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.

IN THE SENATE OF THE UNITED STATES
JUNE 11, 2019
Mr. INHOFE, from the Committee on Armed Services, reported the following original bill; which was read twice and placed on the calendar

A BILL
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.

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

SECTION 1. SHORT TITLE.
This Act may be cited as the “National Defense Au-

thorization Act for Fiscal Year 2020”.

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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

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

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees.
Sec. 4. Budgetary effects of this Act.

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Sec. 121. Modification of prohibition on availability of funds for Navy waterborne security barriers.
Sec. 122. Capabilities based assessment for naval vessels that carry fixed-wing aircraft.
Sec. 123. Ford-class aircraft carrier cost limitation baselines.
Sec. 125. LHA Replacement Amphibious Assault Ship Program.
Sec. 126. Limitation on availability of funds for the Littoral Combat Ship.
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Sec. 129. Report on carrier wing composition.

Subtitle D—Air Force Programs

Sec. 142. Requirement to establish the use of an Agile DevOps software development solution as an alternative for Joint Strike Fighter Autonomous Logistics Information System.
Sec. 144. Air Force aggressor squadron modernization.
Sec. 145. Air Force plan for Combat Rescue Helicopter fielding.
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Subtitle E—Defense-wide, Joint, and Multiservice Matters

Sec. 151. Limitation on availability of funds for communications systems lacking certain resiliency features.
Sec. 152. F–35 sustainment cost.
Sec. 153. Economic order quantity contracting authority for F–35 Joint Strike Fighter program.
Sec. 154. Repeal of tactical unmanned vehicle common data link requirement.

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Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Development and acquisition strategy to procure secure, low probability of detection data link network capability.
Sec. 212. Establishment of secure next-generation wireless network (5G) infrastructure for the Nevada Test and Training Range and base infrastructure.
Sec. 213. Limitation and report on Indirect Fire Protection Capability Increment 2 enduring capability.
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Sec. 215. Sense of the Senate on the Advanced Battle Management System.
Sec. 216. Modification of proof of concept commercialization program.
Sec. 217. Modification of Defense quantum information science and technology research and development program.
Sec. 218. Technology and National Security Fellowship.
Sec. 219. Direct Air Capture and Blue Carbon Removal Technology Program.
Subtitle C—Reports and Other Matters

Sec. 231. National security emerging biotechnologies research and development program.
Sec. 232. Cyber science and technology activities roadmap and reports.
Sec. 233. Requiring certain microelectronics products and services meet trusted supply chain and operational security standards.
Sec. 234. Technical correction to Global Research Watch Program.
Sec. 235. Additional technology areas for expedited access to technical talent.
Sec. 236. Sense of the Senate and periodic briefings on the security and availability of fifth-generation (5G) wireless network technology and production.
Sec. 237. Transfer of Combating Terrorism Technical Support Office.
Sec. 238. Briefing on cooperative defense technology programs and risks of technology transfer to China or Russia.
Sec. 239. Modification of authority for prizes for advanced technology achievements.
Sec. 242. Review and assessment pertaining to transition of Department of Defense-originated dual-use technology.

TITLE III—OPERATION AND MAINTENANCE

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Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Use of operational energy cost savings of Department of Defense.
Sec. 312. Use of proceeds from sales of electrical energy generated from geothermal resources.
Sec. 313. Energy resilience programs and activities.
Sec. 314. Native American Indian lands environmental mitigation program.
Sec. 315. Reimbursement of Environmental Protection Agency for certain costs in connection with the Twin Cities Army Ammunition Plant, Minnesota.
Sec. 316. Prohibition on use of perfluoroalkyl substances and polyfluoroalkyl substances for land-based applications of firefighting foam.
Sec. 317. Transfer authority for funding of study and assessment on health implications of per- and polyfluoroalkyl substances contamination in drinking water by Agency for Toxic Substances and Disease Registry.
Sec. 318. Cooperative agreements with States to address contamination by perfluoroalkyl and polyfluoroalkyl substances.
Sec. 319. Modification of Department of Defense environmental restoration authorities to include Federal Government facilities used by National Guard.
Sec. 320. Budgeting of Department of Defense relating to extreme weather.
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Sec. 322. Report on efforts to reduce high energy intensity at military installations.
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Sec. 331. Requirement for memoranda of understanding between the Air Force and the Navy regarding depot maintenance.
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Sec. 352. Limitation on use of funds regarding the basing of KC–46A aircraft outside the continental United States.
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Sec. 354. Expansion and enhancement of authorities on transfer and adoption of military animals.
Sec. 355. Limitation on contracting relating to Defense Personal Property Program.
Sec. 356. Prohibition on subjective upgrades by commanders of unit ratings in monthly readiness reporting on military units.
Sec. 357. Extension of temporary installation reutilization authority for arsenals, depots, and plants.
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Sec. 414. Maximum number of reserve personnel authorized to be on active duty for operational support.
Sec. 415. Authorized strengths for Marine Corps Reserves on active duty.

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Sec. 504. Limitation on number of officers recommendable for promotion by promotion selection boards.

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Sec. 506. Higher grade in retirement for officers following reopening of determination or certification of retired grade.

Sec. 507. Availability on the Internet of certain information about officers serving in general or flag officer grades.

Subtitle B—Reserve Component Management

Sec. 511. Repeal of requirement for review of certain Army Reserve officer unit vacancy promotions by commanders of associated active duty units.

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Sec. 516. Repeal of requirement that parental leave be taken in one increment.

Sec. 517. Digital engineering as a core competency of the Armed Forces.

Sec. 518. Modification of notification on manning of afloat naval forces.

Sec. 519. Report on expansion of the Close Airman Support team approach of the Air Force to the other Armed Forces.

Subtitle D—Military Justice and Related Matters

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Sec. 522. Enactment and expansion of policy on withholding of initial disposition authority for certain offenses under the Uniform Code of Military Justice.

Sec. 523. Training for Sexual Assault Initial Disposition Authorities on exercise of disposition authority for sexual assault and collateral offenses.

Sec. 524. Expansion of responsibilities of commanders for victims of sexual assault committed by another member of the Armed Forces.

Sec. 525. Training for commanders in the Armed Forces on their role in all stages of military justice in connection with sexual assault.

Sec. 526. Notice to victims of alleged sexual assault of pendency of further administrative action following a determination not to refer to trial by court-martial.

Sec. 527. Safe to report policy applicable across the Armed Forces.
Sec. 528. Report on expansion of Air Force safe to report policy across the Armed Forces.

Sec. 529. Proposal for separate punitive article in the Uniform Code of Military Justice on sexual harassment.

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Sec. 531. Report on preservation of recourse to restricted report on sexual assault for victims of sexual assault following certain victim or third-party communications.

Sec. 532. Authority for return of personal property to victims of sexual assault who file a Restricted Report before conclusion of related proceedings.

Sec. 533. Extension of Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces.


Sec. 535. Independent reviews and assessments on race and ethnicity in the investigation, prosecution, and defense of sexual assault in the Armed Forces.

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.

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Sec. 550. Advice and counsel of trauma experts in review by boards for correction of military records and discharge review boards of certain claims.

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Sec. 560. Pilot programs on defense investigators in the military justice system.

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Sec. 562. Report on standardization among the military departments in collection and presentation of information on matters within the military justice system.

Sec. 563. Report on establishment of guardian ad litem program for certain military dependents who are a victim or witness of offenses under the Uniform Code of Military Justice involving abuse or exploitation.

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TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.
SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purposes of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

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

Subtitle B—Army Programs

SEC. 111. 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.
SEC. 112. AUTHORITY OF THE SECRETARY OF THE ARMY TO WAIVE CERTAIN LIMITATIONS RELATED TO THE DISTRIBUTED COMMON GROUND SYSTEM-ARMY INCREMENT 1.

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

Subtitle C—Navy Programs

SEC. 121. MODIFICATION OF PROHIBITION ON AVAILABILITY OF FUNDS FOR NAVY WATERBORNE SECURITY BARRIERS.

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

(1) in subsection (a) by striking “for fiscal year 2019 may be obligated or expended to procure legacy waterborne security barriers for Navy ports” and inserting “for fiscal year 2019 or fiscal year 2020 may be obligated or expended to procure legacy waterborne security barriers for Navy ports, including as replacements for legacy barriers”; and

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

“(d) NOTIFICATION.—Not later than 15 days after an exception is made pursuant to subsection (e)(2), the
Secretary of the Navy shall submit a written notification to the congressional defense committees that includes—
"(1) the name and position of the government official who determined exigent circumstances exist;
"(2) a description of the exigent circumstances; and
"(3) a description of how waterborne security will be maintained until new waterborne security barriers are procured and installed.”.

SEC. 122. CAPABILITIES BASED ASSESSMENT FOR NAVAL VESSELS THAT CARRY FIXED-WING AIRCRAFT.

(a) In General.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Navy shall initiate a capabilities based assessment to begin the process of identifying requirements for the naval vessels that will carry fixed-wing aircraft following the ships designated CVN–81 and LHA–9.

(b) Elements.—The assessment shall—

(1) conform with the Joint Capabilities Integration and Development System, including Chairman of the Joint Chiefs of Staff Instruction 5123.01H; and

(2) consider options for the vessels described under subsection (a) that would enable greater com-
monality and interoperability of naval aircraft embarked on such naval vessels, including aircraft arresting gear and launch catapults.

(e) Notification Requirement.—Not later than 15 days after initiating the assessment required under subsection (a), the Secretary of the Navy shall notify the congressional defense committees of such action and the associated schedule for completing the assessment and generating an Initial Capabilities Document.

SEC. 123. FORD-CLASS AIRCRAFT CARRIER COST LIMITATION BASELINES.

(a) In General.—Chapter 633 of title 10, United States Code, is amended by adding at the end the following new section:

"§8692. Ford-class aircraft carrier cost limitation baselines

(a) Limitation.—The total amounts obligated or expended from funds authorized to be appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, may not exceed the following amounts for the following aircraft carriers:

"(1) $13,027,000,000 for the construction of the aircraft carrier designated CVN–78."
“(2) $11,398,000,000 for the construction of the aircraft carrier designated CVN–79.

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

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

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

“(1) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2019.

“(2) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2019.

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

“(4) The amounts of increases or decreases in costs of that ship that are attributable to insertion of new technology into that ship, as compared to the technology baseline as it was defined prior to October 1, 2019.

“(5) The amounts of increases or decreases to cost required to correct deficiencies that may affect
the safety of the ship and personnel or otherwise
preclude the ship from safe operations and crew cer-
tification.

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

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

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

“(1) the Secretary determines, and certifies to
the congressional defense committees, that insertion
of the new technology would lower the life-cycle cost
of the ship; or
“(2) the Secretary determines, and certifies to
the congressional defense committees, that insertion
of the new technology is required to meet an emerg-
ing threat and the Secretary of Defense certifies to
those committees that such threat poses grave harm
to national security.

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

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

“(2) the Secretary determines, and certifies to
the congressional defense committees, that waiting
on an action by Congress to raise the cost cap speci-
fied in subsection (a)(1) to account for such require-
ment will result in a delay in the date of initial oper-
ating capability of that ship; and
“(3) the Secretary submits to the congressional defense committees a report setting forth a description of such requirement before the obligation of additional funds pursuant to such authority.

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

“(1) CVN–78 class battle spares.

“(2) Interim spares.

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

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

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

(c) REPEAL OF SUPERSEDED PROVISION.—Section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104) is repealed.
SEC. 124. DESIGN AND CONSTRUCTION OF AMPHIBIOUS TRANSPORT DOCK DESIGNATED LPD–31.

(a) In General.—The Secretary of the Navy may enter into a contract for the design and construction of the amphibious transport dock designated LPD–31 using amounts authorized to be appropriated for the Department of Defense for Shipbuilding and Conversion, Navy.

(b) Use of Incremental Funding.—With respect to the contract entered into under subsection (a), the Secretary may use incremental funding to make payments under the contract with amounts authorized to be appropriated in fiscal years 2019, 2020, and 2021.

(c) Condition for Out-Year Contract Payments.—The contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under such contract for any fiscal year after fiscal year 2020 is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 125. LHA REPLACEMENT AMPHIBIOUS ASSAULT SHIP PROGRAM.

(a) Authority to Use Incremental Funding.—The Secretary of the Navy may enter into and incrementally fund a contract for detail design and construction of the LHA replacement ship designated LHA 9 and, subject to subsection (b), funds for payments under the contract may be provided from amounts authorized to be app-
propriated for the Department of Defense for Shipbuilding and Conversion, Navy, for fiscal years 2019 through 2025.

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

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

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

(a) LIMITATION.—None of the amounts authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2020 may be used to exceed the total procurement quantity listed in revision five of the Littoral Combat Ship acquisition strategy unless the Under Secretary of Defense for Acquisition and Sustainment submits to the congressional defense committees the certification described in subsection (b).

(b) CERTIFICATION.—The certification described in this subsection is a certification by the Under Secretary
that awarding a contract for the procurement of a Littoral
Combat Ship that exceeds the total procurement quantity
listed in revision five of the Littoral Combat Ship acquisi-
tion strategy—

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

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

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

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

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

(a) IN GENERAL.—Milestone B approval may not be
granted for the next new class of Navy large surface com-
batants unless the class of Navy large surface combatants
incorporates prior to such approval—
(1) design changes identified during the full duration of the combat system ship qualification trials and operational test periods of the first Arleigh Burke-class destroyer in the Flight III configuration to complete such events; and

(2) final results of test programs of engineering development models or prototypes for critical systems specified by the Senior Technical Authority pursuant to section 8669b of title 10, United States Code, as added by section 1017 of this Act, in their final form, fit, and function and in a realistic environment, which shall include a land-based engineering site if the propulsion system will utilize integrated electric power technology, including electric drive propulsion.

(b) LIMITATION.—The Secretary of the Navy may not release a detail design or construction request for proposals or obligate funds from the Shipbuilding and Conversion, Navy account for the next new class of Navy large surface combatants until the class of Navy large surface combatants receives Milestone B approval and the milestone decision authority notifies the congressional defense committees, in writing, of the actions taken to comply with the requirements under subsection (a).

(c) DEFINITIONS.—In this section:
(1) The term “Milestone B approval” has the meaning given the term in section 2366(e)(7) of title 10, United States Code.

(2) The term “milestone decision authority” means the official within the Department of Defense designated with the overall responsibility and authority for acquisition decisions for the program, including authority to approve entry of the program into the next phase of the acquisition process.

(3) The term “large surface combatants” means Navy surface ships that are designed primarily to engage in attacks against airborne, surface, subsurface, and shore targets, excluding frigates and littoral combat ships.


(a) Refueling and Complex Overhaul.—The Secretary of the Navy shall carry out the nuclear refueling and complex overhaul of the U.S.S. John C. Stennis (CVN–74) and U.S.S. Harry S. Truman (CVN–75).

(b) Use of Incremental Funding.—With respect to any contract entered into under subsection (a) for the nuclear refueling and complex overhauls of the U.S.S. John C. Stennis (CVN–74) and U.S.S. Harry S. Truman
(CVN–75), the Secretary may use incremental funding for
a period not to exceed six years after advance procurement
funds for such nuclear refueling and complex overhaul ef-
fort are first obligated.
(c) Condition for Out-year Contract Pay-
ments.—Any contract entered into under subsection (a)
shall provide that any obligation of the United States to
make a payment under the contract for a fiscal year after
fiscal year 2020 is subject to the availability of appropria-
tions for that purpose for that later fiscal year.

SEC. 129. REPORT ON CARRIER WING COMPOSITION.
(a) In General.—Not later than May 1, 2020, the
Secretary of the Navy shall submit to the congressional
defense committees a report on the optimal composition
of the carrier air wing in 2030 and 2040, including alter-
native force design concepts.
(b) Elements.—The report required under sub-
section (a) shall include the following elements:
(1) Analysis and justification for the Navy’s
stated goal of a 50/50 mix of 4th and 5th generation
aircraft for 2030.
(2) Analysis and justification for an optimal
mix of carrier aircraft for 2040.
(3) A plan for incorporating unmanned aerial vehicles and associated communication capabilities to effectively implement the future force design.

(c) BRIEFING.—Not later than March 1, 2020, the Secretary of the Navy shall provide the congressional defense committees a briefing on the report required under subsection (a).

Subtitle D—Air Force Programs

SEC. 141. REQUIREMENT TO ALIGN AIR FORCE FIGHTER FORCE STRUCTURE WITH NATIONAL DEFENSE STRATEGY AND REPORTS.

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

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

(1) the Secretary receives a waiver and justification from the Secretary of Defense; and
(2) 30 days after notifying the congressional defense committees of the proposed deviation.

SEC. 142. REQUIREMENT TO ESTABLISH THE USE OF AN AGILE DEVOPS SOFTWARE DEVELOPMENT SOLUTION AS AN ALTERNATIVE FOR JOINT STRIKE FIGHTER AUTONOMIC LOGISTICS INFORMATION SYSTEM.

(a) Establishment of an Alternative Agile DevOps Software Development Program.—The Secretary of Defense shall establish a software development activity using Agile DevOps to create an alternative solution for the Joint Strike Fighter Autonomic Logistics Information System (ALIS).

(b) Competitive Analysis.—The Secretary of Defense shall carry out a competitive analysis of the efforts between Autonomic Logistics Information System, Autonomic Logistics Information System–Next, and Madhatter, including with respect to transition opportunities and timelines.

(c) Briefing.—Not later than September 30, 2020, the Secretary of Defense, in consultation with the Secretary of the Air Force, shall provide the congressional defense committees a briefing on the findings of the Secretary of Defense with respect to the competitive analysis carried out under subsection (b).
SEC. 143. REPORT ON FEASIBILITY OF MULTIYEAR CONTRACT FOR PROCUREMENT OF JASSM–ER MISSILES.

(a) IN GENERAL.—Not later than March 31, 2020, the Secretary of the Air Force shall submit a report to the congressional defense committees assessing the feasibility of entering into a multiyear contract for procurement of JASSM–ER missiles starting in fiscal year 2022.

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

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

(2) An analysis of at least two different multiyear contract options that vary in either duration or quantity, at least one of which assumes a maximum procurement of 550 missiles per year for 5 years.

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

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

(5) An assessment of how a multiyear contract will impact the ability of the Air Force to develop additional capabilities for the JASSM–ER missile.
SEC. 144. AIR FORCE AGGRESSOR SQUADRON MODERNIZATION.

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

(1) it is critical that the Air Force has the capability to train against an advanced air adversary in order to be prepared for conflicts against a modern enemy force, and that in order to have this capability, the Air Force must have access to an advanced adversary force prior to United States adversaries fielding a 5th-generation operational capability; and

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

(b) Report.—

(1) In general.—The Secretary of the Air Force may not transfer any low-rate initial production F–35 aircraft for use as aggressor aircraft until the Chief of Staff of the Air Force submits to the congressional defense committees a comprehensive plan and report on the strategy for modernizing its organic aggressor fleet.

