualified personnel, including with respect to mis-
23 sion-critical and hard-to-fill positions; and

24 (4) to the extent possible, such a program
25 should be uniform throughout the intelligence com-

1 munity and publicly promoted by each element of
2 the intelligence community to both current employ-
3 ees of the element as well as to prospective employ-
4 ees of the element.

5 (b) REPORT ON POTENTIAL INTELLIGENCE COMMU-
6 NITY-WIDE PROGRAM.—

7 (1) IN GENERAL.—Not later than 180 days
8 after the date of the enactment of this Act, the Di-
9 rector of National Intelligence, in cooperation with
10 the heads of the elements of the intelligence commu-
11 nity and the heads of any other appropriate depart-
12 ment or agency of the Federal Government, shall
13 submit to the congressional intelligence committees a
14 report on potentially establishing and carrying out
15 an intelligence community-wide program for student
16 loan repayment, student loan forgiveness, financial
17 counseling, and related matters, as described in sub-
18 section (a).

19 (2) MATTERS INCLUDED.—The report under
20 paragraph (1) shall include, at a minimum, the fol-
21 lowing:

22 (A) A description of the financial resources
23 that the elements of the intelligence community
24 would require to establish and initially carry
25 out the program specified in paragraph (1).

1 (B) A description of the practical steps to
2 establish and carry out such a program.

3 (C) The identification of any legislative ac-
4 tion the Director determines necessary to estab-
5 lish and carry out such a program.

6 (c) ANNUAL REPORTS ON ESTABLISHED PRO-
7 GRAMS.—

8 (1) COVERED PROGRAMS DEFINED.—In this
9 subsection, the term “covered programs” means any
10 loan repayment program, loan forgiveness program,
11 financial counseling program, or similar program,
12 established pursuant to title X of the National Secu-
13 rity Act of 1947 (50 U.S.C. 3191 et seq.) or any
14 other provision of law that may be administered or
15 used by an element of the intelligence community.

16 (2) ANNUAL REPORTS REQUIRED.—Not less
17 frequently than once each year, the Director of Na-
18 tional Intelligence shall submit to the congressional
19 intelligence committees a report on the covered pro-
20 grams. Each such report shall include, with respect
21 to the period covered by the report, the following:

22 (A) The number of personnel from each
23 element of the intelligence community who used
24 each covered program.

1 (B) The total amount of funds each ele-
2 ment expended for each such program.

3 (C) A description of the efforts made by
4 each element to promote each covered program
5 pursuant to both the personnel of the element
6 of the intelligence community and to prospec-
7 tive personnel.

8 **SEC. 10728. REPEAL OF CERTAIN REPORTING REQUIRE-**
9 **MENTS.**

10 (a) CORRECTING LONG-STANDING MATERIAL WEAK-
11 NESSES.—Section 368 of the Intelligence Authorization
12 Act for Fiscal Year 2010 (Public Law 110–259; 50 U.S.C.
13 3051 note) is hereby repealed.

14 (b) INTERAGENCY THREAT ASSESSMENT AND CO-
15 ORDINATION GROUP.—Section 210D of the Homeland Se-
16 curity Act of 2002 (6 U.S.C. 124k) is amended—

17 (1) by striking subsection (c); and

18 (2) by redesignating subsections (d) through (i)
19 as subsections (c) through (h), respectively; and

20 (3) in subsection (c), as so redesignated—

21 (A) in paragraph (8), by striking “; and”
22 and inserting a period; and

23 (B) by striking paragraph (9).

1 (c) INSPECTOR GENERAL REPORT.—Section 8H of
 2 the Inspector General Act of 1978 (5 U.S.C. App.) is
 3 amended—

4 (1) by striking subsection (g); and

5 (2) by redesignating subsections (h) and (i) as
 6 subsections (g) and (h), respectively.

7 **SEC. 10729. INSPECTOR GENERAL OF THE INTELLIGENCE**
 8 **COMMUNITY REPORT ON SENIOR EXECU-**
 9 **TIVES OF THE OFFICE OF THE DIRECTOR OF**
 10 **NATIONAL INTELLIGENCE.**

11 (a) SENIOR EXECUTIVE SERVICE POSITION DE-
 12 FINED.—In this section, the term “Senior Executive Serv-
 13 ice position” has the meaning given that term in section
 14 3132(a)(2) of title 5, United States Code, and includes
 15 any position above the GS–15, step 10, level of the Gen-
 16 eral Schedule under section 5332 of such title.