(2) Elements.—The report required under paragraph (1) shall include the following elements:
(A) Potential locations for F–35A aggressor aircraft, including an analysis of installations that—

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

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

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

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

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

(C) An analysis of the cost and timelines associated with modernizing the current Air Force aggressor squadrons to include upgrading aircraft radar, infrared search-and-track systems, radar warning receiver, tactical datalink, threat-representative jamming pods, and other upgrades necessary to provide a realistic advanced adversary threat.
SEC. 145. AIR FORCE PLAN FOR COMBAT RESCUE HELICOPTER FIELDING.

(a) Sense of Congress.—It is the sense of Congress that, given delays to Operational Loss Replacement (OLR) program fielding and the on-time fielding of Combat Rescue Helicopter (CRH), the Air National Guard should retain additional HH–60G helicopters at Air National Guard locations to meet their recommended primary aircraft authorized (PAA) per the Air Force’s June 2018 report on Air National Guard HH–60 requirements.

(b) Report on Fielding Plan.—

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

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

(A) A description of the differences in capabilities between the HH–60G, OLR, and CRH helicopters.

(B) A description of the costs and risks associated with changing the CRH fielding plan to reduce or eliminate inventory shortfalls.
(C) A description of the measures for accelerating the program available within the current contract.

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

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

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

(iii) an analysis of the potential costs and benefits that could result from accelerating CRH fielding to all units through additional funding in the future years defense program.

(e) REPORT ON TRAINING PLAN.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the plan to sustain training for initial-entry reserve component HH–60G pilots once the active component of the Air Force has received all of its CRH helicopters.
(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) Projected reserve component aircrew initial HH–60G/OLR qualification training requirements, by year.

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

(C) The number of personnel required to continue providing initial HH–60G/OLR qualification training through the 150th Special Operations Wing at Kirtland Air Force Base.

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

(E) The projected effect of using local flying training hours at reserve component units on overall unit training readiness and ability to meet Ready Aircrew Program requirements.
SEC. 146. MILITARY TYPE CERTIFICATION FOR AT–6 AND A–29 LIGHT ATTACK EXPERIMENTATION AIRCRAFT.

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

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

SEC. 151. LIMITATION ON AVAILABILITY OF FUNDS FOR COMMUNICATIONS SYSTEMS LACKING CERTAIN RESILIENCY FEATURES.

(a) In General.—Except as provided under subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2020 may be used for the procurement of a current or future Department of Defense communication program of record unless the communications equipment—

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

(2) provides the ability to securely communicate classified information in a jamming environment of like-echelon forces; and
(3) utilizes a waveform that is made available in the Department of Defense Waveform Information Repository.

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

SEC. 152. F–35 SUSTAINMENT COST.

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

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

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

(b) COST REDUCTION PLAN.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall develop
a plan for achieving significant reductions in the cost to operate and maintain the F–35 aircraft.

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

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

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

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

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

SEC. 153. ECONOMIC ORDER QUANTITY CONTRACTING AUTHORITY FOR F–35 JOINT STRIKE FIGHTER PROGRAM.

The Secretary of Defense is authorized to award multiyear contracts for the procurement of F–35 aircraft in economic order quantities for fiscal year 2021 (Lot 15) through fiscal year 2023 (Lot 17).
SEC. 154. REPEAL OF TACTICAL UNMANNED VEHICLE COMM-
MON DATA LINK REQUIREMENT.


TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUA-
TION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

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

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. DEVELOPMENT AND ACQUISITION STRATEGY TO PROCURE SECURE, LOW PROBABILITY OF DETECTION DATA LINK NETWORK CAPABILITY.

(a) STRATEGY REQUIRED.—Not later than March 1, 2020, the Chief of Staff of the Air Force and Chief of Naval Operations shall jointly submit to the congressional defense committees a joint development and acquisition strategy to procure a secure, low probability of detection
data link network capability, with the ability to effectively operate in hostile jamming environments while preserving the low observability characteristics of the relevant platforms, including both existing and planned platforms.

(b) Network Characteristics.—The data link network capability to be procured pursuant to the development and acquisition strategy submitted under subsection (a) shall—

(1) ensure that any network made with such capability will be low risk and affordable, with minimal impact or change to existing host platforms and minimal overall integration costs;

(2) use a non-proprietary and open systems approach compatible with the Rapid Capabilities Office Open Mission Systems initiative of the Air Force and the Future Airborne Capability Environment initiative of the Navy; and

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

(A) fifth-generation combat aircraft;

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

(C) fifth-generation and fourth-generation combat aircraft and appropriate support aircraft and other network nodes for command,
control, communications, intelligence, surveillance, and reconnaissance purposes; and

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

(e) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for operation and maintenance for the Office of the Secretary of the Air Force and for operations and maintenance for the Office of the Secretary of the Navy, not more than 50 percent may be obligated or expended until the date that is 15 days after the date on which the Chief of Staff of the Air Force and Chief of Naval Operations submit the development and acquisition strategy required by subsection (a).

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

(a) Establishment Required.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish secure fifth-generation wireless network components and capabilities at no fewer than two Department of Defense installations in accordance with this section.
(b) First Installation.—

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

(2) Objective. — The Secretary shall ensure that the establishment of components and capabilities under subsection (a) at the range described in paragraph (1) of this subsection will allow the Department to explore and demonstrate the utility of using fifth-generation wireless networking technology to enhance combat operations.

(3) Purpose. — The purpose of the establishment of components and capabilities under subsection (a) at the range described in paragraph (1) of this subsection is to demonstrate the following:

(A) The potential military utility of high bandwidth, scalable, and low latency fifth-generation wireless networking technology.

(B) Advanced security technology that is applicable to fifth-generation networks as well as legacy Department command and control networks.
(C) Secure interoperability with fixed and wireless systems (legacy and future systems).

(D) Enhancements such as spectrum and waveform diversity, frequency hopping and spreading, and beam forming for military requirements.

(E) Technology for dynamic network slicing for specific use cases and applications requiring varying levels of latency, scale, and throughput.

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

(e) SECOND AND ADDITIONAL INSTALLATIONS.—

(1) LOCATION.—The location of the second and any additional installations for establishment of components and capabilities under subsection (a) shall be at such Department installation or installations as the Secretary considers appropriate for the purpose set forth in paragraph (2) of this subsection.

(2) PURPOSES.—The purpose of the second and any additional installations for establishment of components and capabilities under subsection (a) is to explore and demonstrate infrastructure implementations of the following:
(A) Base infrastructure installation of high bandwidth, scalable, and low latency fifth-generation wireless networking technology.

(B) Applications for secure fifth-generation wireless network capabilities for the Department, such as the following:

   (i) Interactive augmented reality or synthetic training environments.
   (ii) Internet of things devices.
   (iii) Autonomous systems.
   (iv) Advanced manufacturing through the following:

   (I) Department-sponsored centers for manufacturing innovation (as defined in section 34(c) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(c))).
   (II) Department research and development organizations.
   (III) Manufacturers in the defense industrial base of the United States.
SEC. 213. LIMITATION AND REPORT ON INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2 ENDURING CAPABILITY.

(a) LIMITATION AND REPORT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Army may be obligated or expended for research, development, test, and evaluation for the Indirect Fire Protection Capability Increment 2 enduring capability until the Secretary of the Army submits to the congressional defense committees a report on the Indirect Fire Protection Capability Increment 2 program that contains the following:

(1) An assessment of whether the requirements previously established for the program meet the anticipated threat at the time of planned initial operating capability and fully operating capability.

(2) A list of candidate systems considered to meet the Indirect Fire Protection Capability Increment 2 requirement, including those fielded or in development by the Army, the Missile Defense Agency, and other elements of the Department of Defense.

(3) An assessment of each candidate system’s capability against representative threats.

(4) An assessment of other relevant specifications of each candidate system, including cost of de-
velopment, cost per round if applicable, technological
maturity, and logistics and sustainment.

(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 certifi-
cation that identifies a program of record contained within
that budget request that will meet the requirement in De-
partment of Defense Directive 5100.01 to conduct air and
missile defense to support joint campaigns as it applies
to defense against supersonic cruise missiles.

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

(a) PROGRAM ESTABLISHMENT.—The Secretary of
Defense, in consultation with the Administrator of the Na-
tional Telecommunications and Information Administra-
tion, and the Federal Communications Commission shall
jointly establish an electromagnetic spectrum sharing re-
search and development program to promote the establish-
ment of innovative technologies and techniques to facili-
bate electromagnetic spectrum sharing between fifth-gener-
eration wireless networking technologies, Federal systems, and other non-Federal incumbent systems.

(b) Establishment of Test Beds.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the Administrator and the Commission, shall, as part of the program established under subsection (a), establish at least two test beds to demonstrate the potential for cohabitation between fifth-generation wireless networking technologies, other incumbent non-Federal systems, and Federal systems.

(2) Co-location of test beds.—The test beds established under paragraph (1) may be co-located, if a single geographic location can provide a sufficient diversity of Federal systems. If not, test beds established under this subsection shall coordinate to share results and best practices identified in each location.

(c) Development of Department of Defense Integrated Spectrum Automation Enterprise Strategy.—

(1) In general.—Not later than May 1, 2020, the Secretary and the Administrator of the National
Telecommunications and Information Administration, in consultation with the Federal Communications Commission, shall jointly propose an integrated spectrum automation enterprise strategy for the Department of Defense to address management of electromagnetic spectrum, including both Federal and non-Federal spectrum that is shared by the Department of Defense or could be used for national security missions in the future, including on a shared basis.

(2) Matters Encompassed.—The strategy developed under subparagraph (A) shall encompass cloud-based databases, artificial intelligence, system certification processes, public facing application programming interfaces and online tools, and electromagnetic spectrum compatibility analyses for sharing of electromagnetic spectrum.

(d) Periodic Briefings.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 180 days thereafter until the Secretary submits the report required by subsection (e), the Secretary, in consultation with the Administrator and the Commission, shall brief the appropriate committees of Congress on the progress of the test beds established under subsection (b).
(e) Report.—

(1) In general.—Not later than October 1, 2022, the Secretary, in consultation with the Administrator and the Commission, shall submit to the appropriate committees of Congress a report on the results of the test beds established under subsection (b).

(2) Recommendations.—The report submitted under paragraph (1) shall include recommendations to facilitate sharing frameworks in the bands of electromagnetic spectrum that are the subject of the test beds.

(f) Appropriate Committees of Congress.—In this subsection, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate; and

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

SEC. 215. SENSE OF THE SENATE ON THE ADVANCED BATTLE MANAGEMENT SYSTEM.

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

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

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

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

(5) the Advanced Battle Management System, as a multidomain system of systems, must have a
central command and control capability that can inte-
grate these systems into a unified warfighting ca-
pability;

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

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

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

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

(C) the creation of a real-time common oper-
atating picture from multidomain intelligence; and

(8) for an effort as ambitious and complex as the Advanced Battle Management System, the Sen-
ate encourages the Air Force to use existing acquisi-
tion authorities to begin a rapid prototyping effort
to refine the requirements and software-intensive
technologies that will be integral to the command
and control capability of the Advanced Battle Man-
agement System.

SEC. 216. MODIFICATION OF PROOF OF CONCEPT COMMERCIALIZATION PROGRAM.

(a) MAKING THE PROGRAM PERMANENT.—

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

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

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

(B) in subsection (a)—

(i) by striking “PILOT”; and

(ii) by striking “Pilot”; and

(C) by striking “pilot” each place it ap-
ppears.

(b) ADDITIONAL IMPROVEMENTS.—Such section, as
amended by subsection (a), is further amended—
(1) in the section heading, by inserting “OF DUAL-USE TECHNOLOGY” after “COMMERCIALIZATION”;

(2) in subsection (a)—

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

(B) by inserting “with a focus on priority defense technology areas that attract public and private sector funding, as well as private sector investment capital, including from venture capital firms in the United States,” before “in accordance”;

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

(4) by striking subsection (d);

(5) by redesignating subsection (e) as subsection (d);

(6) by striking subsection (f); and

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

“(e) AUTHORITIES.—In carrying out this section, the Secretary may use the following authorities:
“(1) Section 1599g of title 10 of the United States Code, relating to public-private talent exchanges.

“(2) Section 2368 of such title, relating to Centers for Science, Technology, and Engineering Partnerships.

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

“(4) Section 2474 of such title, relating to Centers of Industrial and Technical Excellence.

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


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

“(8) Section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) and section 6305 of title 31, United States Code, relating to cooperative research and development agreements.”.
SEC. 217. MODIFICATION OF DEFENSE QUANTUM INFORMATION SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.

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

(1) in subsection (b)—

(A) in paragraph (2)—

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

(ii) by striking “private sector” inserting “private-sector and international”; and

(B) in paragraph (6), by inserting “, workforce,” after “including facilities”;

(2) in subsection (c)—

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

“(A) the National Quantum Coordination Office;

“(B) the National Science and Technology Council Quantum Information Science Subcommittee;

“(C) other Federal agencies;
“(D) other elements and offices of the Department of Defense; and

“(E) appropriate private-sector organizations;”;

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

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

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

“(4) develop, in coordination with appropriate Federal entities, a taxonomy for quantum science activities and requirements for relevant technology and standards; and”; and

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

SEC. 218. TECHNOLOGY AND NATIONAL SECURITY FELLOWSHIP.

(a) FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall establish a civilian fellowship program designed to place eligible individuals within the Department of
Defense and Congress to increase the number of national security professionals with science, technology, engineering, and mathematics credentials employed by the Department and Congress.

(2) DESIGNATION.—The fellowship program established under paragraph (1) shall be known as the “Technology and National Security Fellowship” (in this section referred to as the “fellows program”).

(3) ASSIGNMENTS.—Each individual selected for participation in the fellows program shall be assigned to a one year position within—

(A) the Department of Defense; or

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

(4) PAY AND BENEFITS.—Each individual assigned to a position under paragraph (3)—

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

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

(b) ELIGIBLE INDIVIDUALS.—For purposes of this section, and subject to subsection (e), an eligible individual is any individual who—
(1) is a citizen of the United States; and

(2) either—

(A) expects to be awarded an undergraduate or graduate degree that, as determined by the Secretary, focuses on science, technology, engineering, or mathematics course work not later than 180 days after the date on which the individual submits an application for participation in the fellows program; or

(B) possesses an undergraduate or graduate degree that, as determined by the Secretary, focuses on science, technology, engineering, or mathematics course work that was awarded not earlier than one year before the date on which the individual submits an application for participation in the fellows program.

(c) APPLICATION.—Each individual seeking to participate in the fellows program shall submit to the Secretary an application therefor at such time and in such manner as the Secretary shall specify.

(d) COORDINATION.—In carrying out this section, the Secretary may consider working through the following entities:

(1) The National Security Innovation Network.
(2) Other Department of Defense or public and private sector organizations, as determined appropriate by the Secretary.

(e) MODIFICATIONS TO FELLOWS PROGRAM.—The Secretary may modify the terms and procedures of the fellows program in order to better achieve the goals of the program and to support workforce needs of the Department of Defense.

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

SEC. 219. DIRECT AIR CAPTURE AND BLUE CARBON REMOVAL TECHNOLOGY PROGRAM.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of Homeland Security, the Secretary of Energy, and the heads of such other Federal agencies as the Secretary of Defense considers appropriate, shall carry out a program on research, development, testing, evaluation, study,
and demonstration of technologies related to blue carbon capture and direct air capture.

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

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

(B) To develop and demonstrate technologies that capture carbon dioxide from seawater and the air to reuse such carbon dioxide to create products for military uses.

(C) To develop direct air capture technologies for use—

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

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

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

(A) The first phase shall consist of research and development and shall be carried out as described in subsection (b).
(B) The second phase shall consist of testing and evaluation and shall be carried out as described in subsection (c), if the Secretary determines that the results of the research and development phase justify implementing the testing and evaluation phase.

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

(b) RESEARCH AND DEVELOPMENT PHASE.—

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

(2) DIRECT AIR CAPTURE.—The research and development phase of the Program may include, with respect to direct air capture, a front end engineering and design study that includes an evaluation of direct air capture designs to produce fuel 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 research and development phase of the Program during a four-year period commencing not later than 90 days after the date of the enactment of this Act.

(4) GRANTS AUTHORIZED.—The Secretary may carry out the research and development phase of the Program through the award of grants to private persons and eligible laboratories.

(5) REPORT REQUIRED.—Not later than 180 days after the date of the completion of the research and development phase of the Program, the Secretary shall submit to Congress a report on the research and development carried out under the Program.

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

(B) The amount authorized to be appropriated for fiscal year 2020 by section 301 for operation and maintenance is hereby decreased by $8,000,000, with the amount of the decrease to be taken from 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
the testing and evaluation phase of the Program with respect to direct air capture may commence at such time after a front end engineering and design study demonstrates to the Secretary that commencement of such phase is appropriate.

(4) GRANTS AUTHORIZED.—The Secretary may carry out the testing and evaluation phase of the Program through the award of grants to private persons and eligible laboratories.

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

(6) REPORT REQUIRED.—Not later than September 30, 2026, the Secretary shall submit to Congress a report on the findings of the Secretary with respect to the effectiveness of the technologies tested and evaluated under the Program.

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

(d) DEFINITIONS.—In this section:
(1) The term “blue carbon capture” means the removal of dissolved carbon dioxide from seawater through engineered or inorganic processes, including filters, membranes, or phase change systems.

(2)(A) The term “direct air capture”, with respect to a facility, technology, or system, means that the facility, technology, or system uses carbon capture equipment to capture carbon dioxide directly from the air.

(B) The term “direct air capture” does not include any facility, technology, or system that captures carbon dioxide—

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

(ii) using natural photosynthesis.

(3) The term “eligible laboratory” means—

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

(B) a laboratory of the Department of Defense.
Sec. 231. National Security Emerging Biotechnologies 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.
(3) To develop and manage a portfolio of fundamental and applied emerging biotechnologies research initiatives that is stable, consistent, and balanced across scientific disciplines.

(4) To collect, synthesize, and disseminate critical information on research and development relating to emerging biotechnologies within the national security establishment.

(5) To establish and support appropriate research, innovation, and the industrial base, including facilities and infrastructure, to support the needs of Department missions and scientific workforce relating to emerging biotechnologies.

(6) To develop a technical basis to inform the intelligence community on the analysis needs of the Department with respect to emerging biotechnologies.

(c) Administration.—In carrying out the program required by subsection (a), the Secretary shall act through the Under Secretary of Defense for Research and Engineering, who shall supervise the planning, management, and coordination of the program. The Under Secretary, in consultation with the Secretaries of the military departments and the heads of participating Defense Agencies
and other departments and agencies of the United States, shall—

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

(2) develop a coordinated and integrated research and investment plan for meeting near-, mid-, and long-term challenges for achieving broad technical goals that build upon the Department’s investment in emerging biotechnologies research and development, commercial sector and global investments, and other United States Government investments in emerging biotechnologies fields;

(3) not later than 180 days after the date of the enactment of this Act, develop and continuously update guidance, including classification guidance for defense-related emerging biotechnologies activities, and policies for restricting access to research to minimize the effects of loss of intellectual property in basic and applied emerging biotechnologies and information considered sensitive to the leadership of the United States in the field of emerging biotechnologies; and

(4) develop memoranda of agreement, joint funding agreements, and other cooperative arrange-
ments necessary for meeting long-term challenges and achieving specific technical goals.

(d) REPORT.—

(1) IN GENERAL.—Not later than December 31, 2020, the Secretary shall submit to the congressional defense committees a report on the program carried out under subsection (a).

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

(A) An assessment of the potential national security risks of emerging biotechnologies.

(B) An assessment of the efforts of foreign powers to use emerging biotechnologies for military applications and other purposes.

(C) A description of the knowledge-base of the Department with respect to emerging biotechnologies, plans to defend against potential national security threats posed by emerging biotechnologies, and any plans of the Secretary to enhance such knowledge-base.

(D) A plan that describes how the Secretary intends to use emerging biotechnologies for military applications and to meet other needs of the Department.
(E) A description of activities undertaken consistent with this section, including funding for activities consistent with the section.

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

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

(e) DEFINITION OF EMERGING BIOTECHNOLOGIES.—In this section, the term “emerging biotechnologies” includes the following:

(1) Engineered biology, which is the application of engineering design principles and practices to biological, genetic, molecular, and cellular systems to enable novel functions and capabilities.

(2) Neurotechnology, which refers to central and peripheral nervous system interfaces that leverage structural, computational, and mathematical modeling to develop devices that decode neural activity (identify how it corresponds to a particular behavior or cognitive state, such as sensorimotor function, memory, or neuropsychiatric function) and use this information to deliver targeted interventions or therapies to facilitate performance.
(3) Performance enhancement, namely technologies that augment human physiology at the cellular, molecular, and physiological levels giving the end user novel or enhanced physical and psychological capabilities.

(4) Gene editing, including tools that facilitate deoxyribonucleic acid (DNA) sequence deletion, replacement, or insertion into cellular or organismal genetic material, thereby modulating genetic function for applications that include treating and preventing disease, and improving function of biological systems.

(5) Biomolecular sequencing and synthesis, namely the processes by which biomolecular components (such as deoxyribonucleic acid and ribonucleic acid) can be measured (sequencing) or generated (synthesis) for uses in engineering biology, biomanufacturing, and other medical and nonmedical applications.

SEC. 232. CYBER SCIENCE AND TECHNOLOGY ACTIVITIES ROADMAP AND REPORTS.

(a) Roadmap for Science and Technology Activities to Support Development of Cyber Capabilities.—
(1) **ROADMAP REQUIRED.**—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall develop a roadmap for science and technology activities of the Department of Defense to support development of cyber capabilities to meet Department needs and missions.

(2) **GOAL OF CONSISTENCY.**—The Secretary shall develop the roadmap required by paragraph (1) to ensure consistency with appropriate Federal interagency, industry, and academic activities.

(3) **SCOPE.**—The roadmap required by paragraph (1) shall—

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

(B) address cyber operations and cybersecurity.

(4) **CONSULTATION.**—The Secretary shall develop the roadmap required by paragraph (1) in consultation with the following:

(A) The Chief Information Officer of the Department.

(B) The secretaries and chiefs of the military departments.
(C) The Director of Operational Test and Evaluation.

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

(E) The Director of the National Security Agency.

(F) The Director of the Defense Information Systems Agency.

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

(H) The Director of the Defense Digital Service.

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

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

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

(1) ANNUAL REPORTS REQUIRED.—In fiscal years 2021, 2022, and 2023, the Under Secretary of Defense for Research and Engineering submit to the Congressional Defense Committees a report on the science and technology activities within the Depart-
ment of Defense relating to cyber matters during the previous fiscal year, the current fiscal year, and the following fiscal year.

(2) CONTENTS.—Each report submitted pursuant to paragraph (1) shall include, for the period covered by the report, a description and listing of the science and technology activities of the Department relating to cyber matters, including the following:

   (A) Extramural science and technology activities.

   (B) Intramural science and technology activities.

   (C) Major and minor military construction activities.

   (D) Major prototyping and demonstration programs.

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

       (i) national security systems;

       (ii) business systems; and

       (iii) enterprise and network systems.

   (F) Efforts to enhance the national technical cybersecurity workforce, including specific
programs to support education, training, internships, and hiring.

(G) Efforts to perform cooperative activities with international partners.

(H) Efforts under the Small Business Innovation Research and the Small Business Technology Transfer Program, including estimated amounts in the request for the following fiscal year.

(I) Efforts to encourage partnerships between the Department of Defense and universities participating in the National Centers of Academic Excellence in Cyber Operations and Cyber Defense.

(3) TIMING.—Each report submitted pursuant to paragraph (1) shall be submitted concurrently with the annual budget request of the President submitted pursuant to section 1105 of title 31, United States Code.

(4) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.
SEC. 233. REQUIRING CERTAIN MICROELECTRONICS PRODUCTS AND SERVICES MEET TRUSTED SUPPLY CHAIN AND OPERATIONAL SECURITY STANDARDS.

(a) PURCHASES.—

(1) IN GENERAL.—To protect the United States from intellectual property theft and to ensure national security and public safety in the application of new generations of wireless network technology and microelectronics, beginning on January 1, 2022, the Secretary of Defense shall—

(A) ensure that each critical microelectronics product and service that the Department of Defense purchases on or after such date meets the trusted supply chain and operational security standards established pursuant to subsection (b), except in a case in which the Department seeks to purchase a critical microelectronics product or service, but—

(i) no such product or service is available for purchase that meets such standards; or

(ii) no such product or service is available for purchase that—

(I) meets such standards; and
(II) is available at a price that the Secretary does not consider prohibitively expensive; and

(B) to the maximum extent practicable, ensure that each microelectronics product and service, other than a critical microelectronics product and service, that is purchased by the Department of Defense on or after such date meets the trusted supply chain and operational security standards established pursuant to subsection (b).

(2) Critical microelectronics products and services.—For purposes of this section, a critical microelectronics product or service is a microelectronics product, or a service based on such a product, that is designated by the Secretary as critical to meeting national security needs.

(b) Trusted Supply Chain and Operational Security Standards.—

(1) Standards required.—Not later than January 1, 2021, the Secretary shall establish trusted supply chain and operational security standards for the purchase of microelectronics products and services by the Department.
(2) **CONSULTATION REQUIRED.**—In developing standards under paragraph (1), the Secretary shall consult with the following:

(A) The Secretary of Homeland Security, the Secretary of State, the Secretary of Commerce, and the Director of the National Institute of Standards and Technology.

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

(C) Representatives of major United States industry sectors that rely on a trusted supply chain and the operational security of microelectronics products and services.

(D) Representatives of the United States insurance industry.

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

(4) **GENERAL APPLICABILITY.**—The standards established pursuant to paragraph (1) shall be, to the greatest extent practicable, generally applicable to the trusted supply chain and operational security
needs and use cases of the United States Government and commercial industry, such that the standards could be widely adopted by government and commercial industry.

(5) **ANNUAL REVIEW.**—Not later than October 1 of each year, the Secretary shall review the standards established pursuant to paragraph (1) and issue updates or modifications as the Secretary considers necessary or appropriate.

(c) **ENSURING ABILITY TO SELL COMMERCIALY.**—

(1) **IN GENERAL.**—The Secretary shall, to the greatest extent practicable, ensure that suppliers of microelectronics products for the Federal Government who meet the standards established under subsection (b) are able and incentivized to sell products commercially that are produced on the same production lines as the microelectronics products supplied to the Federal Government.

(2) **EFFECT OF REQUIREMENTS AND ACquisitions.**—The Secretary shall, to the greatest extent practicable, ensure that the requirements of the Department and the acquisition by the Department of microelectronics enable the success of a dual-use microelectronics industry.
(d) MAINTAINING COMPETITION AND INNOVATION.—

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

(1) providers of microelectronics products and services that meet the standards established under subsection (b) are exposed to competitive market pressures to achieve competitive pricing and sustained innovation; and

(2) the industrial base of microelectronics products and services that meet the standards established under subsection (b) includes providers producing in or belonging to countries that are allies or partners of the United States.

SEC. 234. TECHNICAL CORRECTION TO GLOBAL RESEARCH WATCH PROGRAM.

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

(1) in subsections (a) and (d)(2), by striking “Assistant Secretary of Defense for Research and Engineering” both places it appears and inserting “Under Secretary of Defense for Research and Engineering”;
(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) use of fifth-generation (5G) wireless networks and associated technology will be a foundation for future warfighting applications for the Department of Defense;

(2) the commercial implementation of fifth-generation wireless networks will provide the high speed and capacity necessary for the Internet of Things, advanced manufacturing, autonomous machines, the application of artificial intelligence, and smart cities, and it is critical that the Department of Defense utilize these new capabilities;

(3) protecting the innovation and technology that enables these revolutionary developments is essential for security of the Department of Defense mission, and will require improved security of the microelectronics supply chain and of the design and operation of networks based on fifth-generation wireless network technology;

(4) securing fifth-generation wireless networks and associated technology is required due to the increased effects of military processes that will be enabled on fifth-generation wireless networks;

(5) the Department of Defense can no longer rely on fabricationless business models in which microelectronics manufacturing is located in coun-
tries with vulnerable supply chains or adversarial na-
tions known for predatory industrial espionage and
posing a military threat to the United States or on
small-scale manufacturing of trusted microelec-
tronics in dedicated facilities;

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

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

(b) PERIODIC BRIEFINGS.—

(1) IN GENERAL.—Not later than March 15, 2020, and not less frequently than once every three
months thereafter until March 15, 2022, the Sec-
retary of Defense shall brief the congressional de-
fense committees on how the Department of De-
fense—
(A) is using secure fifth-generation wireless network technology;

(B) is reshaping the Department’s policy for producing and procuring secure microelectronics; and

(C) working in the interagency and internationally to develop common policies and approaches.

(2) ELEMENTS.—Each briefing under paragraph (1) shall contain information on—

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

(B) the continued availability of electromagnetic spectrum for warfighting needs;

(C) planned implementation of fifth-generation wireless network infrastructure in warfighting networks, base infrastructure, defense-related manufacturing, and logistics;

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

(E) such other topics as the Secretary considers relevant.
SEC. 237. TRANSFER OF COMBATING TERRORISM TECH- 
NICAL SUPPORT OFFICE.

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

(b) REPORT REQUIRED.—

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

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

(A) An assessment of the relevance of the 
roles, responsibilities, and objectives of the 
Combating Terrorism Technical Support Office 
to supporting implementation of the National 
Defense Strategy and recommendations, if any, 
for changes to the roles, responsibilities, and 
objectives of the Combating Terrorism Tech-
nical Support Office for the purpose of sup-
porting implementation of the National Defense
Strategy.

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

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

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

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

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

(1) Whether any current cooperative defense
technology programs of the Department of Defense
increase the risk of technology transfer to the People’s Republic of China or the Russian Federation.

(2) What actions the Department of Defense has taken to mitigate the risk of technology transfer to the People’s Republic of China or the Russian Federation with respect to current cooperative defense technology programs.

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

(e) Notification Required.—The Secretary shall provide the congressional committees a written notification not later than 15 days after any decision to suspend or terminate a cooperative defense technology program due to the risk or occurrence of technology transfer to the People’s Republic of China or the Russian Federation.

SEC. 239. MODIFICATION OF AUTHORITY FOR PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Section 2374a(a) of title 10, United States Code, is amended by striking “Assistant Secretary of Defense for
Research and Engineering” and inserting “Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment,”.

SEC. 240. USE OF FUNDS FOR STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM, ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM, AND OPERATIONAL ENERGY CAPABILITY IMPROVEMENT.

Of the funds authorized to be appropriated for fiscal year 2020 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201 for the Strategic Environmental Research Program, Operational Energy Capability Improvement, and the Environmental Security Technical Certification Program, the Secretary of Defense shall expend amounts as follows:

(1) Not less than $10,000,000 on the development and demonstration of long duration on-site energy battery storage for distributed energy assets.

(2) Not less than $10,000,000 on the development, demonstration, and validation of non-fluorine based firefighting foams.

(3) Not less than $10,000,000 on the development, demonstration, and validation of secure
microgrids for both installations and forward operating bases.

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

SEC. 241. FUNDING FOR THE SEA-LAUNCHED CRUISE MISSILE–NUCLEAR ANALYSIS OF ALTERNATIVES.

(a) AVAILABILITY OF FUNDING.—Of the amount authorized to be appropriated for fiscal year 2020 by section 201 for research, development, test, and evaluation, at least $5,000,000 shall be available for the analysis of alternatives for the Sea-Launched Cruise Missile–Nuclear.

(b) PROGRAM OF RECORD.—The Secretary of Defense shall make the Sea-Launched Cruise Missile–Nuclear a program of record.

SEC. 242. REVIEW AND ASSESSMENT PERTAINING TO TRANSITION OF DEPARTMENT OF DEFENSE-ORIGINATED DUAL-USE TECHNOLOGY.

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

(1) conduct a review of the Department of Defense science and technology enterprise’s intellectual property and strategy for awarding exclusive commercial rights to industry partners; and
(2) assess whether its practices are encouraging or constraining technology diffusion where desirable.

(b) ELEMENTS.—The review and assessment required by subsection (a) shall include consideration of the following:

(1) The retention or relinquishment by the Department of intellectual property rights and the effect thereof.

(2) The granting by the Department of exclusive commercial rights and the effect thereof.

(3) The potential of research prizes, vice payment and exclusive commercial rights, on contract as remuneration for science and technology activities.

(4) The potential of science and technology programs with intellectual property strategies that do not include commercialization monopolies.

(5) The potential of establishing price ceilings for licenses and commercial sale mandates to discourage selective commercial hoarding.

(6) The activities of the Department in effect on the day before the date of the enactment of this Act to promulgate to approved users in the commercial sector the intellectual property that the Department retains and their potential applications.
(7) Such other major factors as may inhibit the diffusion of Department-funded technology in the commercial sector where desirable.

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

(d) REPORT.—

(1) IN GENERAL.—Not later than May 1, 2020, the Under Secretary shall submit to the congressional defense committees a report on the findings of the Under Secretary with respect to the review and assessment required by subsection (a).

(2) RECOMMENDATIONS.—The report required by paragraph (1) shall include such recommendations as the Under Secretary may have for legislative or administrative action to improve the diffusion of the intellectual property and technology of the science and technology enterprise of the Department.
TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

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

Subtitle B—Energy and Environment

SEC. 311. USE OF OPERATIONAL ENERGY COST SAVINGS OF DEPARTMENT OF DEFENSE.

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

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

(2) in subsection (b), in the matter preceding paragraph (1), by striking “The Secretary of Defense” and inserting “Except as provided in subsection (c) with respect to operational energy cost savings, the Secretary of Defense”;
(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b) the following new subsection (c):

“(c) USE OF OPERATIONAL ENERGY COST SAVINGS.—The amount that remains available for obligation under subsection (a) that relates to operational energy cost savings realized by the Department shall be used for the implementation of additional operational energy resilience, efficiencies, mission assurance, energy conservation, or energy security within the department, agency, or instrumentality that realized that savings.”.

SEC. 312. USE OF PROCEEDS FROM SALES OF ELECTRICAL ENERGY GENERATED FROM GEOTHERMAL RESOURCES.

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

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

(2) by striking paragraph (3).
SEC. 313. ENERGY RESILIENCE PROGRAMS AND ACTIVITIES.

(a) Modification of Annual Energy Management and Resilience Report.—Section 2925(a) of title 10, United States Code, is amended—

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

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

(3) in paragraph (4), in the matter preceding subparagraph (A), by striking “megawatts” and inserting “electric and thermal loads”; and

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

(b) Funding for Energy Program Offices.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretaries of the military departments shall submit to the congressional defense committees a report stating whether the program offices specified in paragraph (2) are funded—
(A) at proper levels to ensure that the energy resilience requirements of the Department of Defense are met; and

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

(2) Program offices specified.—The program offices specified in this paragraph are the following:

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

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

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

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

(3) Funding plan.—

(A) In general.—The Secretaries of the military departments shall include in the report submitted under paragraph (1) a funding plan for the next five fiscal years beginning after the date of the enactment of this Act to ensure that funding levels are, at a minimum, maintained during that period.
(B) Elements.—The funding plan under subparagraph (A) shall include, for each fiscal year covered by the plan, an identification of the amounts to be used for the accomplishment of energy resilience goals and objectives.

(e) Establishment of Targets for Water Use.—The Secretary of Defense shall, where life-cycle cost-effective, improve water use efficiency and management by the Department of Defense, including storm water management, by—

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

(2) reducing industrial, landscaping, and agricultural water consumption in gallons by two percent annually through fiscal year 2030 relative to a baseline of such consumption by the Department in fiscal year 2010; and

(3) installing appropriate sustainable infrastructure features on installations of the Department to help with storm water and wastewater management.
(a) In General.—Chapter 160 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2712. Native American lands environmental mitigation program

“(a) Establishment.—The Secretary of Defense may establish and carry out a program to mitigate the environmental effects of actions by the Department of Defense on Indian lands and culturally connected locations.

“(b) Program Activities.—The activities that may be carried out under the program established under subsection (a) are the following:

“(1) Identification, investigation, and documentation of suspected environmental effects attributable to past actions by the Department of Defense.

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

“(3) Direct mitigation actions that the Secretary determines are necessary and appropriate to mitigate the adverse environmental effects of past actions by the Department.
“(4) Demolition and removal of unsafe buildings and structures used by, under the jurisdiction of, or formerly used by or under the jurisdiction of the Department.

“(5) Training, technical assistance, and administrative support to facilitate the meaningful participation of Indian tribes in mitigation actions under the program.

“(6) Development and execution of a policy governing consultation with Indian tribes that have been or may be affected by action by the Department, including training personnel of the Department to ensure compliance with the policy.

“(c) COOPERATIVE AGREEMENTS.—(1) In carrying out the program established under subsection (a), the Secretary of Defense may enter into a cooperative agreement with an Indian tribe or an instrumentality of tribal government.

“(2) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit of the United States Government.

“(3) A cooperative agreement under this section for the procurement of severable services may begin in one
fiscal year and end in another fiscal year only if the total period of performance does not exceed two calendar years.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘Indian land’ includes—

“(A) any land located within the boundaries and a part of an Indian reservation, pueblo, or rancheria;

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

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

“(D) lands and waters upon which any Federally recognized Indian tribe has rights reserved by treaty, act of Congress, or action by the President.

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

“(3) The term ‘culturally connected location’ means a location or place that has demonstrable significance to Indians or Alaska Natives based on its association with the traditional beliefs, customs, and practices of a living community, including locations or places where religious, ceremonial, subsistence,
medicinal, economic, or other lifeways practices have historically taken place."

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

“2712. Native American lands environmental mitigation program.”

SEC. 315. REIMBURSEMENT OF ENVIRONMENTAL PROTECTION AGENCY FOR CERTAIN COSTS IN CONNECTION WITH THE TWIN CITIES ARMY AMMUNITION PLANT, MINNESOTA.

(a) TRANSFER AMOUNT.—Notwithstanding section 2215 of title 10, United States Code, the Secretary of Defense may transfer to the Administrator of the Environmental Protection Agency—

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

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

(b) PURPOSE OF REIMBURSEMENT.—The amount authorized to be transferred under subsection (a) is to reimburse the Environmental Protection Agency for costs the Agency has incurred and will incur relating to the response actions performed at the Twin Cities Army Ammunition Plant, Minnesota, through September 30, 2025.
(c) INTERAGENCY AGREEMENT.—The reimbursement described in subsection (b) is intended to satisfy certain terms of the interagency agreement entered into by the Department of the Army and the Environmental Protection Agency for the Twin Cities Army Ammunition Plant that took effect in December 1987 and that provided for the recovery of expenses by the Agency from the Department of the Army.