17 (b) REPORT.—Not later than 90 days after the date
 18 of the enactment of this Act, the Inspector General of the
 19 Intelligence Community shall submit to the congressional
 20 intelligence committees a report on the number of Senior
 21 Executive Service positions in the Office of the Director
 22 of National Intelligence.

23 (c) MATTERS INCLUDED.—The report under sub-
 24 section (b) shall include the following:

1 (1) The number of required Senior Executive
2 Service positions for the Office of the Director of
3 National Intelligence.

4 (2) Whether such requirements are reasonably
5 based on the mission of the Office.

6 (3) A discussion of how the number of the Sen-
7 ior Executive Service positions in the Office compare
8 to the number of senior positions at comparable or-
9 ganizations.

10 (d) COOPERATION.—The Director of National Intel-
11 ligence shall provide to the Inspector General of the Intel-
12 ligence Community any information requested by the In-
13 specter General of the Intelligence Community that is nec-
14 essary to carry out this section by not later than 14 cal-
15 endar days after the date on which the Inspector General
16 of the Intelligence Community makes such request.

17 **SEC. 10730. BRIEFING ON FEDERAL BUREAU OF INVESTIGA-**
18 **TION OFFERING PERMANENT RESIDENCE TO**
19 **SOURCES AND COOPERATORS.**

20 Not later than 30 days after the date of the enact-
21 ment of this Act, the Director of the Federal Bureau of
22 Investigation shall provide to the congressional intelligence
23 committees a briefing on the ability of the Federal Bureau
24 of Investigation to offer, as an inducement to assisting the
25 Bureau, permanent residence within the United States to

1 foreign individuals who are sources or cooperators in coun-
2 terintelligence or other national security-related investiga-
3 tions. The briefing shall address the following:

4 (1) The extent to which the Bureau may make
5 such offers, whether independently or in conjunction
6 with other agencies and departments of the United
7 States Government, including a discussion of the au-
8 thorities provided by section 101(a)(15)(S) of the
9 Immigration and Nationality Act (8 U.S.C.
10 1101(a)(15)(S)), section 7 of the Central Intel-
11 ligence Agency Act (50 U.S.C. 3508), and any other
12 provision of law under which the Bureau may make
13 such offers.

14 (2) An overview of the policies and operational
15 practices of the Bureau with respect to making such
16 offers.

17 (3) The sufficiency of such policies and prac-
18 tices with respect to inducing individuals to cooper-
19 ate with, serve as sources for such investigations, or
20 both.

21 (4) Whether the Director recommends any leg-
22 islative actions to improve such policies and prac-
23 tices, particularly with respect to the counterintel-
24 ligence efforts of the Bureau.

1 **SEC. 10731. INTELLIGENCE ASSESSMENT OF NORTH KOREA**
2 **REVENUE SOURCES.**

3 (a) ASSESSMENT REQUIRED.—Not later than 180
4 days after the date of the enactment of this Act, the Direc-
5 tor of National Intelligence, in coordination with the As-
6 sistant Secretary of State for Intelligence and Research
7 and the Assistant Secretary of the Treasury for Intel-
8 ligence and Analysis, shall produce an intelligence assess-
9 ment of the revenue sources of the North Korean regime.
10 Such assessment shall include revenue from the following
11 sources:

- 12 (1) Trade in coal, iron, and iron ore.
- 13 (2) The provision of fishing rights to North Ko-
14 rean territorial waters.
- 15 (3) Trade in gold, titanium ore, vanadium ore,
16 copper, silver, nickel, zinc, or rare earth minerals,
17 and other stores of value.
- 18 (4) Trade in textiles.
- 19 (5) Sales of conventional defense articles and
20 services.
- 21 (6) Sales of controlled goods, ballistic missiles,
22 and other associated items.
- 23 (7) Other types of manufacturing for export, as
24 the Director of National Intelligence considers ap-
25 propriate.

1 (8) The exportation of workers from North
2 Korea in a manner intended to generate significant
3 revenue, directly or indirectly, for use by the govern-
4 ment of North Korea.

5 (9) The provision of nonhumanitarian goods
6 (such as food, medicine, and medical devices) and
7 services by other countries.

8 (10) The provision of services, including bank-
9 ing and other support, including by entities located
10 in the Russian Federation, China, and Iran.

11 (11) Online commercial activities of the Govern-
12 ment of North Korea, including online gambling.

13 (12) Criminal activities, including cyber-enabled
14 crime and counterfeit goods.

15 (b) ELEMENTS.—The assessment required under
16 subsection (a) shall include an identification of each of the
17 following:

18 (1) The sources of North Korea’s funding.