SEC. 316. PROHIBITION ON USE OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES FOR LAND-BASED APPLICATIONS OF FIREFIGHTING FOAM.

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

(b) PROHIBITION ON USE AND DISPOSAL OF EXISTING STOCKS.—Not later than October 1, 2023, the Secretary of Defense shall—

(1) cease the use of firefighting foam containing in excess of one part per billion of perfluoroalkyl substances and polyfluoroalkyl substances; and
(2) dispose of all existing stocks of such firefighting foam in accordance with the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

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

(d) DEFINITIONS.—In this section:

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

(2) POLYFLUOROALKYL SUBSTANCES.—The term “polyfluoroalkyl substances” means aliphatic substances for which all H atoms attached to at least one (but not all) C atoms have been replaced by F atoms, in such a manner that they contain the perfluoroalkyl moiety $C_nF_{2n+1}$ (for example, $C_8F_{17}CH_2CH_2OH$).
SEC. 317. TRANSFER AUTHORITY FOR FUNDING OF STUDY AND ASSESSMENT ON HEALTH IMPLICATIONS OF PER- AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION IN DRINKING WATER BY AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY.


SEC. 318. COOPERATIVE AGREEMENTS WITH STATES TO ADDRESS CONTAMINATION BY PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.

(a) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—Upon request from the Governor or chief executive of a State, the Secretary of Defense shall work expeditiously, pursuant to section 2701(d) of title 10, United States Code, to finalize a cooperative agreement, or amend an existing cooperative agreement to address testing, monitoring, removal, and remedial actions relating to the contamination or suspected contamination of drinking, sur-
face, or ground water from PFAS originating from activities of the Department of Defense by providing the mechanism and funding for the expedited review and approval of documents of the Department related to PFAS investigations and remedial actions from an active or decommissioned military installation, including a facility of the National Guard.

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

(A) An enforceable State standard, in effect in that State, for drinking, surface, or ground water, as described in section 121(d)(2)(A)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(d)(2)(A)(ii)).

(B) An enforceable Federal standard for drinking, surface, or ground water, as described in section 121(d)(2)(A)(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(d)(2)(A)(i)).
(b) REPORT.—Beginning on February 1, 2020, if a cooperative agreement is not finalized or amended under subsection (a) within one year after the request from the Governor or chief executive under that subsection, and annually thereafter, the Secretary of Defense shall submit to the appropriate committees and Members of Congress a report—

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

(2) setting forth a projected timeline for finalizing or amending the agreement.

(c) DEFINITIONS.—In this section:

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

(A) the congressional defense committees;

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

(C) the Members of the House of Representatives who represent a district impacted by such contamination.

(2) FULLY FLUORINATED CARBON ATOM.—The term “fully fluorinated carbon atom” means a car-
bon atom on which all the hydrogen substituents
have been replaced by fluorine.

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

(4) State.—The term “State” has the meaning given the term in section 101 of the Comprehensive
Environmental Response, Compensation, and

SEC. 319. MODIFICATION OF DEPARTMENT OF DEFENSE
ENVIRONMENTAL RESTORATION AUTHORITIES TO INCLUDE FEDERAL GOVERNMENT
FACILITIES USED BY NATIONAL GUARD.

(a) Definition of Facility.—Section 2700(2) of
title 10, United States Code, is amended—

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

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

“(B) The term ‘facility’ includes real property
that is owned by, leased to, or otherwise possessed
by the United States at locations at which military
activities are conducted under this title or title 32
(including real property owned or leased by the Fed-
eral Government that is licensed to and operated by a State for training for the National Guard).”.

(b) Inclusion of Pollutants and Contaminants in Environmental Response Actions.—Section 2701(c) of such title is amended by inserting “or pollutants or contaminants” after “hazardous substances” each place it appears.

(c) Establishment of Environmental Restoration Accounts.—Section 2703(a) of such title is amended by adding at the end the following new paragraphs:

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

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

SEC. 320. BUDGETING OF DEPARTMENT OF DEFENSE RELATING TO EXTREME WEATHER.

(a) In General.—The Secretary of Defense shall include in the annual budget submission of the President under section 1105(a) of title 31, United States Code—
(1) a dedicated budget line item for adaptation to, and mitigation of, effects of extreme weather on military networks, systems, installations, facilities, and other assets and capabilities of the Department of Defense; and

(2) an estimate of the anticipated adverse impacts to the readiness of the Department and the financial costs to the Department during the year covered by the budget of the loss of, or damage to, military networks, systems, installations, facilities, and other assets and capabilities of the Department, including loss of or obstructed access to training ranges, as a result extreme weather events.

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

(c) EXTREME WEATHER DEFINED.—In this section, the term “extreme weather” means recurrent flooding, drought, desertification, wildfires, and thawing permafrost.
SEC. 321. PILOT PROGRAM FOR AVAILABILITY OF WORKING-CAPITAL FUNDS FOR INCREASED COMBAT CAPABILITY THROUGH ENERGY OPTIMIZATION.

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

(b) ENERGY OPTIMIZATION INITIATIVES.—Energy optimization initiatives covered by the pilot program include the research, development, procurement, installation, and sustainment of technologies or weapons system platforms, and the manpower required to do so, that would improve the efficiency and maintainability, extend the useful life, lower maintenance costs, or provide performance enhancement of the weapon system platform or major end item.

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

(1) any product improvement that significantly changes the performance envelope of an end item; or

(2) any single component with an estimated total cost in excess of $10,000,000.
(d) LIMITATION IN FISCAL YEAR PENDING TIMELY REPORT.—If during any fiscal year the report required by paragraph (1) of subsection (e) is not submitted by the date specified in paragraph (2) of that subsection, funds may not be used pursuant to subsection (a) during the period—

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

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

(e) ANNUAL REPORT.—

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

(2) DEADLINE FOR SUBMITTAL.—The report required by paragraph (1) in a fiscal year shall be submitted not later than 60 days after the date of the submittal to Congress of the budget of the President for the succeeding fiscal year pursuant to section 1105 of title 31, United States Code.

(3) RECOMMENDATION.—In the case of the report required to be submitted under paragraph (1) during fiscal year 2020, the report shall include the
recommendation of the Secretary of Defense and the military departments regarding whether the authority under subsection (a) should be made permanent.

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

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

(a) Report.—

(1) Report required.—Not later than September 1, 2020, the Under Secretary of Defense for Acquisition and Sustainment, in conjunction with the assistant secretaries responsible for installations and environment for the military departments and the Defense Logistics Agency, shall submit to the congressional defense committees a report detailing the efforts to achieve cost savings at military installations with high energy intensity.

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

(A) A comprehensive, installation-specific assessment of feasible and mission-appropriate energy initiatives supporting energy production and consumption at military installations with high energy intensity.
(B) An assessment of current sources of energy in areas with high energy intensity and potential future sources that are technologically feasible, cost-effective, and mission-appropriate for military installations.

(C) A comprehensive implementation strategy to include required investment for feasible energy efficiency options determined to be the most beneficial and cost-effective, where appropriate, and consistent with priorities of the Department of Defense.

(D) An explanation on how the military departments are working collaboratively in order to leverage lessons learned on potential energy efficiency solutions.

(E) An assessment of the extent to which activities administered under the Federal Energy Management Program of the Department of Energy could be used to assist with the implementation strategy under subparagraph (C).

(F) An assessment of State and local partnership opportunities that could achieve efficiency and cost savings, and any legislative authorities required to carry out such partnerships or agreements.
(3) Coordination with state, local, and other entities.—In preparing the report required under paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment may work in conjunction and coordinate with the States containing areas of high energy intensity, local communities, and other Federal agencies.

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

SEC. 323. TECHNICAL AND GRAMMATICAL CORRECTIONS AND REPEAL OF OBSOLETE PROVISIONS RELATING TO ENERGY.

(a) Technical and Grammatical Corrections.—

(1) Technical corrections.—Title 10, United States Code, is amended—

(A) in section 2913(c), by striking “government” and inserting “government or”; and

(B) in section 2926(d)(1), in the second sentence, by striking “Defense Agencies” and inserting “the Defense Agencies”.
(2) **Grammatical corrections.**—Such title is further amended—

(A) in section 2922a(d), by striking “resilience are prioritized and included” and inserting “energy resilience are included as critical factors”; and

(B) in section 2925(a)(3), by striking “impacting energy” and all that follows through the period at the end and inserting “degrading energy resilience at military installations (excluding planned outages for maintenance reasons), whether caused by on- or off-installation disruptions, including the total number of outages and their locations, the duration of each outage, the financial effect of each outage, whether or not the mission was affected, the downtimes (in minutes or hours) the mission can afford based on mission requirements and risk tolerances, the responsible authority managing the utility, and measures taken to mitigate the outage by the responsible authority.”.

(b) **Clarification of applicability of conflicting amendments made by 2018 Defense Authorization Act.**—Section 2911(e) of such title is amended—
(1) by striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) Opportunities to reduce the current rate of consumption of energy, the future demand for energy, and the requirement for the use of energy.

“(2) Opportunities to enhance energy resilience to ensure the Department of Defense has the ability to prepare for and recover from energy disruptions that affect mission assurance on military installations.”; and

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

(c) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of section 2926 of such title is amended to read as follows:

“§ 2926. Operational energy”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 173 of such title is amended by striking the item relating to section 2926 and inserting the following new item:

“2926. Operational energy.”.
Subtitle C—Logistics and Sustainment

SEC. 331. REQUIREMENT FOR MEMORANDA OF UNDERSTANDING 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
(2) by inserting after subsection (b) the follow- 

owing new subsection (c):

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

Subtitle D—Reports

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

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

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

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

(2) An assessment of the requirement for 
JPARC to provide a realistic anti-access area denial
training environment and any current limitations compared to those requirements.

(3) An assessment of the requirement to modernize the JPARC to provide realistic threats in a large-scale, combined-arms near-peer environment and any current limitations in meeting that requirement. The assessment should include—

(A) target sets;

(B) early warning and surveillance systems;

(C) threat systems;

(D) real-time communications capacity and security;

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

(F) such other range deficiencies as the Secretary of the Air Force considers appropriate to identify.

(4) A plan for balancing coalition training against training only for members of the Armed Forces of the United States at the JPARC.
Subtitle E—Other Matters

SEC. 351. STRATEGY TO IMPROVE INFRASTRUCTURE OF CERTAIN DEPOTS OF THE DEPARTMENT OF DEFENSE.

(a) Strategy Required.—Not later than October 1, 2020, the Secretary of Defense shall submit to the congressional defense committees a comprehensive strategy for improving the depot infrastructure of the military departments with the objective of ensuring that all covered depots have the capacity and capability to support the readiness and material availability goals of current and future weapon systems of the Department of Defense.

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

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

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

(i) Cost and schedule performance of the depot.

(ii) Material availability of weapon systems supported at the depot and the impact of the performance of the depot on that availability.
(iii) Work in progress and non-operational items awaiting depot maintenance.

(iv) The condition of the depot.

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

(vi) The condition of equipment at the depot.

(B) An identification of analytically based goals relating to the elements identified in subparagraph (A).

(2) A business-case analysis that assesses investment alternatives comparing cost, performance, risk, and readiness outcomes and recommends an optimal investment approach across the Department of Defense to ensure covered depots efficiently and effectively meet the readiness goals of the Department, including an assessment of the following alternatives:

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

(B) The investment necessary to ensure the current inventory of facilities at covered depots can meet the mission-capable, readiness,
and contingency goals of the Secretary of Defense.

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

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

(3) A plan to improve conditions and performance of covered depots that identifies the following:

(A) The approach of the Secretary of Defense for achieving the goals outlined in paragraph (1)(B).

(B) The resources and investments required to implement the plan.

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

(D) A results-oriented approach to assess—

(i) the progress of each military department in achieving such goals; and

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

(E) Organizational roles and responsibilities for implementing the plan.
(F) A process for conducting regular management review and coordination of the progress of each military department in implementing the plan and achieving such goals.

(G) The extent to which the Secretary has addressed recommendations made by the Comptroller General of the United States relating to depot operations during the five-year period preceding the date of submittal of the strategy under this section.

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

(e) Annual Report on Progress.—As part of the annual budget submission of the President under section 1105(a) of title 31, United States Code, the Secretary of Defense shall submit to the congressional defense committees a report describing the progress made in—

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

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

(d) Comptroller General Reports.—

(1) Assessment of Strategy.—Not later than January 1, 2021, the Comptroller General of the United States shall submit to the congressional
defense committees a report assessing the extent to which the strategy under subsection (a) meets the requirements of this section.

(2) Assessment of implementation.—Not later than April 1, 2022, the Comptroller General shall submit to the congressional defense committees a report setting forth an assessment of the extent to which the strategy under subsection (a) has been effectively implemented by each military department and the Secretary of Defense.

(e) Covered depot defined.—In this section, the term “covered depot” has the meaning given that term in section 2476(e) of title 10, United States Code.

SEC. 352. LIMITATION ON USE OF FUNDS REGARDING THE BACING OF KC–46A AIRCRAFT OUTSIDE THE CONTINENTAL UNITED STATES.

(a) Report.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to Congress a report on the projected plan and timeline for strategic basing of the KC–46A aircraft outside the continental United States.

(2) Elements.—In considering basing options in the report required by paragraph (1), the Sec-
Secretary of the Air Force shall consider locations that—

(A) support day-to-day air refueling operations, operations plans of the combatant commands, and flexibility for contingency operations, and have—

(i) a strategic location that is essential to the defense of the United States and its interests;

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

(iii) sufficient airfield and airspace availability and capacity to meet requirements; and

(B) possess facilities that—

(i) take full advantage of existing infrastructure to provide—

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

(II) sufficient fuel receipt, storage, and distribution for a five-day peacetime operating stock; and

(ii) minimize overall construction and operational costs.
(b) LIMITATION ON USE OF FUNDS.—Not more than 85 percent of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Air Force for operation and maintenance for the Management Headquarters Program (Program Element 92398F) may be obligated or expended until the Secretary of the Air Force submits the report required by subsection (a) unless the Secretary of the Air Force certifies to Congress that the use of additional funds is mission essential.

SEC. 353. PREVENTION OF ENCROACHMENT ON MILITARY TRAINING ROUTES AND MILITARY OPERATIONS AREAS.

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

(1) in subsection (c)(6)—

(A) by striking “radar or airport surveillance radar operated” and inserting “radar, airport surveillance radar, or wide area surveillance over-the-horizon radar operated”; and

(B) by inserting “Any setback for a project pursuant to the previous sentence shall not be more than what is determined to be necessary by a technical analysis conducted by the Lincoln Laboratory at the Massachusetts Institute
of Technology or any successor entity.” after
“mitigation options.”;
(2) in subsection (d)—
   (A) in paragraph (2)(E), by striking “to a
Deputy Secretary of Defense, an Under Sec-
retary of Defense, or a Principal Deputy Under
Secretary of Defense” and inserting “to the
Deputy Secretary of Defense, an Under Sec-
retary of Defense, or a Deputy Under Secretary
of Defense”;
   (B) by redesignating paragraph (3) as
paragraph (4); and
   (C) by inserting after paragraph (2) the
following new paragraph (3):
“(3) The governor of a State may recommend
to the Secretary of Defense additional geographical
areas of concern within that State. Any such rec-
ommendation shall be submitted for notice and com-
ment pursuant to paragraph (2)(C).”;
(3) in subsection (e)(3), by striking “an under
secretary of defense, or a deputy under secretary of
defense” and inserting “an Under Secretary of De-
fense, or a Deputy Under Secretary of Defense”;
(4) in subsection (f), by striking “from an ap-
plicant for a project filed with the Secretary of
Transportation pursuant to section 44718 of title 49” and inserting “from an entity requesting a re-
view by the Clearinghouse under this section”; and

(5) in subsection (h)—

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

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

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

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

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

“(8) The term ‘State’ means the several States,
the District of Columbia, the Commonwealth of
Puerto Rico, the Commonwealth of the Northern
Mariana Islands, Guam, the United States Virgin
Islands, and American Samoa.”.
SEC. 354. EXPANSION AND ENHANCEMENT OF AUTHORITIES ON TRANSFER AND ADOPTION OF MILITARY ANIMALS.

(a) Transfer and Adoption Generally.—Section 2583 of title 10, United States Code, is amended—

(1) in subsection (a)—

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

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

(2) in subsection (b)—

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

(B) in the first sentence, by striking “adoption” and inserting “transfer or adoption”; and

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

(3) in subsection (c)(1)—

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

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

(ii) by inserting “, by” after “recommended priority”;
(B) in subparagraphs (A) and (B), by inserting “adoption” before “by”;  
(C) in subparagraph (B), by inserting “or organizations” after “persons”; and  
(D) in subparagraph (C), by striking “by” and inserting “transfer to”; and  
(4) in subsection (e)—  
(A) in the subsection heading, by inserting “OR ADOPTED” after “TRANSFERRED”;  
(B) in paragraphs (1) and (2), by striking “transferred” each place it appears and inserting “transferred or adopted”; and  
(C) in paragraph (2), by striking “transfer” each place it appears and inserting “transfer or adoption”.  
(b) VETERINARY SCREENING AND CARE FOR MILITARY WORKING DOGS TO BE RETIRED.—Such section is further amended—  
(1) by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively; and  
(2) by inserting after subsection (e) the following new subsection (f):  
“(f) VETERINARY SCREENING AND CARE FOR MILITARY WORKING DOGS TO BE RETIRED.—(1)(A) If the Secretary of the military department concerned deter-
mines that a military working dog should be retired, such Secretary shall transport the dog to the Veterinary Treatment Facility at Lackland Air Force Base, Texas.

“(B) In the case of a contract working dog to be retired, transportation required by subparagraph (A) is satisfied by the transfer of the dog to the 341st Training Squadron at the end of the dog’s service life as required by section 2410r of this title and assignment of the dog to the Veterinary Treatment Facility referred to in that subparagraph.

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

“(B) For purposes of this paragraph, stress-related illness includes illness in connection with post-traumatic stress, anxiety that manifests in a physical ailment, obsessive compulsive behavior, and any other stress-related ailment.

“(3) Transportation is not required under paragraph (1), and screening and care is not required under paragraph (2), for a military working dog located outside the
United States if the Secretary of the military department concerned determines that transportation of the dog to the United States would not be in the best interests of the dog for medical reasons.”.

(c) COORDINATION OF SCREENING AND CARE REQUIREMENTS WITH TRANSPORTATION REQUIREMENTS.—Subsection (g) of such section, as redesignated by subsection (b)(1) of this section, is amended to read as follows:

“(g) TRANSPORTATION OF RETIRING MILITARY WORKING DOGS.—Upon completion of veterinary screening and care for a military working dog to be retired pursuant to subsection (f), the Secretary of the military department concerned shall—

“(1) if the dog was at a location outside the United States immediately prior to transportation for such screening and care and a United States citizen or member of the armed forces living abroad agrees to adopt the dog, transport the dog to such location for adoption; or

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

“(A) to the 341st Training Squadron;

“(B) to another location within the United States for transfer or adoption under this section.”.
(d) **Preservation of Policy on Transfer of Military Working Dogs to Law Enforcement Agencies.**—Subsection (h) of such section, as so redesignated, is amended in paragraph (3) by striking “adoption of military working dogs” and all that follows through the period at the end and inserting “transfer of military working dogs to law enforcement agencies before the end of the dogs’ useful working lives.”.

(e) **Clarification of Horses Treatable as Military Animals.**—Subsection (i) of such section, as so redesignated, is amended by striking paragraph (2) and inserting the following new paragraph (2):

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

(f) **Contract Term for Contract Working Dogs.**—Section 2410r(a) of title 10, United States Code, is amended—

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

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

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

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SEC. 355. LIMITATION ON CONTRACTING RELATING TO DEFENSE PERSONAL PROPERTY PROGRAM.

(a) Contracting Prohibition.—The Secretary of Defense may not enter into or award any single or multiple-award contract to a single-source or multiple-vendor commercial provider for the management of the Defense Personal Property Program during the period beginning on the date of the enactment of this Act and ending on the date that is 60 days after the date on which the Comptroller General of the United States submits to the congressional defense committees a report on the administration of the Defense Personal Property Program, which was requested by the Committee on Armed Services of the Senate to be submitted to the congressional defense committees not later than February 15, 2020.

(b) Review of Proposals.—Nothing in this section shall be construed as preventing the Secretary of Defense from reviewing or evaluating any solicited or unsolicited proposals to improve the Defense Personal Property Program.

SEC. 356. PROHIBITION ON SUBJECTIVE UPGRADES BY COMMANDERS OF UNIT RATINGS IN MONTHLY READINESS REPORTING ON MILITARY UNITS.

(a) In General.—The Chairman of the Joint Chiefs of Staff shall modify Chairman of the Joint Chiefs of Staff
Instruction (CJCSI) 3401.02B, on Force Readiness Reporting, to prohibit the commander of a military unit who is responsible for monthly reporting of the readiness of the unit under the instruction from making any upgrade of the overall rating of the unit (commonly referred to as the “C-rating”) for such reporting purposes based in whole or in part on subjective factors.

(b) WAIVER.—

(1) IN GENERAL.—The modification required by subsection (a) shall authorize an officer in a general or flag officer grade in the chain of command of a commander described in that subsection to waive the prohibition described in that subsection in connection with readiness reporting on the unit concerned if the officer considers the waiver appropriate in the circumstances.

(2) REPORTING ON WAIVERS.—Each report on personnel and unit readiness submitted to Congress for a calendar year quarter pursuant to section 482 of title 10, United States Code, shall include information on each waiver, if any, issued pursuant to paragraph (1) during such calendar year quarter.
SEC. 357. EXTENSION OF TEMPORARY INSTALLATION UTILIZATION AUTHORITY FOR ARSENALS, DEPOTS, AND PLANTS.

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

SEC. 358. CLARIFICATION OF FOOD INGREDIENT REQUIREMENTS FOR FOOD OR BEVERAGES PROVIDED BY THE DEPARTMENT OF DEFENSE.

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

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

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

(2) A summary of the notice.
(3) A date for comments to be submitted and specific methods for submitting comments.

(4) A description of the substance of the proposed action.

(5) Findings and a statement of reason supporting the proposed action.

SEC. 359. TECHNICAL CORRECTION TO DEADLINE FOR TRANSITION TO DEFENSE READINESS REPORTING SYSTEM STRATEGIC.

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

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

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

(1) The Army, 480,000.

(2) The Navy, 340,500.

(3) The Marine Corps, 186,200.

(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
(other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) **End Strength Increases.**—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

**SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.**

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2020, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

1. **The Army National Guard of the United States**, 30,595.
(5) The Air National Guard of the United States, 22,637.


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

(a) In general.—The authorized number of military technicians (dual status) as of the last day of fiscal year 2020 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 22,294.

(2) For the Army Reserve, 6,492.

(3) For the Air National Guard of the United States, 13,569.

(4) For the Air Force Reserve, 8,938.

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

(1) by 3 percent, upon determination by the Secretary of Defense that such action is in the national interest; and

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

(c) LIMITATION.—Under no circumstances may a
military technician (dual status) employed under the au-
thority of this section be coerced by a State into accepting
an offer of realignment or conversion to any other military
status, including as a member of the Active, Guard, and
Reserve program of a reserve component. If a military
technician (dual status) declines to participate in such re-
alignment or conversion, no further action will be taken
against the individual or the individual’s position.

(d) ADJUSTMENT OF AUTHORIZED STRENGTH.—

(1) IN GENERAL.—If, at the end of fiscal year
2019, the Air National Guard of the United States
does not meet its full-time support realignment goals
for such fiscal year (as presented in the justification
materials of the Department of Defense in support
of the budget of the President for such fiscal year
under section 1105 of title 31, United States Code),
the authorized number of military technicians (dual
status) of the Air National Guard of the United
States under subsection (a)(3) shall be increased by
the number equal to difference between—

(A) 3,190, which is the number of military
technicians (dual status) positions in the Air
National Guard of the United States sought to be converted to the Active, Guard, and Reserve program of the Air National Guard during fiscal year 2019; and

(B) the number of realigned positions achieved in the Air National Guard by the end of fiscal year 2019.

(2) LIMITATION.—The increase under paragraph (1) in the authorized number of military technician (dual status) positions described in that paragraph may not exceed 2,292.

(3) DECREASE IN AUTHORIZED NUMBER OF ANGUS RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.—In the event of an adjustment to the authorized number military technicians (dual status) of the Air National Guard of the United States under this subsection, the number of members of the Air National Guard of the United States authorized by section 412(5) to be on active duty as of September 30, 2020, shall be decreased by the number equal to the number of such adjustment.

(e) CERTIFICATION.—Not later than January 1, 2020, the Chief of the National Guard Bureau shall certify to the Committees on Armed Services of the Senate and House of Representatives the number of positions re-
aligned from a military technician (dual status) position
to a position in the Active, Guard, and Reserve program
of a reserve component in fiscal year 2019.

(f) Definitions.—In subsections (c), (d), and (e):

(1) The term “realigned position” means any
military technician (dual status) position which has
been converted or realigned to a position in an Ac-
tive, Guard, and Reserve program of a reserve com-
ponent under the full time support rebalancing plan
of the Armed Force concerned, regardless of whether
such position is encumbered.

(2) The term “Active, Guard, and Reserve pro-
gram”, in the case of a reserve component, means
the program of the reserve component under which
Reserves serve on full-time active duty or full-time
duty, in the case of members of the National Guard,
for the purpose of organizing, administering, recruit-
ing, instructing, or training such reserve component.

SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-
THORIZED TO BE ON ACTIVE DUTY FOR
OPERATIONAL SUPPORT.

During fiscal year 2020, the maximum number of
members of the reserve components of the Armed Forces
who may be serving at any time on full-time operational
support duty under section 115(b) of title 10, United States Code, is the following:

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

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

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

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

SEC. 415. AUTHORIZED STRENGTHS FOR MARINE CORPS RESERVES ON ACTIVE DUTY.

(a) Officers.—Section 12011(a)(1) of title 10, United States Code, is amended by striking that part of the table pertaining to the Marine Corps Reserve and inserting the following:

“Marine Corps Reserve:

<table>
<thead>
<tr>
<th>Strength (thousands)</th>
<th>12</th>
<th>13</th>
<th>14</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,400</td>
<td>143</td>
<td>105</td>
<td>34</td>
</tr>
<tr>
<td>2,500</td>
<td>149</td>
<td>109</td>
<td>35</td>
</tr>
<tr>
<td>2,600</td>
<td>155</td>
<td>113</td>
<td>36</td>
</tr>
<tr>
<td>2,700</td>
<td>161</td>
<td>118</td>
<td>37</td>
</tr>
<tr>
<td>2,800</td>
<td>167</td>
<td>122</td>
<td>39</td>
</tr>
<tr>
<td>2,900</td>
<td>173</td>
<td>126</td>
<td>41</td>
</tr>
<tr>
<td>3,000</td>
<td>179</td>
<td>130</td>
<td>42</td>
</tr>
</tbody>
</table>


(b) Senior Enlisted Members.—Section 12012(a) of title 10, United States Code, is amended by striking that part of the table pertaining to the Marine Corps Reserve and inserting the following:

“Marine Corps Reserve:
(c) **Effective Date.**—The amendments made by this section shall take effect on October 1, 2019, and shall apply with respect to fiscal years beginning on or after that date.

**Subtitle C—Authorization of Appropriations**

**SEC. 421. MILITARY PERSONNEL.**

(a) **Authorization of Appropriations.**—Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) **Construction of Authorization.**—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 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
Code, is amended by striking “the Secretary concerned” and inserting “the Secretary of Defense”.

(b) **Maker of Reserve Appointments in Transfer From Active-duty List to Reserve Active-status List.**—Subsection (b) of section 12203 of such title is amended by striking “the Secretary concerned” and inserting “the Secretary of Defense”.

(c) **Treatment of Regular Appointment as Constructive Reserve Appointment To Facilitate Transfer From Active Duty List to Reserve Active-status List.**—Such section 12203 is further amended—

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

(2) by inserting after subsection (b) the following new subsection (c):

“(c) For purposes of appointments under this section, an officer who receives an original appointment as a regular commissioned officer in a grade under section 531 of this title that is made on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020 shall be deemed also to have received an original appointment as a reserve commissioned officer in such grade.”.
SEC. 503. FURNISHING OF ADVERSE INFORMATION ON OFFICERS TO PROMOTION SELECTION BOARDS.

(a) EXPANSION OF GRADES OF OFFICERS FOR WHICH INFORMATION IS FURNISHED.—Section 615(a)(3) of title 10, United States Code, is amended—

(1) by inserting “(A)” after “(3)”;

(2) in subparagraph (A), as designated by paragraph (1), by striking “a grade above colonel or, in the case of the Navy, captain,” and inserting “a grade specified in subparagraph (B)”; and

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

“(B) A grade specified in this subparagraph is as follows:

“(i) In the case of a regular officer, a grade above captain or, in the case of the Navy, lieutenant.

“(ii) In the case of a reserve officer, a grade above lieutenant colonel or, in the case of the Navy, commander.”.

(b) FURNISHING AT EVERY PHASE OF CONSIDERATION.—Such section is further amended by adding at the end the following new subparagraph:

“(C) The standards and procedures referred to in subparagraph (A) shall require the furnishing to the selection board, and to each individual member of the board, the information described in that paragraph with regard
to an officer in a grade specified in subparagraph (B) at each stage or phase of the selection board, concurrent with the screening, rating, assessment, evaluation, discussion, or other consideration by the board or member of the official military personnel file of the officer, or of the officer.”.

(c) Effective Date.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to the proceedings of promotion selection boards convened under section 611(a) of title 10, United States Code, after that date.

SEC. 504. LIMITATION ON NUMBER OF OFFICERS RECOMMENDABLE FOR PROMOTION BY PROMOTION SELECTION BOARDS.

(a) In General.—Section 616 of title 10, United States Code is amended—

(1) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) The number of officers recommended for promotion by a selection board convened under section 611(a) of this title may not exceed the number equal to 95 percent of the number of officers included in the promotion
zone established under section 623 of this title for consider-
eration by the board.”.

(b) EFFECTIVE DATE.—The amendments made by
this section shall take effect on the date of the enactment
of this Act, and shall apply with respect to consideration
by promotion selection boards convened under section
611(a) of title 10, United States Code, of promotion zones
that are established under section 623 of that title on or
after that date.

SEC. 505. EXPANSION OF AUTHORITY FOR CONTINUATION
ON ACTIVE DUTY OF OFFICERS IN CERTAIN
MILITARY SPECIALTIES AND CAREER
TRACKS.

Section 637a(a) of title 10, United States Code, is
amended by inserting “separation or” after “provided for
the”.

SEC. 506. HIGHER GRADE IN RETIREMENT FOR OFFICERS
FOLLOWING REOPENING OF DETERMINA-
TION OR CERTIFICATION OF RETIRED
GRADE.

(a) ADVICE AND CONSENT OF SENATE REQUIRED
FOR HIGHER GRADE.—Section 1370(f) of title 10, United
States Code, is amended—

(1) by redesignating paragraph (5) as para-
graph (6); and
(2) by inserting after paragraph (4) the following new paragraph (5):

“(5) If the retired grade of an officer is proposed to be increased through the reopening of the determination or certification of officer’s retired grade, the increase in the retired grade shall be made by the Secretary of Defense, by and with the advice and consent of the Senate.”.

(b) Recalculation of Retired Pay.—Paragraph (6) of such section, as redesignated by subsection (a)(1), is amended—

(1) by inserting “or increased” after “reduced”;  

(2) by inserting “as a result of the reduction or increase” after “any modification of the retired pay of the officer”;  

(3) by inserting “or increase” after “the reduction”; and  

(4) by adding at the end the following new sentence: “An officer whose retired grade is increased as described in the preceding sentence shall not be entitled to an increase in retired pay for any period before the effective date of the increase.”.

(c) Effective Date.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply to an increase in the retired grade of an officer that occurs through a reopening of the
determination or certification of the officer’s retired grade of officer on or after that date, regardless of when the officer retired.

SEC. 507. AVAILABILITY ON THE INTERNET OF CERTAIN INFORMATION ABOUT OFFICERS SERVING IN GENERAL OR FLAG OFFICER GRADES.

(a) Availability Required.—

(1) In general.—The Secretary of each military department shall make available on an Internet website of such department available to the public information specified in paragraph (2) on each officer in a general or flag officer grade under the jurisdiction of such Secretary, including any such officer on the reserve active-status list.

(2) Information.—The information on an officer specified by this paragraph to be made available pursuant to paragraph (1) is the information as follows:

(A) The officer’s name.

(B) The officer’s current grade, duty position, command or organization, and location of assignment.

(C) A summary list of the officer’s past duty assignments while serving in a general or flag officer grade.
(b) ADDITIONAL PUBLIC NOTICE ON CERTAIN OFFICERS.—Whenever an officer in a grade of O–7 or above is assigned to a new billet or reassigned from a current billet, the Secretary of the military department having jurisdiction of such officer shall make available on an Internet website of such department available to the public a notice of such assignment or reassignment.

(c) LIMITATION ON WITHHOLDING OF CERTAIN INFORMATION OR NOTICE.—

(1) LIMITATION.—The Secretary of a military department may not withhold the information or notice specified in subsections (a) and (b) from public availability pursuant to subsection (a), unless and until the Secretary notifies the Committees on Armed Services of the Senate and the House of Representatives in writing of the information or notice that will be so withheld, together with justification for withholding the information or notice from public availability.

(2) LIMITED DURATION OF WITHHOLDING.—The Secretary concerned may withhold from the public under paragraph (1) information or notice on an officer only on the bases of individual risk to the officer or in the interest of national security, and may continue to withhold such information or notice
only for so long as the basis for withholding remains in force.

Subtitle B—Reserve Component Management

SEC. 511. REPEAL OF REQUIREMENT FOR REVIEW OF CERTAIN ARMY RESERVE OFFICER UNIT VACANCY PROMOTIONS BY COMMANDERS OF ASSOCIATED ACTIVE DUTY UNITS.

Section 1113 of the Army National Guard Combat Readiness Reform Act of 1992 (10 U.S.C. 10105 note) is repealed.

Subtitle C—General Service Authorities

SEC. 515. MODIFICATION OF AUTHORITIES ON MANAGEMENT OF DEPLOYMENTS OF MEMBERS OF THE ARMED FORCES AND RELATED UNIT OPERATING AND PERSONNEL TEMPO MATTERS.

(a) LIMITATION ON SCOPE OF DELEGATIONS OF APPROVAL OF EXCEPTIONS TO DEPLOYMENT THRESHOLDS.—Paragraph (3) of subsection (a) of section 991 of title 10, United States Code, is amended by striking “be delegated to—” and all that follows and inserting “be delegated to a civilian officer of the Department of Defense appointed by the President, by and with the advice and consent of the Senate.”.
(b) **Separate Policies on Dwell Time for Regular and Reserve Members.**—Paragraph (4) of such subsection is amended—

(1) by striking “addresses the amount” and inserting “addresses each of the following:

“(1) The amount”;

(2) in paragraph (1), as designated by paragraph (1) of this subsection, by inserting “regular” before “member”; and

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

“(2) The amount of dwell time a reserve member of the armed forces remains at the member’s permanent duty station after completing a deployment of 30 days or more in length.”.

(c) **Repeal of Authority to Prescribe Alternative Definition of “Deployment”.**—Subsection (b) of such section is amended by striking paragraph (4).

**SEC. 516. REPEAL OF REQUIREMENT THAT PARENTAL LEAVE BE TAKEN IN ONE INCREMENT.**

(a) **In General.**—Subsection (i) of section 701 of title 10, United States Code, is amended—

(1) by striking paragraph (5); and

(2) by redesignating paragraphs (6) through (10) as paragraphs (5) through (9), respectively.
(b) Conforming Amendments.—Subsection (j)(4) of such section is amended—

(1) by striking “paragraphs (6) through (10)” and inserting “paragraphs (5) through (9)”; and

(2) by striking “paragraph (9)(B)” and inserting “paragraph (8)(B)”.

SEC. 517. DIGITAL ENGINEERING AS A CORE COMPETENCY OF THE ARMED FORCES.

(a) Policy.—

(1) In general.—It shall be a policy of the Department of Defense to promote and maintain digital engineering as a core competency of the civilian and military workforces of the Department, which policy shall be achieved by—

(A) the recruitment, development, and retention of civilian employees and members of the Armed Forces with aptitude, experience, proficient expertise, or a combination thereof in digital engineering in and to the Department;

(B) at the discretion of the Secretaries of the military departments, the development and maintenance of civilian and military career tracks on digital engineering, and related digital competencies (including data science, machine learning, software engineering, software product
management, and artificial intelligence product
management) for civilian employees of the De-
partment and members of the Armed Forces,
including the development and maintenance of
training, education, talent management, incen-
tives, and promotion policies in support of
members at all levels of such career tracks; and

(C) the development and application of ap-
propriate readiness standards and metrics to
measure and report on the overall capability,
capacity, use, and readiness of digital engineer-
ing civilian and military workforces to develop
and deliver operational capabilities, leverage
modern digital engineering technologies, develop
advanced capabilities to support military mis-
sions, and employ modern business practices.

(2) DIGITAL ENGINEERING.—For purposes of
this section, digital engineering is the discipline and
set of skills involved in the creation, processing,
transmission, integration, and storage of digital
data.

(b) RESPONSIBILITY.—Not later than 180 days after
the date of the enactment of this Act, the Secretary of
Defense shall appoint a civilian official of the Department
of Defense, at a level no lower than Assistant Secretary
of Defense, for the development and discharge of the policy set forth in subsection (a). The official so designated shall be known as the “Chief Digital Engineering Recruitment and Management Officer of the Department of Defense” (in this section referred to as the “Officer”).