19 (2) Financial and non-financial networks, in-
20 cluding supply chain management, transportation,
21 and facilitation, through which North Korea accesses
22 the United States and international financial sys-
23 tems and repatriates and exports capital, goods, and
24 services; and

1 (3) the global financial institutions, money serv-
2 ices business, and payment systems that assist
3 North Korea with financial transactions.

4 (c) SUBMITTAL TO CONGRESS.—Upon completion of
5 the assessment required under subsection (a), the Director
6 of National Intelligence shall submit to the congressional
7 intelligence committees a copy of such assessment.

8 **SEC. 10732. REPORT ON POSSIBLE EXPLOITATION OF VIR-**
9 **TUAL CURRENCIES BY TERRORIST ACTORS.**

10 (a) SHORT TITLE.—This section may be cited as the
11 “Stop Terrorist Use of Virtual Currencies Act”.

12 (b) REPORT.—Not later than 1 year after the date
13 of the enactment of this Act, the Director of National In-
14 telligence, in consultation with the Secretary of the Treas-
15 ury, shall submit to Congress a report on the possible ex-
16 ploitation of virtual currencies by terrorist actors. Such
17 report shall include the following elements:

18 (1) An assessment of the means and methods
19 by which international terrorist organizations and
20 State sponsors of terrorism use virtual currencies.

21 (2) An assessment of the use by terrorist orga-
22 nizations and State sponsors of terrorism of virtual
23 currencies compared to the use by such organiza-
24 tions and States of other forms of financing to sup-
25 port operations, including an assessment of the col-

1 lection posture of the intelligence community on the
 2 use of virtual currencies by such organizations and
 3 States.

4 (3) A description of any existing legal impedi-
 5 ments that inhibit or prevent the intelligence com-
 6 munity from collecting information on or helping
 7 prevent the use of virtual currencies by international
 8 terrorist organizations and State sponsors of ter-
 9 rorism and an identification of any gaps in existing
 10 law that could be exploited for illicit funding by such
 11 organizations and States.

12 (c) FORM OF REPORT.—The report required by sub-
 13 section (b) shall be submitted in unclassified form, but
 14 may include a classified annex.

15 **Subtitle C—Other Matters**

16 **SEC. 10741. PUBLIC INTEREST DECLASSIFICATION BOARD.**

17 Section 710(b) of the Public Interest Declassification
 18 Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note)
 19 is amended by striking “December 31, 2018” and insert-
 20 ing “December 31, 2028”.

21 **SEC. 10742. SECURING ENERGY INFRASTRUCTURE.**

22 (a) DEFINITIONS.—In this section:

23 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 24 TEES.—The term “appropriate congressional com-
 25 mittees” means—

1 (A) the congressional intelligence commit-
2 tees;

3 (B) the Committee on Homeland Security
4 and Governmental Affairs and the Committee
5 on Energy and Natural Resources of the Sen-
6 ate; and

7 (C) the Committee on Homeland Security
8 and the Committee on Energy and Commerce
9 of the House of Representatives.

10 (2) COVERED ENTITY.—The term “covered en-
11 tity” means an entity identified pursuant to section
12 9(a) of Executive Order 13636 of February 12,
13 2013 (78 Fed. Reg. 11742), relating to identifica-
14 tion of critical infrastructure where a cybersecurity
15 incident could reasonably result in catastrophic re-
16 gional or national effects on public health or safety,
17 economic security, or national security.

18 (3) EXPLOIT.—The term “exploit” means a
19 software tool designed to take advantage of a secu-
20 rity vulnerability.

21 (4) INDUSTRIAL CONTROL SYSTEM.—The term
22 “industrial control system” means an operational
23 technology used to measure, control, or manage in-
24 dustrial functions, and includes supervisory control
25 and data acquisition systems, distributed control

1 systems, and programmable logic or embedded con-
2 trollers.

3 (5) NATIONAL LABORATORY.—The term “Na-
4 tional Laboratory” has the meaning given the term
5 in section 2 of the Energy Policy Act of 2005 (42
6 U.S.C. 15801).

7 (6) PROGRAM.—The term “Program” means
8 the pilot program established under subsection (b).

9 (7) SECRETARY.—Except as otherwise specifi-
10 cally provided, the term “Secretary” means the Sec-
11 retary of Energy.

12 (8) SECURITY VULNERABILITY.—The term “se-
13 curity vulnerability” means any attribute of hard-
14 ware, software, process, or procedure that could en-
15 able or facilitate the defeat of a security control.

16 (b) PILOT PROGRAM FOR SECURING ENERGY INFRA-
17 STRUCTURE.—Not later than 180 days after the date of
18 the enactment of this Act, the Secretary shall establish
19 a 2-year control systems implementation pilot program
20 within the National Laboratories for the purposes of—

21 (1) partnering with covered entities in the en-
22 ergy sector (including critical component manufac-
23 turers in the supply chain) that voluntarily partici-
24 pate in the Program to identify new classes of secu-
25 rity vulnerabilities of the covered entities; and

1 (2) evaluating technology and standards, in
2 partnership with covered entities, to isolate and de-
3 fend industrial control systems of covered entities
4 from security vulnerabilities and exploits in the most
5 critical systems of the covered entities, including—

- 6 (A) analog and nondigital control systems;
7 (B) purpose-built control systems; and
8 (C) physical controls.

9 (c) WORKING GROUP TO EVALUATE PROGRAM
10 STANDARDS AND DEVELOP STRATEGY.—

11 (1) ESTABLISHMENT.—The Secretary shall es-
12 tablish a working group—

- 13 (A) to evaluate the technology and stand-
14 ards used in the Program under subsection
15 (b)(2); and

- 16 (B) to develop a national cyber-informed
17 engineering strategy to isolate and defend cov-
18 ered entities from security vulnerabilities and
19 exploits in the most critical systems of the cov-
20 ered entities.

21 (2) MEMBERSHIP.—The working group estab-
22 lished under paragraph (1) shall be composed of not
23 fewer than 10 members, to be appointed by the Sec-
24 retary, at least 1 member of which shall represent
25 each of the following:

1 (A) The Department of Energy.

2 (B) The energy industry, including electric
3 utilities and manufacturers recommended by
4 the Energy Sector coordinating councils.

5 (C)(i) The Department of Homeland Secu-
6 rity; or

7 (ii) the Industrial Control Systems Cyber
8 Emergency Response Team.

9 (D) The North American Electric Reli-
10 ability Corporation.

11 (E) The Nuclear Regulatory Commission.

12 (F)(i) The Office of the Director of Na-
13 tional Intelligence; or

14 (ii) the intelligence community (as defined
15 in section 3 of the National Security Act of
16 1947 (50 U.S.C. 3003)).

17 (G)(i) The Department of Defense; or

18 (ii) the Assistant Secretary of Defense for
19 Homeland Security and America's Security Af-
20 fairs.

21 (H) A State or regional energy agency.

22 (I) A national research body or academic
23 institution.

24 (J) The National Laboratories.

25 (d) REPORTS ON THE PROGRAM.—

1 (1) INTERIM REPORT.—Not later than 180
2 days after the date on which funds are first dis-
3 bursed under the Program, the Secretary shall sub-
4 mit to the appropriate congressional committees an
5 interim report that—

6 (A) describes the results of the Program;

7 (B) includes an analysis of the feasibility
8 of each method studied under the Program; and

9 (C) describes the results of the evaluations
10 conducted by the working group established
11 under subsection (c)(1).

12 (2) FINAL REPORT.—Not later than 2 years
13 after the date on which funds are first disbursed
14 under the Program, the Secretary shall submit to
15 the appropriate congressional committees a final re-
16 port that—

17 (A) describes the results of the Program;

18 (B) includes an analysis of the feasibility
19 of each method studied under the Program; and

20 (C) describes the results of the evaluations
21 conducted by the working group established
22 under subsection (c)(1).

23 (e) EXEMPTION FROM DISCLOSURE.—Information
24 shared by or with the Federal Government or a State,
25 Tribal, or local government under this section—

1 (1) shall be deemed to be voluntarily shared in-
2 formation;

3 (2) shall be exempt from disclosure under sec-
4 tion 552 of title 5, United States Code, or any provi-
5 sion of any State, Tribal, or local freedom of infor-
6 mation law, open government law, open meetings
7 law, open records law, sunshine law, or similar law
8 requiring the disclosure of information or records;
9 and

10 (3) shall be withheld from the public, without
11 discretion, under section 552(b)(3) of title 5, United
12 States Code, and any provision of any State, Tribal,
13 or local law requiring the disclosure of information
14 or records.

15 (f) PROTECTION FROM LIABILITY.—

16 (1) IN GENERAL.—A cause of action against a
17 covered entity for engaging in the voluntary activi-
18 ties authorized under subsection (b)—

19 (A) shall not lie or be maintained in any
20 court; and

21 (B) shall be promptly dismissed by the ap-
22 plicable court.

23 (2) VOLUNTARY ACTIVITIES.—Nothing in this
24 section subjects any covered entity to liability for not

1 engaging in the voluntary activities authorized under
2 subsection (b).