(c) DUTIES.—In developing and providing for the discharge of the policy set forth in subsection (a), the Officer shall, in consultation with the Secretaries of the military departments, do the following:

(1) Develop recruitment programs with various core initiatives, programs, activities, and mechanisms to identify and recruit civilians employees of the Department of Defense and members of the Armed Forces with demonstrated aptitude, interest, proficient expertise, or a combination thereof, in digital engineering particularly, and in science, technology, engineering, and mathematics (STEM) generally, including initiatives, programs, activities, and mechanisms to target populations of individuals not typically aware of opportunities in the Armed Forces for a digital engineering career.

(2) Develop and maintain education, training, doctrine, and professional development activities to support digital engineering skills of civilian employ-
ees of the Department and members of the Armed Forces.

(3) Coordinate and synchronize digital force management activities throughout the Department, advise the Secretary of Defense on all matters pertaining to the health and readiness of digital forces, convene a Department-wide executive steering group, and submit to Congress an annual report on the readiness of digital forces and progress toward achieving the policy.

(4) Create a Department-wide mechanism to track digital expertise in the workforce, develop and maintain organizational policies, strategies, and plans sufficient to build, maintain, and refresh internal capacity at scale, and report to the Secretary quarterly on the health and readiness of digital forces.

(5) Assist the military departments in designing, developing, and executing programs and incentives to retain, track, and oversee digital expertise among civilian employees of the Department and members of the Armed Forces on active duty.

(6) At the request of the Chief of Staff of an Armed Force, or the head of another component or element of the Department, undertake an executive
search for key leadership positions in digital engineering in such Armed Force, component, or element, and develop and deploy agile hiring and competitive compensation processes to fill such positions.

(7) Identify necessary changes in authorities, policies, resources, or a combination thereof to further the policy.

(8) Develop a definition for digital engineering consistent with and aligned to Department needs and processes.

(d) PLAN.—Not later than June 1, 2020, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to meet the requirements of this section. The plan shall set forth the following:

(1) An identification of the Officer.

(2) A timeline for full implementation of the requirements of this section.

(3) A description of the career tracks authorized by this section for both the civilian and military workforces of the Department of Defense.

(4) Recommendations for such legislative or administrative action as the Secretary considers appropriate in connection with implementation of such requirements.
SEC. 518. MODIFICATION OF NOTIFICATION ON MANNING OF AFOLOAT NAVAL FORCES.

(a) TIMING OF NOTIFICATION.—Subsection (a) of section 525 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) in the matter preceding paragraph (1), by striking “not later than 15 days after any of the following conditions are met:’’ and inserting “not later than 30 days after the end of each fiscal year quarter, of each covered ship (if any) that, as of the last day of such fiscal year quarter, met either condition as follows:’’; and

(2) in paragraphs (1) and (2), by striking “is less” and inserting “was less’’.

(b) DEFINITIONS OF MANNING FIT AND MANNING FILL.—Subsection (d) of such section is amended in paragraphs (1) and (2) by striking “the billets authorized” and inserting “the ship manpower document requirement.’’.

SEC. 519. REPORT ON EXPANSION OF THE CLOSE AIRMAN SUPPORT TEAM APPROACH OF THE AIR FORCE TO THE OTHER ARMED FORCES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretaries of the military departments shall jointly submit to the Committees on Armed Services of the Senate and the
House of Representatives a report setting forth an assessment of the Secretaries of the feasibility and advisability of expanding the Close Airman Support (CAS) team approach of the Air Force to the other Armed Forces under the jurisdiction of such Secretaries.

(b) Close Airman Support Team Approach.—The Close Airman Support team approach of the Air Force referred to in subsection (a) is an approach by which personnel associated with an Air Force squadron, and led by a senior enlisted member of the squadron, take actions to improve relationships and communication among members of the squadron in order to promote positive social behaviors among such members as a squadron, including an embrace of proactive pursuit of needed assistance.

(e) Scope of Report.—If the Secretaries determine that expansion of the Close Airman Support team approach to the other Armed Forces is feasible and advisable, the report under subsection (a) shall include a description of the manner in which the approach will be carried out in the other Armed Forces, including the manner, if any, in which the approach will be modified in the other Armed Forces to take into account the unique circumstances of such Armed Forces.
Subtitle D—Military Justice and Related Matters

PART I—MATTERS RELATING TO INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT GENERALLY

SEC. 521. DEPARTMENT OF DEFENSE-WIDE POLICY AND MILITARY DEPARTMENT-SPECIFIC PROGRAMS ON REINVIGORATION OF THE PREVENTION OF SEXUAL ASSAULT INVOLVING MEMBERS OF THE ARMED FORCES.

(a) Policy Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and issue a comprehensive policy for the Department to reinvigorate the prevention of sexual assault involving members of the Armed Forces.

(b) Policy Elements.—

(1) In general.—The policy required by subsection (a) shall include the following:

(A) Education and training for members of the Armed Forces on the prevention of sexual assault.

(B) Elements for programs designed to encourage and promote healthy relationships among members of the Armed Forces.
(C) Elements for programs designed to empower and enhance the role of non-commis-
sioned officers in the prevention of sexual as-
sault.

(D) Elements for programs to foster social courage among members of the Armed Forces to encourage and promote intervention in situations in order to prevent sexual assault.

(E) Processes and mechanisms designed to address behaviors among members of the Armed Forces that are included in the con-
tinuum of harm that frequently results in sexual assault.

(F) Elements for programs designed to address alcohol abuse, including binge drinking, among members of the Armed Forces.

(G) Such other elements, processes, mech-
anism, and other matters as the Secretary of Defense considers appropriate.

(2) Continuum of harm resulting in sexual assault.—For purposes of paragraph (1)(E), the continuum of harm that frequently results in sexual assault includes hazing, sexual harassment, and related behaviors (including language choices, off-hand statements, jokes, and unconscious atti-
tudes or biases) that create a permissive climate for sexual assault.

(c) Programs Required.—Not later than 180 days after the issuance of the policy required by subsection (a), each Secretary of a military department shall develop and implement for each Armed Force under the jurisdiction of such Secretary a program to reinvigorate the prevention of sexual assaults involving members of the Armed Forces. Each program shall include the elements, processes, mechanisms, and other matters developed by the Secretary of Defense pursuant to subsection (a) tailored to the requirements and circumstances of the Armed Force or Armed Forces concerned.

SEC. 522. ENACTMENT AND EXPANSION OF POLICY ON WITHHOLDING OF INITIAL DISPOSITION AUTHORITY FOR CERTAIN OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) Initial Disposition Authority.—

(1) In general.—Except as provided in paragraph (2), the proper authority for a determination of disposition of reported offenses with respect to any offense specified in subsection (b) shall be an officer in a grade not below the grade of O–6 in the chain of command of the subject who is authorized
by chapter 47 of such title (the Uniform Code of
Military Justice) to convene special courts-martial.

(2) Authority when subject and victim
are in different chains of command.—If the
victim of an offense specified in subsection (b) is in
a different chain of command than the subject, the
proper authority under paragraph (1), for any re-
ported offenses in connection with misconduct of the
victim arising out of the incident in which the of-
fense is alleged to have occurred, shall be an officer
described in that paragraph in the chain of com-
mand of the victim.

(3) Construction.—Nothing in this sub-
section shall be construed—

(A) to prohibit the preferral of charges by
an authorized person under section 830(a)(1) of
title 10, United States Code (article 30(a)(1) of
the Uniform code of Military Justice), with re-
spect to the offenses specified in subsection (b),
and the forwarding of such charges as so pre-
ferred to the proper authority under paragraph
(1) with a recommendation as disposition; or

(B) to prohibit an officer in a grade below
the grade of O–6 from advising an officer de-
scribed in paragraph (1) who is making a deter-
mination described in that paragraph with re-
respect to the disposition of the offenses involved.

(b) COVERED OFFENSES.—An offense specified in
this subsection is any offense as follows:

(1) An offense under section 893 of title 10,
United States Code (article 93 of the Uniform Code
of Military Justice), relating to cruelty and maltreat-
ment, if the offense constitutes sexual harassment.

(2) An offense under section 893a of title 10,
United States Code (article 93a of the Uniform
Code of Military Justice), relating to prohibited ac-
tivity with a military recruit or trainee by a person
in a position of special trust.

(3) An offense under section 918 of title 10,
United States Code (article 118 of the Uniform
Code of Military Justice), relating to murder, if the
offense is committed in connection with family abuse
or other domestic violence.

(4) An offense under section 919 of title 10,
United States Code (article 119 of the Uniform
Code of Military Justice), relating to manslaughter,
if the offense is committed in connection with family
abuse or other domestic violence.

(5) An offense under section 919a of title 10,
United States Code (article 119a of the Uniform
Code of Military Justice), relating to death or injury
of an unborn child, if the offense is committed in
connection with family abuse or other domestic vio-

(6) An offense under section 919b of title 10,
United States Code (article 119b of the Uniform
Code of Military Justice), relating to child
endangerment, if the offense is committed in connec-
tion with family abuse or other domestic violence.

(7) An offense under section 920 of title 10,
United States Code (article 120 of the Uniform
Code of Military Justice), relating to rape and sex-
ual assault generally.

(8) An offense under section 920b of title 10,
United States Code (article 120b of the Uniform
Code of Military Justice), relating to rape and sex-
ual assault of a child.

(9) An offense under section 920c of title 10,
United States Code (article 120c of the Uniform
Code of Military Justice), relating to other sexual
misconduct.

(10) An offense under section 925 of title 10,
United States Code (article 125 of the Uniform
Code of Military Justice), relating to kidnapping, if
the offense is committed in connection with family abuse or other domestic violence.

(11) An offense under section 928 of title 10, United States Code (article 128 of the Uniform Code of Military Justice), relating to aggravated assault, if the offense is committed in connection with family abuse or other domestic violence.

(12) An offense under section 928a of title 10, United States Code (article 128a of the Uniform Code of Military Justice), relating to maiming, if the offense is committed in connection with family abuse or other domestic violence.

(13) An offense under section 928b of title 10, United States Code (article 128b of the Uniform Code of Military Justice), relating to domestic violence.

(14) An offense under section 930 of title 10, United States Code (article 130 of the Uniform Code of Military Justice), relating to stalking, if the offense is committed in connection with family abuse or other domestic violence.

(15) An offense under section 932 of title 10, United States Code (article 132 of the Uniform Code of Military Justice), relating to retaliation.
An offense under section 934 of title 10, United States Code (article 134 of the Uniform Code of Military Justice), if the offense relates to child pornography.

An offense under section 934 of title 10, United States Code (article 134 of the Uniform Code of Military Justice), if the offense—

(A) relates to animal abuse; and

(B) is committed in connection with family abuse or other domestic violence.

An offense under section 934 of title 10, United States Code (article 134 of the Uniform Code of Military Justice), if the offense—

(A) relates to negligent homicide; and

(B) is committed in connection with family abuse or other domestic violence.

An attempt to commit an offense specified in a paragraph (1) through (18) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(c) Scope of Disposition Authority With Respect to Particular Offenses.—The authority in subsection (a) of an officer to make a disposition determination described in that subsection with respect to any 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 preferrred 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)
and the legal advisor to the officer making the disposition determination has recommended a disposition specified in paragraph (4), (5), or (6) of that subsection, a Special Victim Prosecutor (SVP), Senior Trial Counsel (STC), or Regional Trial Counsel (RTC) not in the chain of command of the officer making the disposition determination shall—

(A) review the disposition determination;

and

(B) recommend to the staff judge advocate in the chain of command whether to endorse or supersede the disposition determination.

(2) SJA REVIEW AND ADVICE.—Upon completion of a review of a recommendation under paragraph (1)(B), the staff judge advocate concerned shall advise the next superior commander in the chain of command of the officer making the original disposition determination whether such disposition determination should be endorsed or superseded.

(3) FINAL DISPOSITION DETERMINATION.—

After considering advice under paragraph (2) with respect to an original disposition determination, the superior commander concerned shall—

(A) make a new disposition determination with respect to the offenses concerned; or
(B) endorse the original disposition determination for appropriate further action.

(f) TRAINING.—

(1) IN GENERAL.—The training provided to commissioned officers of the Armed Forces in grades O–6 and above on the exercise of authority pursuant to this section for determinations of the disposition of an offense specified in subsection (b) shall include specific training on such matters in connection with sexual harassment, sexual assault, and family abuse and domestic violence as the Secretary of Defense considers appropriate to make informed disposition determinations under such authority.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed to deprive a court-martial of jurisdiction based on the level or amount of training received by the disposition authority pursuant to this section.

(g) MANUAL FOR COURTS-MARTIAL.—The President shall implement the requirement of this section into the Manual for Courts-Martial in accordance with section 836 of title 10, United States Code (article 36 of the Uniform Code of Military Justice).
SEC. 523. TRAINING FOR SEXUAL ASSAULT INITIAL DISPOSITION AUTHORITIES ON EXERCISE OF DISPOSITION AUTHORITY FOR SEXUAL ASSAULT AND COLLATERAL OFFENSES.

(a) In General.—The training for Sexual Assault Initial Disposition Authorities (SAIDAs) on the exercise of disposition authority under chapter 47, United States Code (the Uniform Code of Military Justice), with respect to cases for which disposition authority is withheld to such Authorities by the April 20, 2012, memorandum of the Secretary of Defense, or any successor memorandum, shall include comprehensive training on the exercise by such Authorities of such authority with respect to such cases in order to enhance the capabilities of such Authorities in the exercise of such authority and thereby promote confidence and trust in the military justice process with respect to such cases.

(b) Memorandum of Secretary of Defense.—The April 20, 2012, memorandum of the Secretary of Defense referred to in subsection (a) is the memorandum of the Secretary of Defense entitled “Withholding Initial Disposition Authority Under the Uniform Code of Military Justice in Certain Sexual Assault Cases” and dated April 20, 2012.
SEC. 524. EXPANSION OF RESPONSIBILITIES OF COMMANDERS FOR VICTIMS OF SEXUAL ASSAULT COMMITTED BY ANOTHER MEMBER OF THE ARMED FORCES.

(a) Notification of Victims of Events in Military Justice Process.—

(1) Notification required.—Except as provided in paragraph (2), the commander of a member of the Armed Forces who is the victim of an alleged sexual assault committed by another member of the Armed Forces (whether or not such other member is in the command of such commander) shall provide notification to such victim of every key or other significant event in the military justice process in connection with the investigation, prosecution, and confinement of such other member for alleged sexual assault.

(2) Election of victim not to receive.—A commander is not required by paragraph (1) to provide notifications to a victim as described in that paragraph if the victim elects not to be provided such notifications.

(3) Documentation.—Each commander described in paragraph (1) shall create and maintain appropriate documentation on the following:
(A) Any notification provided as described in paragraph (1).

(B) Any election made pursuant to paragraph (2).

(b) DOCUMENTATION OF VICTIM’S PREFERENCE ON JURISDICTION IN PROSECUTION.—In the case of a member of the Armed Forces who is the victim of an alleged sexual assault committed by another member of the Armed Forces who is subject to prosecution for such alleged offense both by court-martial under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), and by a civilian court under Federal or State law, the commander of such victim shall create and maintain appropriate documentation of the expressed preference, if any, of such victim for prosecution of such alleged offense by court-martial or by a civilian court as provided for by Rule 306(e) of the Rules for Court-Martial.

(c) REGULATIONS.—The Secretary of Defense shall prescribe in regulations the requirements applicable to each of the following:

(1) Notifications under subsection (a)(1).

(2) Elections under subsection (a)(2).

(3) Documentation under subsection (a)(3).

(4) Documentation under subsection (b).
SEC. 525. TRAINING FOR COMMANDERS IN THE ARMED FORCES ON THEIR ROLE IN ALL STAGES OF MILITARY JUSTICE IN CONNECTION WITH SEXUAL ASSAULT.

(a) In General.—The training provided commanders in the Armed Forces shall include comprehensive training on the role of commanders in all stages of military justice in connection with sexual assaults by members of the Armed Forces.

(b) Elements To Be Covered.—The training provided pursuant to subsection (a) shall include training on the following:

(1) The role of commanders in each stage of the military justice process in connection with sexual assault committed by a member of the Armed Forces, including investigation and prosecution.

(2) The role of commanders in assuring that victims in sexual assault described in paragraph (1) are informed of, and have the opportunity to obtain, assistance available for victims of sexual assault by law.

(3) The role of commanders in assuring that victims in sexual assault described in paragraph (1) are afforded the due process rights and protections available to victims by law.
(4) The role of commanders in preventing retaliation against victims, their family members, witnesses, first responders, and bystanders for their complaints, statements, testimony, and status in connection with sexual assault described in paragraph (1), including the role of commanders in ensuring that subordinates in the command are aware of their responsibilities in preventing such retaliation.

(5) The role of commanders in establishing and maintaining a healthy command climate in connection with reporting on sexual assault described in paragraph (1) and in the response of the commander, subordinates in the command, and other personnel in the command to such sexual assault, such reporting, and the military justice process in connection with such sexual assault.

(6) Any other matters on the role of commanders in connection with sexual assault described in paragraph (1) that the Secretary of Defense considers appropriate for purposes of this section.

(c) INCORPORATION OF BEST PRACTICES.—

(1) IN GENERAL.—The training provided pursuant to subsection (a) shall incorporate best practices on all matters covered by the training.
(2) IDENTIFICATION OF BEST PRACTICES.—The Secretaries of the military departments shall, acting through the training and doctrine commands of the Armed Forces, undertake from time to time surveys and other reviews of the matters covered by the training provided pursuant to subsection (a) in order to identify and incorporate into such training the most current practicable best practices on such matters.

(d) UNIFORMITY.—The Secretary of Defense shall ensure that the training provided pursuant to subsection (a) is, to the extent practicable, uniform across the Armed Forces.

SEC. 526. NOTICE TO VICTIMS OF ALLEGED SEXUAL ASSAULT OF PENDENCY OF FURTHER ADMINISTRATIVE ACTION FOLLOWING A DETERMINATION NOT TO REFER TO TRIAL BY COURT-MARTIAL.

Under regulations prescribed by the Secretary of Defense, upon a determination not to refer a case of alleged sexual assault for trial by court-martial under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), the commander making such determination shall periodically notify the victim of the status of a final determination on further action on such case, whether
non-judicial punishment under section 815 of such title
(article 15 of the Uniform Code of Military Justice), other
administrative action, or no further action. Such notifica-
tions shall continue not less frequently than monthly until
such final determination.

SEC. 527. SAFE TO REPORT POLICY APPLICABLE ACROSS
THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall,
in consultation with the Secretaries of the military depart-
ments and the Secretary of Homeland Security, prescribe
in regulations a safe to report policy described in sub-
section (b) that applies with respect to all members of the
Armed Forces (including members of the reserve compo-
nents of the Armed Forces) and cadets and midshipmen
at the military service academies.

(b) SAFE TO REPORT POLICY.—The safe to report
policy described in this subsection is a policy under which
a member of the Armed Forces who is the victim of an
alleged sexual assault, but who may have committed minor
collateral misconduct at or about the time of such alleged
sexual assault, or whose minor collateral misconduct is
discovered only as a result of the investigation into such
alleged sexual assault, may report such alleged sexual as-
sault to proper authorities without fear or receipt of dis-
cipline in connection with such minor collateral mis-

conduct absent aggravating circumstances that increase
the gravity of the minor collateral misconduct or its im-
 pact on good order and discipline.

c) MINOR COLLATERAL MISCONDUCT.—For pur-
 poses of the safe to report policy, minor collateral mis-
 conduct shall include any of the following:

(1) Improper use or possession of alcohol.