3 (g) NO NEW REGULATORY AUTHORITY FOR FED-
4 ERAL AGENCIES.—Nothing in this section authorizes the
5 Secretary or the head of any other department or agency
6 of the Federal Government to issue new regulations.

7 (h) AUTHORIZATION OF APPROPRIATIONS.—

8 (1) PILOT PROGRAM.—There is authorized to
9 be appropriated \$10,000,000 to carry out subsection
10 (b).

11 (2) WORKING GROUP AND REPORT.—There is
12 authorized to be appropriated \$1,500,000 to carry
13 out subsections (c) and (d).

14 (3) AVAILABILITY.—Amounts made available
15 under paragraphs (1) and (2) shall remain available
16 until expended.

17 **SEC. 10743. BUG BOUNTY PROGRAMS.**

18 (a) DEFINITIONS.—In this section:

19 (1) APPROPRIATE COMMITTEES OF CON-
20 GRESS.—The term “appropriate committees of Con-
21 gress” means—

22 (A) the congressional intelligence commit-
23 tees;

1 (B) the Committee on Armed Services and
2 the Committee on Homeland Security and Gov-
3 ernmental Affairs of the Senate; and

4 (C) the Committee on Armed Services and
5 the Committee on Homeland Security of the
6 House of Representatives.

7 (2) BUG BOUNTY PROGRAM.—The term “bug
8 bounty program” means a program under which an
9 approved computer security specialist or security re-
10 searcher is temporarily authorized to identify and re-
11 port vulnerabilities within the information system of
12 an agency or department of the United States in ex-
13 change for compensation.

14 (3) INFORMATION SYSTEM.—The term “infor-
15 mation system” has the meaning given that term in
16 section 3502 of title 44, United States Code.

17 (b) BUG BOUNTY PROGRAM PLAN.—

18 (1) REQUIREMENT.—Not later than 180 days
19 after the date of the enactment of this Act, the Sec-
20 retary of Homeland Security, in consultation with
21 the Secretary of Defense, shall submit to appro-
22 priate committees of Congress a strategic plan for
23 appropriate agencies and departments of the United
24 States to implement bug bounty programs.

1 (2) CONTENTS.—The plan required by para-
2 graph (1) shall include—

3 (A) an assessment of—

4 (i) the “Hack the Pentagon” pilot
5 program carried out by the Department of
6 Defense in 2016 and subsequent bug boun-
7 ty programs in identifying and reporting
8 vulnerabilities within the information sys-
9 tems of the Department of Defense; and

10 (ii) private sector bug bounty pro-
11 grams, including such programs imple-
12 mented by leading technology companies in
13 the United States; and

14 (B) recommendations on the feasibility of
15 initiating bug bounty programs at appropriate
16 agencies and departments of the United States.

17 **SEC. 10744. MODIFICATION OF AUTHORITIES RELATING TO**
18 **THE NATIONAL INTELLIGENCE UNIVERSITY.**

19 (a) CIVILIAN FACULTY MEMBERS; EMPLOYMENT
20 AND COMPENSATION.—

21 (1) IN GENERAL.—Section 1595(c) of title 10,
22 United States Code, is amended by adding at the
23 end the following:

24 “(5) The National Intelligence University.”.

1 (2) COMPENSATION PLAN.—The Secretary of
2 Defense shall provide each person employed as a
3 full-time professor, instructor, or lecturer at the Na-
4 tional Intelligence University on the date of the en-
5 actment of this Act an opportunity to elect to be
6 paid under the compensation plan in effect on the
7 day before the date of the enactment of this Act
8 (with no reduction in pay) or under the authority of
9 section 1595 of title 10, United States Code, as
10 amended by paragraph (1).

11 (b) ACCEPTANCE OF FACULTY RESEARCH
12 GRANTS.—Section 2161 of such title is amended by add-
13 ing at the end the following:

14 “(d) ACCEPTANCE OF FACULTY RESEARCH
15 GRANTS.—The Secretary of Defense may authorize the
16 President of the National Intelligence University to accept
17 qualifying research grants in the same manner and to the
18 same degree as the President of the National Defense Uni-
19 versity under section 2165(e) of this title.”.

20 (c) PILOT PROGRAM ON ADMISSION OF PRIVATE
21 SECTOR CIVILIANS TO RECEIVE INSTRUCTION.—

22 (1) PILOT PROGRAM REQUIRED.—

23 (A) IN GENERAL.—Not later than 180
24 days after the date of the enactment of this
25 Act, the Secretary of Defense shall commence

1 carrying out a pilot program to assess the
2 feasibility and advisability of permitting eligible
3 private sector employees who work in organiza-
4 tions relevant to national security to receive in-
5 struction at the National Intelligence Univer-
6 sity.

7 (B) DURATION.—The Secretary shall carry
8 out the pilot program during the 3-year period
9 beginning on the date of the commencement of
10 the pilot program.

11 (C) EXISTING PROGRAM.—The Secretary
12 shall carry out the pilot program in a manner
13 that is consistent with section 2167 of title 10,
14 United States Code.

15 (D) NUMBER OF PARTICIPANTS.—No more
16 than the equivalent of 35 full-time student posi-
17 tions may be filled at any one time by private
18 sector employees enrolled under the pilot pro-
19 gram.

20 (E) DIPLOMAS AND DEGREES.—Upon suc-
21 cessful completion of the course of instruction
22 in which enrolled, any such private sector em-
23 ployee may be awarded an appropriate diploma
24 or degree under section 2161 of title 10, United
25 States Code.

1 (2) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—

2 (A) IN GENERAL.—For purposes of this
3 subsection, an eligible private sector employee is
4 an individual employed by a private firm that is
5 engaged in providing to the Department of De-
6 fense, the intelligence community, or other Gov-
7 ernment departments or agencies significant
8 and substantial intelligence or defense-related
9 systems, products, or services or whose work
10 product is relevant to national security policy or
11 strategy.

12 (B) LIMITATION.—Under this subsection,
13 a private sector employee admitted for instruc-
14 tion at the National Intelligence University re-
15 mains eligible for such instruction only so long
16 as that person remains employed by the same
17 firm, holds appropriate security clearances, and
18 complies with any other applicable security pro-
19 tocols.

20 (3) ANNUAL CERTIFICATION BY SECRETARY OF
21 DEFENSE.—Under the pilot program, private sector
22 employees may receive instruction at the National
23 Intelligence University during any academic year
24 only if, before the start of that academic year, the
25 Secretary of Defense determines, and certifies to the

1 Committee on Armed Services of the Senate and the
2 Committee on Armed Services of the House of Rep-
3 resentatives, that providing instruction to private
4 sector employees under this section during that year
5 will further the national security interests of the
6 United States.

7 (4) PILOT PROGRAM REQUIREMENTS.—The
8 Secretary of Defense shall ensure that—

9 (A) the curriculum in which private sector
10 employees may be enrolled under the pilot pro-
11 gram is not readily available through other
12 schools and concentrates on national security-
13 relevant issues; and

14 (B) the course offerings at the National
15 Intelligence University are determined by the
16 needs of the Department of Defense and the in-
17 telligence community.

18 (5) TUITION.—The President of the National
19 Intelligence University shall charge students enrolled
20 under the pilot program a rate that—

21 (A) is at least the rate charged for employ-
22 ees of the United States outside the Depart-
23 ment of Defense, less infrastructure costs; and

24 (B) considers the value to the school and
25 course of the private sector student.

1 (6) STANDARDS OF CONDUCT.—While receiving
2 instruction at the National Intelligence University,
3 students enrolled under the pilot program, to the ex-
4 tent practicable, are subject to the same regulations
5 governing academic performance, attendance, norms
6 of behavior, and enrollment as apply to Government
7 civilian employees receiving instruction at the univer-
8 sity.

9 (7) USE OF FUNDS.—

10 (A) IN GENERAL.—Amounts received by
11 the National Intelligence University for instruc-
12 tion of students enrolled under the pilot pro-
13 gram shall be retained by the university to de-
14 fray the costs of such instruction.

15 (B) RECORDS.—The source, and the dis-
16 position, of such funds shall be specifically iden-
17 tified in records of the university.

18 (8) REPORTS.—

19 (A) ANNUAL REPORTS.—Each academic
20 year in which the pilot program is carried out,
21 the Secretary shall submit to the congressional
22 intelligence committees, the Committee on
23 Armed Services of the Senate, and the Com-
24 mittee on Armed Services of the House of Rep-
25 resentatives a report on the number of eligible

1 private sector employees participating in the
2 pilot program.

3 (B) FINAL REPORT.—Not later than 90
4 days after the date of the conclusion of the pilot
5 program, the Secretary shall submit to the con-
6 gressional intelligence committees, the Com-
7 mittee on Armed Services of the Senate, and
8 the Committee on Armed Services of the House
9 of Representatives a report on the findings of
10 the Secretary with respect to the pilot program.
11 Such report shall include—

12 (i) the findings of the Secretary with
13 respect to the feasibility and advisability
14 of permitting eligible private sector em-
15 ployees who work in organizations relevant
16 to national security to receive instruction
17 at the National Intelligence University;
18 and

19 (ii) a recommendation as to whether
20 the pilot program should be extended.