(2) Consensual intimate behavior (including
 adultery) or fraternization.

(3) Presence in an off-limits area.

(4) Such other misconduct as the Secretary of
 Defense shall specify in the regulations under sub-
 section (a).

d) AGGRAVATING CIRCUMSTANCES.—The regula-
 tions under subsection (a) shall specify aggravating cir-
 cumstances that increase the gravity of minor collateral
 misconduct or its impact on good order and discipline for
 purposes of the safe to report policy.

SEC. 528. REPORT ON EXPANSION OF AIR FORCE SAFE TO
 REPORT POLICY ACROSS THE ARMED
 FORCES.

(a) Report.—Not late than 180 days after the date
 of the enactment of this Act, the Secretary of Defense
 shall, in consultation with the Secretaries of the military
 departments and the Secretary of Homeland Security,
submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment of the feasibility and advisability of expanding the applicability of the safe to report policy described in subsection (b) so that the policy applies across the Armed Forces.

(b) SAFE TO REPORT POLICY.—The safe to report policy described in this subsection is the policy, currently applicable in the Air Force alone, under which a member of the Armed Forces who is the victim of an alleged sexual assault committed by another member of the Armed Forces, but who may have committed minor collateral misconduct at or about the time of such alleged sexual assault, or whose minor collateral misconduct at or about such time is discovered only as a result of the investigation into such alleged sexual assault, may report such alleged sexual assault to proper authorities without fear or receipt of discipline in connection with such minor collateral misconduct.

SEC. 529. PROPOSAL FOR SEPARATE PUNITIVE ARTICLE IN THE UNIFORM CODE OF MILITARY JUSTICE ON SEXUAL HARASSMENT.

Not later than 180 days after the date of the enactment of this Act, the Joint Service Committee on Military Justice shall submit to the Committees on Armed Services
of the Senate and the House of Representatives a report setting forth recommendations for legislative and administrative action required to establish a separate punitive article in chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), on sexual harassment.

SEC. 530. TREATMENT OF INFORMATION IN CATCH A SERIAL OFFENDER PROGRAM FOR CERTAIN PURPOSES.

(a) EXCLUSION FROM FOIA.—Section 552 of title 5, United States Code (commonly referred to as the “Freedom of Information Act”), shall not apply to any report for purposes of the Catch a Serial Offender (CATCH) Program.

(b) PRESERVATION OF RESTRICTED REPORT.—The transmittal or receipt in connection with the Catch a Serial Offender Program of a report on a sexual assault that is treated as a restricted report shall not operate to terminate its treatment or status as a restricted report.

SEC. 531. REPORT ON PRESERVATION OF RECOUSE TO RESTRICTED REPORT ON SEXUAL ASSAULT FOR VICTIMS OF SEXUAL ASSAULT FOLLOWING CERTAIN VICTIM OR THIRD-PARTY COMMUNICATIONS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary...
of Defense shall submit to the Committees on Armed Serv-
ices of the Senate and the House of Representatives a re-
port making findings and recommendations on the feasi-
ibility and advisability of a policy for the Department of
Defense that would permit a victim of a sexual assault,
that is or may be investigated as a result of a communi-
tation described in subsection (b), which victim is a member
of the Armed Forces or an adult dependent of a member
of the Armed Forces, to have the reporting on the sexual
assault be treated as a restricted report without regard
to the party initiating or receiving such communication.

(b) COMMUNICATIONS.—A communication described
in this subsection is a communication reporting a sexual
assault as follows:

(1) By the victim to a member of the Armed
Forces, whether a commissioned officer or a non-
commissioned officer, in the chain of command of
the victim or the victim’s military sponsor.

(2) By the victim to military law enforcement
personnel or personnel of a military criminal inves-
tigative organization (MCIO).

(3) By any individual other than victim.

(e) SCOPE OF FINDINGS AND RECOMMENDATIONS.—
The report required by subsection (a) may include rec-
ommendations for new provisions of statute or regulations,
or modification of current statute or regulations, that may be required to put into effect the findings and recommendations described in subsection (a).

(d) CONSULTATION.—In preparing the report required by subsection (a), the Secretary shall consult with the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces (DAC–IPAD) under section 546 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1561 note).

SEC. 532. AUTHORITY FOR RETURN OF PERSONAL PROPERTY TO VICTIMS OF SEXUAL ASSAULT WHO FILE A RESTRICTED REPORT BEFORE CONCLUSION OF RELATED PROCEEDINGS.

Section 586 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 1561 note) is amended—

(1) by redesignating subsection (f) as subsection (e);

(2) in subsection (e), as so redesignated, in the subsection heading, by inserting “IN UNRESTRICTED REPORTING CASES” after “PROCEEDINGS”; and

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

\[S\ 1790\ RS\]
“(f) RETURN OF PERSONAL PROPERTY IN RESTRICTED REPORTING CASES.—(1) The Secretary of Defense shall prescribe procedures under which a victim who files a restricted report on an incident of sexual assault may request, at any time, the return of any personal property of the victim obtained as part of the sexual assault forensic examination.

“(2) The procedures shall ensure that—

“(A) a request of a victim under paragraph (1) may be made on a confidential basis and without affecting the restricted nature of the restricted report; and

“(B) at the time of the filing of the restricted report, a Sexual Assault Response Coordinator or Sexual Assault Prevention and Response Victim Advocate—

“(i) informs the victim that the victim may request the return of personal property as described in paragraph (1); and

“(ii) advises the victim that such a request for the return of personal property may negatively impact a subsequent case adjudication, if the victim later decides to convert the restricted report to an unrestricted report.
“(3) Except with respect to personal property returned to a victim under this subsection, nothing in this subsection shall affect the requirement to retain a sexual assault forensic examination (SAFE) kit for the period specified in subsection (c)(4)(A).”.

SEC. 533. EXTENSION OF DEFENSE ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.


SEC. 534. DEFENSE ADVISORY COMMITTEE FOR THE PREVENTION OF SEXUAL MISCONDUCT.

(a) Establishment Required.—

(1) In general.—The Secretary of Defense shall establish and maintain within the Department of Defense an advisory committee to be known as the “Defense Advisory Committee for the Prevention of Sexual Misconduct” (in this section referred to as the “Advisory Committee”).

(2) Deadline for establishment.—The Secretary shall establish the Advisory Committee not
later than 180 days after the date of the enactment of this Act.

(b) Membership.—

(1) In general.—The Advisory Committee shall consist of not more than 20 members, appointed by the Secretary from among individuals who have an expertise appropriate for the work of the Advisory Committee, including at least one individual with each expertise as follows:

(A) Expertise in the prevention of sexual assault and behaviors on the sexual assault continuum of harm.

(B) Expertise in the prevention of suicide.

(C) Expertise in the change of culture of large organizations.

(D) Expertise in implementation science.

(2) Background of individuals.—Individuals appointed to the Advisory Committee may include individuals with expertise in sexual assault prevention efforts of institutions of higher education, public health officials, and such other individuals as the Secretary considers appropriate.

(3) Prohibition on membership of members of armed forces on active duty.—A member of the Armed Forces serving on active duty...
may not serve as a member of the Advisory Com-
mittee.

(c) Duties.—

(1) In general.—The Advisory Committee
shall advise the Secretary on the following:

(A) The prevention of sexual assault (in-
cluding rape, forcible sodomy, other sexual as-
sault, and other sexual misconduct (including
behaviors on the sexual assault continuum of
harm)) involving members of the Armed Forces.

(B) The policies, programs, and practices
of each military department, each Armed Force,
and each military service academy for the pre-
vention of sexual assault as described in sub-
paragraph (A).

(2) Basis for provision of advice.—For
purposes of providing advice to the Secretary pursu-
ant to this subsection, the Advisory Committee shall
review, on an ongoing basis, the following:

(A) Cases involving allegations of sexual
assault described in paragraph (1).

(B) Efforts of institutions of higher edu-
cation to prevent sexual assault among stu-
dents.
(C) Any other information or matters that the Advisory Committee or the Secretary considers appropriate.

(3) COORDINATION OF EFFORTS.—In addition to the reviews required by paragraph (2), for purposes of providing advice to the Secretary the Advisory Committee shall also consult and coordinate with the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces (DAC-IPAD) on matters of joint interest to the two Advisory Committees.

(d) ANNUAL REPORT.—Not later than March 30 each year, the Advisory Committee shall submit to the Secretary and the Committees on Armed Services of the Senate and the House of Representatives a report on the activities of the Advisory Committee pursuant to this section during the preceding year.

(e) SEXUAL ASSAULT CONTINUUM OF HARM.—In this section, the term “sexual assault continuum of harm” includes—

(1) inappropriate actions (such as sexist jokes), sexual harassment, gender discrimination, hazing, cyber bullying, or other behavior that contributes to a culture that is tolerant of, or increases risk for, sexual assault; and
(2) maltreatment or ostracism of a victim for a report of sexual misconduct.

SEC. 535. INDEPENDENT REVIEWS AND ASSESSMENTS ON RACE AND ETHNICITY IN THE INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.

(a) Reviews and Assessments by DAC-IPAD.—The independent committee established by the Secretary of Defense under section 546 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3374), commonly known as the “DAC-IPAD”, shall conduct each of the following:

(1) A review and assessment, by fiscal year, of the race and ethnicity of members of the Armed Forces accused of a penetrative sexual assault offense or contact sexual assault offense in an unrestricted report made pursuant to Department of Defense Instruction 6495.02, including an unrestricted report involving a spouse or intimate partner, in all cases completed in each fiscal year assessed.

(2) A review and assessment, by fiscal year, of the race and ethnicity of members of the Armed Forces against whom charges were preferred pursuant to Rule for Courts-Martial 307 for a penetrative
sexual assault offense or contact sexual assault offense in all cases completed in each fiscal year assessed.

(3) A review and assessment, by fiscal year, of the race and ethnicity of members of the Armed Forces who were convicted of a penetrative sexual assault offense or contact sexual assault offense in all cases completed in each fiscal year assessed.

(b) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—Upon request by the chair of the committee, a department or agency of the Federal Government shall provide information that the committees considers necessary to conduct reviews and assessments required by subsection (a), including military criminal investigation files, charge sheets, records of trial, and personnel records.

(2) HANDLING, STORAGE, AND RETURN.—The committee shall handle and store all records received and reviewed under this section in accordance with applicable privacy laws and Department of Defense policy, and shall return all records so received in a timely manner.

(e) REPORT.—Not later than one year after the date of the enactment of this Act, the committee shall submit to the Secretary of Defense, and to the Committees on
Armed Services of the Senate and the House of Repre-

dents, a report setting forth the results of the reviews and
assessments required by subsection (a). The report shall
include such recommendations for legislative or adminis-
trative action as the committee considers appropriate in
light of such results.

(d) DEFINITIONS.—In this section:

(1) The term “case” means an unrestricted re-
port of any penetrative sexual assault offense or con-
tact sexual assault offense made against a member
of the Armed Forces pursuant to Department of De-
fense Instruction 6495.02, including any unre-
stricted report involving a spouses or intimate part-
ner for which an investigation has been opened by
a criminal investigative organization.

(2) The term “completed”, with respect to a
case, means that the case was tried to verdict, dis-
misse without further action, or dismissed and then
resolved by non-judicial or administrative pro-
ceedings.

(3) The term “contact sexual assault offense”
means aggravated sexual contact, abusive sexual
contact, wrongful sexual contact, and attempts to
commit such offenses under the Uniform Code of
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
such action as the Secretary of Defense considers appro-
riate.

SEC. 537. COMPTROLLER GENERAL OF THE UNITED
STATES REPORT ON IMPLEMENTATION BY
THE ARMED FORCES OF RECENT STATUTORY
REQUIREMENTS ON SEXUAL ASSAULT PRE-
VENTION AND RESPONSE IN THE MILITARY.

(a) Report Required.—The Comptroller General
of the United States shall submit to the Committees on
Armed Services of the Senate and the House of Represent-
atives a report, in writing, on a study, conducted by the
Comptroller General for purposes of the report, on the im-
plementation by the Armed Forces of statutory require-
ments on sexual assault prevention and response in the
military in the National Defense Authorization Act for
Fiscal Year 2004 (Public Law 108–136) and each suc-
ceeding national defense authorization Act through the
Fiscal Year 2019 (Public Law 115–232).

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

(1) A list and citation of each statutory require-
ment (whether codified or uncodified) on sexual as-
ault prevention and response in the military in each
national defense authorization Act specified in paragraph (1), including—

(A) whether such statutory requirement is still in force; and

(B) if such statutory requirement is no longer in force, the date of the repeal or expiration of such requirement.

(2) For each statutory requirement listed pursuant to paragraph (1), the following:

(A) An assessment of the extent to which such requirement was implemented, or is currently being implemented, as applicable, by each Armed Force to which such requirement applied or applies.

(B) A description and assessment of the actions taken by each of the Department of Defense, the military department concerned, and the Armed Force concerned to assess and determine the effectiveness of actions taken pursuant to such requirement in meeting its intended objective.

(3) Any other matters in connection with the statutory requirements specified in subsection (a), and the implementation of such requirements by the
Armed Forces, that the Comptroller General consi-
ders appropriate.

(c) **Briefings.**—Not later than May 1, 2020, the
Comptroller General shall provide to the committees re-
ferred to in subsection (a) one or more briefings on the
status of the study required by subsection (a), including
any preliminary findings and recommendations of the
Comptroller General as a result of the study as of the date
of such briefing.

**PART II—SPECIAL VICTIMS’ COUNSEL MATTERS**

**SEC. 541. LEGAL ASSISTANCE BY SPECIAL VICTIMS’ COUN-
SEL FOR VICTIMS OF ALLEGED DOMESTIC VI-
OLENCE OFFENSES.**

(a) **Conditional Expansion of Eligibility to Victims of Al-
egged Domestic Violence Off-
enes.**—Subsection (a) of section 1044e of title 10,
United States Code, is amended by adding at the end the
following new paragraph:

“(3) Legal counsel designated as described in para-
graph (1) may also provide legal assistance to any indi-
vidual described in paragraph (2)(B) or (2)(C) who is the
victim of an alleged domestic violence offense, and to any
civilian individual not otherwise covered by paragraph
(2)(C) who is the victim of an alleged sex-related offense
or alleged domestic violence offense, if the Secretary of
the military department concerned determines (on a case-
by-case basis) that resources are available for the provi-
sion of such assistance to such individual without impair-
ing the capacity to provide assistance under paragraph (1)
to victims of alleged sex-related offenses described in para-
graph (2).”.

(b) DEFINITIONS.—Subsection (g) of such section is
amended to read as follows:

“(g) DEFINITIONS.—In this section:

“(1) The term ‘alleged covered offense’ means
any of the following:

“(A) An alleged sex-related offense.

“(B) An alleged domestic violence offense.

“(2) The term ‘alleged sex-related offense’
means any allegation of—

“(A) a violation of section 920, 920b, 920c, or 930 of this title (article 120, 120b, 120c, or 130 of the Uniform Code of Military Justice); or

“(B) an attempt to commit an offense
specified in a subparagraph (A) as punishable
under section 880 of this title (article 80 of the
Uniform Code of Military Justice).

“(3) The term ‘alleged domestic violence of-
fense’ means any allegation of—
'(A) a violation of section 928, 928b(1), 928b(5), or 930 of this title (article 128, 128b(1), 128b(5), or 130 of the Uniform Code of Military Justice), when committed against a spouse, intimate partner, or immediate family member;

''(B) a violation of any other provision of subchapter X of chapter 47 of this title (the Uniform Code of Military Justice), when committed against a spouse, intimate partner, or immediate family member, as specified by the Secretary concerned for purposes of eligibility for legal consultation and assistance by Special Victims’ Counsel under the jurisdiction of such Secretary under this section; or

''(C) an attempt to commit an offense specified in a subparagraph (A) or (B) as punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice).’’.

(e) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsections (b) and (f), by striking ‘‘alleged sex-related offense’’ each place it appears (other than subsection (f)(1)) and inserting ‘‘alleged covered offense concerned’’; and
(2) in subsection (f)—

(A) by striking “subsection (a)(2)” each place it appears and inserting “paragraph (2) or (3) of subsection (a)”;

(B) in paragraph (1), by striking “an alleged sex-related offense” and inserting “an alleged covered offense”.

(d) CLERICAL AMENDMENTS.—

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

“§ 1044e. Special Victims’ Counsel: victims of sex-related offenses; victims of domestic violence offenses”.

(2) TABLE OF SECTIONS.—the table of sections at the beginning of chapter 53 of such title is amended by striking the item relating to section 1044e and inserting the following new item:

“1044e. Special Victims’ Counsel: victims of sex-related offenses; victims of domestic violence offenses.”.

SEC. 542. OTHER SPECIAL VICTIMS’ COUNSEL MATTERS.

(a) ENHANCEMENT OF LEGAL CONSULTATION AND ASSISTANCE IN CONNECTION WITH POTENTIAL VICTIM BENEFITS.—Paragraph (8)(D) of subsection (b) of section 1044e of title 10, United States Code, is amended by striking “and other” and inserting “, section 1408(h) of this title, and other”.

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(b) Expansion of Legal Assistance Authorized to Include Consultation and Assistance for Retaliation.—Subsection (b) of such section is amended further—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting after paragraph (9) the following new paragraph (10):

“(10) Legal consultation and assistance in connection with an incident of retaliation, whether such incident occurs before, during, or after the conclusion of any criminal proceedings, including—

“(A) in understanding the rights and protections afforded to victims of retaliation;

“(B) in the filing of complaints; and

“(C) in any resulting military justice proceedings.”.

(c) Codification of Duty to Determine Victim’s Preference for Prosecution of Alleged Sex-related Offense by Court-martial or Civilian Court.—

(1) In general.—Such section is further amended—
(A) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

(B) by inserting after subsection (e) the following new subsection (d):

(d) Duty to Determine Victim’s Preference for Prosecution of an Alleged Sex-Related Offense by Court-Martial or Civilian Court.—

(1) In providing legal consultation and representation to a victim under this section in connection with an alleged sex-related offense that occurs in the United States, a Special Victims’ Counsel shall have the duty—

(A) to solicit the victim’s preference regarding whether the offense should be prosecuted by court-martial or in a civilian court with jurisdiction over the offense; and

(B) to make the victim’s preference, if offered, known to appropriate military prosecutors.

(2) Any consultation by a Special Victims’ Counsel pursuant to paragraph (1) shall occur in accordance with the process for such consultation established pursuant to section 534(b) of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1044e note) or such other process
as the Secretary of Defense shall establish for that purpose.”.

(2) CONFORMING AMENDMENT.—Paragraph (11) of subsection (b) of such section, as redesignated by subsection (b)(1) of this section, is amended by striking “subsection (h)” and inserting “subsection (i)”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act.