21 **SEC. 10745. TECHNICAL AND CLERICAL AMENDMENTS TO**
22 **THE NATIONAL SECURITY ACT OF 1947.**

23 (a) TABLE OF CONTENTS.—The table of contents at
24 the beginning of the National Security Act of 1947 (50
25 U.S.C. 3001 et seq.) is amended—

1 (1) by inserting after the item relating to sec-
2 tion 2 the following new item:

“Sec. 3. Definitions.”;

3 (2) by striking the item relating to section 107;

4 (3) by striking the item relating to section
5 113B and inserting the following new item:

“Sec. 113B. Special pay authority for science, technology, engineering, or
mathematics positions.”;

6 (4) by striking the items relating to sections
7 202, 203, 204, 208, 209, 210, 211, 212, 213, and
8 214; and

9 (5) by inserting after the item relating to sec-
10 tion 311 the following new item:

“Sec. 312. Repealing and saving provisions.”.

11 (b) OTHER TECHNICAL CORRECTIONS.—Such Act is
12 further amended—

13 (1) in section 102A—

14 (A) in subparagraph (G) of paragraph (1)
15 of subsection (g), by moving the margins of
16 such subparagraph 2 ems to the left; and

17 (B) in paragraph (3) of subsection (v), by
18 moving the margins of such paragraph 2 ems to
19 the left;

20 (2) in section 106—

21 (A) by inserting “SEC. 106” before “(a)”;
22 and

1 (B) in subparagraph (I) of paragraph (2)
2 of subsection (b), by moving the margins of
3 such subparagraph 2 ems to the left;

4 (3) by striking section 107;

5 (4) in section 108(c), by striking “in both a
6 classified and an unclassified form” and inserting
7 “to Congress in classified form, but may include an
8 unclassified summary”;

9 (5) in section 112(c)(1), by striking “section
10 103(c)(7)” and inserting “section 102A(i)”;

11 (6) by amending section 201 to read as follows:

12 **“SEC. 201. DEPARTMENT OF DEFENSE.**

13 “Except to the extent inconsistent with the provisions
14 of this Act or other provisions of law, the provisions of
15 title 5, United States Code, shall be applicable to the De-
16 partment of Defense.”;

17 (7) in section 205, by redesignating subsections
18 (b) and (c) as subsections (a) and (b), respectively;

19 (8) in section 206, by striking “(a)”;

20 (9) in section 207, by striking “(c)”;

21 (10) in section 308(a), by striking “this Act”
22 and inserting “sections 2, 101, 102, 103, and 303
23 of this Act”;

24 (11) by redesignating section 411 as section
25 312;

1 (12) in section 503—

2 (A) in paragraph (5) of subsection (c)—

3 (i) by moving the margins of such
4 paragraph 2 ems to the left; and

5 (ii) by moving the margins of sub-
6 paragraph (B) of such paragraph 2 ems to
7 the left; and

8 (B) in paragraph (2) of subsection (d), by
9 moving the margins of such paragraph 2 ems to
10 the left; and

11 (13) in subparagraph (B) of paragraph (3) of
12 subsection (a) of section 504, by moving the margins
13 of such subparagraph 2 ems to the right.

14 **SEC. 10746. TECHNICAL AMENDMENTS RELATED TO THE**
15 **DEPARTMENT OF ENERGY.**

16 (a) NATIONAL NUCLEAR SECURITY ADMINISTRATION
17 ACT.—Section 3233(b) of the National Nuclear Security
18 Administration Act (50 U.S.C. 2423(b)) is amended—

19 (1) by striking “Administration” and inserting
20 “Department”; and

21 (2) by inserting “Intelligence and” after “the
22 Office of”.

23 (b) ATOMIC ENERGY DEFENSE ACT.—Section
24 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C.

1 2674(b)(2)) is amended by inserting “Intelligence and”
 2 after “The Director of”.

3 (c) NATIONAL SECURITY ACT OF 1947.—Paragraph
 4 (2) of section 106(b) of the National Security Act of 1947
 5 (50 U.S.C. 3041(b)(2)) is amended—

6 (1) in subparagraph (E), by inserting “and
 7 Counterintelligence” after “Office of Intelligence”;

8 (2) by striking subparagraph (F);

9 (3) by redesignating subparagraphs (G), (H),
 10 and (I) as subparagraphs (F), (G), and (H), respec-
 11 tively; and

12 (4) in subparagraph (H), as so redesignated, by
 13 realigning the margin of such subparagraph 2 ems
 14 to the left.

15 **SEC. 10747. SENSE OF CONGRESS ON NOTIFICATION OF**
 16 **CERTAIN DISCLOSURES OF CLASSIFIED IN-**
 17 **FORMATION.**

18 (a) DEFINITIONS.—In this section:

19 (1) ADVERSARY FOREIGN GOVERNMENT.—The
 20 term “adversary foreign government” means the
 21 government of any of the following foreign countries:

22 (A) North Korea.

23 (B) Iran.

24 (C) China.

25 (D) Russia.

1 (E) Cuba.

2 (2) COVERED CLASSIFIED INFORMATION.—The
3 term “covered classified information” means classi-
4 fied information that was—

5 (A) collected by an element of the intel-
6 ligence community; or

7 (B) provided by the intelligence service or
8 military of a foreign country to an element of
9 the intelligence community.

10 (3) ESTABLISHED INTELLIGENCE CHANNELS.—
11 The term “established intelligence channels” means
12 methods to exchange intelligence to coordinate for-
13 eign intelligence relationships, as established pursu-
14 ant to law by the Director of National Intelligence,
15 the Director of the Central Intelligence Agency, the
16 Director of the National Security Agency, or other
17 head of an element of the intelligence community.

18 (4) INDIVIDUAL IN THE EXECUTIVE BRANCH.—
19 The term “individual in the executive branch”
20 means any officer or employee of the executive
21 branch, including individuals—

22 (A) occupying a position specified in article
23 II of the Constitution;

24 (B) appointed to a position by an indi-
25 vidual described in subparagraph (A); or

1 (C) serving in the civil service or the Sen-
2 ior Executive Service (or similar service for sen-
3 ior executives of particular departments or
4 agencies).

5 (b) FINDINGS.—Congress finds that section 502 of
6 the National Security Act of 1947 (50 U.S.C. 3092) re-
7 quires elements of the intelligence community to keep the
8 congressional intelligence committees “fully and currently
9 informed” about all “intelligence activities” of the United
10 States, and to “furnish to the congressional intelligence
11 committees any information or material concerning intel-
12 ligence activities * * * which is requested by either of the
13 congressional intelligence committees in order to carry out
14 its authorized responsibilities.”.

15 (c) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that—

17 (1) section 502 of the National Security Act of
18 1947 (50 U.S.C. 3092), together with other intel-
19 ligence community authorities, obligates an element
20 of the intelligence community to submit to the con-
21 gressional intelligence committees written notifica-
22 tion, by not later than 7 days after becoming aware,
23 that an individual in the executive branch has dis-
24 closed covered classified information to an official of

1 an adversary foreign government using methods
2 other than established intelligence channels; and

3 (2) each such notification should include—

4 (A) the date and place of the disclosure of
5 classified information covered by the notifica-
6 tion;

7 (B) a description of such classified infor-
8 mation;

9 (C) identification of the individual who
10 made such disclosure and the individual to
11 whom such disclosure was made; and

12 (D) a summary of the circumstances of
13 such disclosure.

14 **SEC. 10748. SENSE OF CONGRESS ON CONSIDERATION OF**
15 **ESPIONAGE ACTIVITIES WHEN CONSIDERING**
16 **WHETHER OR NOT TO PROVIDE VISAS TO**
17 **FOREIGN INDIVIDUALS TO BE ACCREDITED**
18 **TO A UNITED NATIONS MISSION IN THE**
19 **UNITED STATES.**

20 It is the sense of the Congress that the Secretary of
21 State, in considering whether or not to provide a visa to
22 a foreign individual to be accredited to a United Nations
23 mission in the United States, should consider—

24 (1) known and suspected intelligence activities,
25 espionage activities, including activities constituting

1 precursors to espionage, carried out by the indi-
2 vidual against the United States, foreign allies of the
3 United States, or foreign partners of the United
4 States; and

5 (2) the status of an individual as a known or
6 suspected intelligence officer for a foreign adversary.

7 **SEC. 10749. SENSE OF CONGRESS ON WIKILEAKS.**

8 It is the sense of Congress that WikiLeaks and the
9 senior leadership of WikiLeaks resemble a nonstate hostile
10 intelligence service often abetted by state actors and
11 should be treated as such a service by the United States.

Passed the Senate June 27, 2019.

Attest:

Secretary.

116TH CONGRESS
1ST Session

S. 1790

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.