(e) REPORT ON EXPANSION OF ELIGIBILITY FOR SVC SERVICES FOR VICTIMS OF ALLEGED DOMESTIC VIOLENCE OFFENSES AND RELATED MATTERS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a description and assessment of the manner in which the Department of Defense would implement amendments to section 1044e of title 10, United States Code, that would provide for the following:

(A) An expansion of eligibility for Special Victims’ Counsel services for victims of alleged 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
access to such a Counsel, such a Counsel shall be made available at such installation for access by such member by not later than 72 hours after such request.

(b) Report on Civilian Support of SVCs.—Not later than 180 days after the date of the enactment of this Act, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the assessment of such Secretary of the feasibility and advisability of establishing and maintaining for each Special Victims' Counsel under the jurisdiction of such Secretary one or more civilian positions for the purpose of—

(1) providing support to such Special Victims’ Counsel; and

(2) ensuring continuity and the preservation of institutional knowledge in transitions between the service of individuals as such Special Victims’ Counsel.

SEC. 544. TRAINING FOR SPECIAL VICTIMS’ COUNSEL ON CIVILIAN CRIMINAL JUSTICE MATTERS IN THE STATES OF THE MILITARY INSTALLATIONS TO WHICH ASSIGNED.

(a) Training.—Upon the assignment of a Special Victims’ Counsel (including a Victim Legal Counsel of the
Navy) to a military installation in the United States, such
Counsel shall be provided appropriate training on the law
and policies of the State or States in which such military
installation is located with respect to the criminal justice
matters specified in subsection (b).

(b) CRIMINAL JUSTICE MATTERS.—The criminal jus-
tice matters specified in this subsection, with respect to
a State, are the following:

(1) Victim rights.

(2) Protective orders.

(3) Prosecution of criminal offenses.

(4) Sentencing for conviction of criminal of-
fenses.

PART III—BOARDS FOR CORRECTION OF MILI-
TARY RECORDS AND DISCHARGE REVIEW
BOARD MATTERS
SEC. 546. REPEAL OF 15-YEAR STATUTE OF LIMITATIONS
ON MOTIONS OR REQUESTS FOR REVIEW OF
DISCHARGE OR DISMISSAL FROM THE
ARMED FORCES.

(a) REPEAL.—Section 1553(a) of title 10, United
States Code, is amended by striking the second sentence.

(b) EFFECTIVE DATE.—The amendment made by
this section shall take effect on October 1, 2020.
SEC. 547. REDUCTION IN REQUIRED NUMBER OF MEMBERS OF DISCHARGE REVIEW BOARDS.

Section 1553(a) of title 10, United States Code, is amended by striking “five” and inserting “not fewer than three”.

SEC. 548. ENHANCEMENT OF PERSONNEL ON BOARDS FOR THE CORRECTION OF MILITARY RECORDS AND DISCHARGE REVIEW BOARDS.

(a) Boards for the Correction of Military Records.—Section 1552 of title 10, United States Code, is amended—

(1) in subsection (g), by inserting “, or a social worker with training on mental health issues connected with post-traumatic stress disorder or traumatic brain injury or other trauma,” after “psychiatrist”; and

(2) in subsection (h)(2)(A), by inserting “(including a social worker with training on mental health issues connected with post-traumatic stress disorder or traumatic brain injury or other trauma)” after “a civilian health care provider”.

(b) Discharge Review Boards.—Section 1553 of such title is amended—

(1) in subsection (d)(1), by inserting “, or a social worker with training on mental health issues connected with post-traumatic stress disorder or
traumatic brain injury or other trauma,” after “psychiatrist” both places it appears; and

(2) in subsection (c), by inserting “a social worker with training on mental health issues connected with post-traumatic stress disorder or traumatic brain injury or other trauma,” after “or psychiatrist,”.

SEC. 549. INCLUSION OF INTIMATE PARTNER VIOLENCE AND SPOUSAL ABUSE AMONG SUPPORTING RATIONALES FOR CERTAIN CLAIMS FOR CORRECTIONS OF MILITARY RECORDS AND DISCHARGE REVIEW.

(a) CORRECTION OF MILITARY RECORDS.—Section 1552(h)(1) of title 10, United States Code, is amended by striking “or military sexual trauma” and inserting “, sexual trauma, intimate partner violence, or spousal abuse”.

(b) DISCHARGE REVIEW.—Section 1553(d)(3)(B) of such title is amended by striking “or military sexual trauma” and inserting “, sexual trauma, intimate partner violence, or spousal abuse”.

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SEC. 550. ADVICE AND COUNSEL OF TRAUMA EXPERTS IN REVIEW BY BOARDS FOR CORRECTION OF MILITARY RECORDS AND DISCHARGE REVIEW BOARDS OF CERTAIN CLAIMS.

(a) Boards for Correction of Military Records.—Section 1552(g) of title 10, United States Code, is amended—

(1) by inserting “(1)” after “(g)”; and

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

“(2) If a board established under subsection (a)(1) is reviewing a claim described in subsection (h), the board shall seek advice and counsel in the review from a psychiatrist, psychologist, or social worker with training on mental health issues associated with post-traumatic stress disorder or traumatic brain injury or other trauma as specified in the current edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association.

“(3) If a board established under subsection (a)(1) is reviewing a claim in which sexual trauma, intimate partner violence, or spousal abuse is claimed, the board shall seek advice and counsel in the review from an expert in trauma specific to sexual assault, intimate partner violence, or spousal abuse, as applicable.”.
(b) Discharge Review Boards.—Section 1553(d)(1) of such title is amended—

(1) by inserting “(A)” after “(1)”; and

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

“(B) In the case of a former member described in paragraph (3)(B) who claims that the former member’s post-traumatic stress disorder or traumatic brain injury as described in that paragraph in based in whole or in part on sexual trauma, intimate partner violence, or spousal abuse, a board established under this section to review the former member’s discharge or dismissal shall seek advice and counsel in the review from a psychiatrist, psychologist, or social worker with training on mental health issues associated with post-traumatic stress disorder or traumatic brain injury or other trauma as specified in the current edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association.”.
SEC. 551. TRAINING OF MEMBERS OF BOARDS FOR CORRECTION OF MILITARY RECORDS AND DISCHARGE REVIEW BOARDS ON SEXUAL TRAUMA, INTIMATE PARTNER VIOLENCE, SPOUSAL ABUSE, AND RELATED MATTERS.

(a) Boards for Correction of Military Records.—The curriculum of training for members of boards for the correction of military records under section 534(c) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1552 note) shall include training on each of the following:

(1) Sexual trauma.

(2) Intimate partner violence.

(3) Spousal abuse.

(4) The various responses of individuals to trauma.

(b) Discharge Review Boards.—

(1) In general.—Each Secretary concerned shall develop and provide training for members of discharge review boards under section 1553 of title 10, United States Code, that are under the jurisdiction of such Secretary on each of the following:

(A) Sexual trauma.

(B) Intimate partner violence.

(C) Spousal abuse.
(D) The various responses of individuals to
trauma.

(2) Uniformity of training.—The Secretary
of Defense and the Secretary of Homeland Security
shall jointly ensure that the training developed and
provided pursuant to this subsection is, to the extent
practicable, uniform.

(3) Secretary concerned defined.—In this
subsection, the term “Secretary concerned” has the
meaning given that term in section 101(a)(9) of title
10, United States Code.

SEC. 552. Limitations and requirements in connec-
tion with separations for members of
the armed forces who suffer from
mental health conditions in connec-
tion with a sex-related, intimate part-
er violence-related, or spousal-
abuse offense.

(a) Confirmation of diagnosis of condition
required before separation.—Before a member of
the Armed Forces who was the victim of a sex-related of-
fense, an intimate partner violence-related offense, or a
spousal-abuse offense during service in the Armed Forces
(whether or not such offense was committed by another
member of the Armed Forces), and who has a mental
health condition not amounting to a physical disability, is
separated, discharged, or released from the Armed Forces
based solely on such condition, the diagnosis of such condi-
tion must be—

(1) corroborated by a competent mental health
care professional at the peer level or a higher level
of the health care professional making the diagnosis;
and

(2) endorsed by the Surgeon General of the
military department concerned.

(b) NARRATIVE REASON FOR SEPARATION IF MEN-
TAL HEALTH CONDITION PRESENT.—If the narrative rea-
son for discharge, separation, or release from the Armed
Forces of a member of the Armed Forces is a mental
health condition that is not a disability, the appropriate
narrative reason for the discharge, separation, or release
shall be condition, not a disability, or Secretarial author-
ity.

(c) DEFINITION.—In this section:

(1) The term “intimate partner violence-related
offense” means the following:

(A) An offense under section 928 or 930
of title 10, United States Code (article 128 or
130 of the Uniform Code of Military Justice).
(B) An offense under State law for conduct identical or substantially similar to an offense described in subparagraph (A).

(2) The term “sex-related offense” means the following:

(A) An offense under section 920 or 920b of title 10, United States Code (article 120 or 120b of the Uniform Code of Military Justice).

(B) An offense under State law for conduct identical or substantially similar to an offense described in subparagraph (A).

(3) The term “spousal-abuse offense” means the following:

(A) An offense under section 928 of title 10, United States Code (article 128 of the Uniform Code of Military Justice).

(B) An offense under State law for conduct identical or substantially similar to an offense described in subparagraph (A).

(d) EFFECTIVE DATE.—This section shall take effect 180 days after the date of the enactment of this Act, and shall apply with respect to separations, discharges, and releases from the Armed Forces that occur on or after that effective date.
SEC. 553. LIBERAL CONSIDERATION OF EVIDENCE IN CERTAIN CLAIMS BY BOARDS FOR THE CORRECTION OF MILITARY RECORDS AND DISCHARGE REVIEW BOARDS.

(a) Boards for the Correction of Military Records.—

(1) In general.—Section 1552(h) of title 10, United States Code, is amended—

(A) by striking paragraph (1);

(B) by striking “(2) In the case of a claimant described in paragraph (1), a board” and inserting “A board”;

(C) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(D) in paragraph (1), as redesignated by subparagraph (C), by inserting “all evidence presented by the claimant, including lay evidence and information and” after “review”; and

(E) by striking paragraph (2), as so redesignated, and inserting the following new paragraph (2):

“(2) if a claim alleges error or injustice in the claimant’s discharge or dismissal, or the characterization of such discharge or dismissal, review such claim with liberal consideration of all evidence and
information submitted by, or pertaining to, the
claimant.”.

(2) EFFECTIVE DATE.—The amendments made
by paragraph (1) shall take effect on the date of the
enactment of this Act, and shall apply with respect
to claims submitted to boards for the correction of
military records under section 1552 of title 10,
United States Code, on or after that date.

(b) DISCHARGE REVIEW BOARDS.—

(1) IN GENERAL.—Section 1553 of title 10,
United States Code, is amended—

(A) in subsection (c)—

(i) by inserting “(1)” after “(e)”; and

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

“(2) A board established under this section shall—

“(A) review all evidence and information pro-
vided by the former member, including lay evidence
and information and medical evidence of the Sec-
retary of Veterans Affairs or a civilian health care
provider that is provided by the former member; and

“(B) review the claim with liberal consideration
of all evidence and information submitted by, or per-
taining to, the former member.”; and
(B) in subsection (d), by striking paragraph (3).

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply with respect to motions or requests for review submitted to discharge review boards under section 1553 of title 10, United States Code, on or after that date.

PART IV—OTHER MILITARY JUSTICE MATTERS

SEC. 555. EXPANSION OF PRE-REFERRAL MATTERS REVIEWABLE BY MILITARY JUDGES AND MILITARY MAGISTRATES IN THE INTEREST OF EFFICIENCY IN MILITARY JUSTICE.

(a) In General.—Subsection (a) of section 830a of title 10, United States Code (article 30a of the Uniform Code of Military Justice), is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) The President shall prescribe regulations for matters relating to proceedings conducted before referral of charges and specifications to court-martial for trial, including the following:

“(A) Pre-referral investigative subpoenas.

“(B) Pre-referral warrants or orders for electronic communications.
“(C) Pre-referral matters referred by an appellate court.

“(D) Pre-referral matters under subsection (c) or (e) of section 806b of this title (article 6b).

“(E) Pre-referral matters relating to the following:

“(i) Pre-trial confinement of an accused.

“(ii) The mental capacity or responsibility of an accused.

“(iii) A request for an individual military counsel.

“(2) In addition to the matters specified in paragraph (1), the regulations prescribed under that paragraph shall—

“(A) set forth the matters that a military judge may rule upon in such proceedings;

“(B) include procedures for the review of such rulings;

“(C) include appropriate limitations to ensure that proceedings under this section extend only to matters that would be subject to consideration by a military judge in a general or special court-martial;

“(D) provide such limitations on the relief that may be ordered under this section as the President considers appropriate; and
“(E) provide for treatment of such other pre-referral matters as the President may prescribe.”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

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

“§ 830a. Art 30a. Proceedings conducted before referral”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter VI of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by striking the item relating to section 830a (article 30a) and inserting the following new item:

“§830a. 30a. Proceedings conducted before referral.”.

SEC. 556. POLICIES AND PROCEDURES ON REGISTRATION AT MILITARY INSTALLATIONS OF CIVILIAN PROTECTIVE ORDERS APPLICABLE TO MEMBERS OF THE ARMED FORCES ASSIGNED TO SUCH INSTALLATIONS AND CERTAIN OTHER INDIVIDUALS.

(a) POLICIES AND PROCEDURES REQUIRED.—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, establish policies and procedures for the registration at military installations of any civilian protective orders described in sub-
section (b), including the duties and responsibilities of
commanders of installations in the registration process.

(b) CIVILIAN PROTECTIVE ORDERS.—A civilian pro-
tective order described in this subsection is any civilian
protective order as follows:

(1) A civilian protective order against a member
of the Armed Forces assigned to the installation
concerned.

(2) A civilian protective order against a civilian
employee employed at the installation concerned.

(3) A civilian protective order against the civil-
ian spouse or intimate partner of a member of the
Armed Forces on active duty and assigned to the in-
stallation concerned, or of a civilian employee de-
scribed in paragraph (2), which order provides for
the protection of such member or employee.

(c) PARTICULAR ELEMENTS.—The policies and pro-
cedures required by subsection (a) shall include the fol-
lowing:

(1) A requirement for notice between and
among the commander, military law enforcement ele-
ments, and military criminal investigative elements
of an installation when a member of the Armed
Forces assigned to such installation, a civilian em-
ployee employed at such installation, a civilian
spouse or intimate partner of a member assigned to
such installation, or a civilian spouse or intimate
partner of a civilian employee employed at such in-
stallation becomes subject to a civilian protective
order.

(2) A statement of policy that failure to register
a civilian protective order may not be a justification
for the lack of enforcement of such order by military
law enforcement and other applicable personnel who
have knowledge of such order.

(d) LETTER.—As soon as practicable after estab-
lishing the policies and procedures required by subsection
(a), the Secretary shall submit to the Committees on
Armed Services of the Senate and the House of Represent-
atives a letter that includes the following:

(1) A detailed description of the policies and
procedures.

(2) A certification by the Secretary that the
policies and procedures have been implemented on
each military installation.

SEC. 557. INCREASE IN NUMBER OF DIGITAL FORENSIC EX-
AMINERS FOR THE MILITARY CRIMINAL IN-
VESTIGATIVE ORGANIZATIONS.

(a) IN GENERAL.—Each Secretary of a military de-
partment shall take appropriate actions to increase the
number of digital forensic examiners in each military criminal investigative organization (MCIO) under the jurisdiction of such Secretary by not fewer than 10 from the authorized number of such examiners for such organization as of September 30, 2019.

(b) MILITARY CRIMINAL INVESTIGATIVE ORGANIZATIONS.—For purposes of this section, the military criminal investigative organizations are the following:

(1) The Army Criminal Investigation Command.

(2) The Naval Criminal Investigative Service.

(3) The Air Force Office of Special Investigations.

(4) The Marine Corps Criminal Investigation Division.

(e) FUNDING.—Funds for additional digital forensic examiners as required by subsection (a) for fiscal year 2020, including for compensation, initial training, and equipment, shall be derived from amounts authorized to be appropriated for that fiscal year for the Armed Force concerned for operation and maintenance.
SEC. 558. SURVEY OF MEMBERS OF THE ARMED FORCES ON THEIR EXPERIENCES WITH MILITARY INVESTIGATIONS AND MILITARY JUSTICE.

(a) IN GENERAL.—Chapter 23 of title 10, United States Code, is amended by inserting after section 481a the following new section:

“§ 481b. Military investigation and justice experiences: survey of members of the armed forces

“(a) SURVEYS REQUIRED.—(1) The Secretary of Defense shall conduct from time to time a survey on the experiences of members of the armed forces with military investigations and military justice in accordance with this section and guidance issued by the Secretary for purposes of this section.

“(2) The survey under this section shall be known as the ‘Military Investigation and Justice Experience Survey’.

“(b) MATTERS COVERED BY SURVEY.—The guidance issued by the Secretary under this section on the survey shall include specification of the following:

“(1) The individuals to be surveyed, including any member of the armed forces serving on active duty who is a victim of an alleged sex-related offense and who made an unrestricted report of that offense.
“(2) The matters to be covered in the survey, including—

“(A) the experience of the individuals surveyed with the military criminal investigative organization that investigated the alleged offense, and with the Special Victims’ Counsel in the case of a member who was the victim of an alleged sex-related offense; and

“(B) if the individual’s report resulted in a charge or charges that were referred to a court-martial, the experience of the individual with the prosecutor and the court-martial in general.

“(3) The timing of the administration of the survey, including when the investigation or case is closed or otherwise complete.

“(c) FREQUENCY OF SURVEY.—The survey required by this section shall be conducted at least once every four years, but not more frequently than once every two years.

“(d) DEFINITIONS.—In this section:

“(1) ALLEGED SEX-RELATED OFFENSE.—The term ‘alleged sex-related offense’ has the meaning provided in section 1044e(g) of this title.

“(2) UNRESTRICTED REPORT.—The term ‘unrestricted report’ means a report that is not a restricted report.
“(3) Restricted report.—The term ‘restricted report’ means a report concerning a sexual assault that is treated as a restricted report under section 1565b(b) of this title.”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 23 of such title is amended by inserting after the item relating to section 481a the following new item:

“481b. Military investigation and justice experiences: survey of members of the armed forces.”.

SEC. 559. PUBLIC ACCESS TO DOCKETS, FILINGS, AND COURT RECORDS OF COURTS-MARTIAL OR OTHER RECORDS OF TRIAL OF THE MILITARY JUSTICE SYSTEM.

(a) In General.—Section 940a of title 10, United States Code (article 140a of the Uniform Code of Military Justice), is amended—

(1) by striking “The Secretary of Defense” and inserting “(a) In General.—The Secretary of Defense, in consultation with the Secretary of Homeland Security,”;

(2) in subsection (a), as designated by paragraph (1)—

(A) in the matter preceding paragraph (1), by inserting “(including with respect to the
Coast Guard)” after “military justice system”;

and

(B) in paragraph (4), by inserting “public” before “access to docket information”; and

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

sections:

“(b) INAPPLICABILITY OF PRIVACY ACT.—Section 552a of title 5 shall not apply to records of trial produced or distributed within the military justice system or docket information, filings, and records made publicly accessible in accordance with the uniform standards and criteria for conduct established by the Secretary under subsection (a).

“(c) PROTECTION OF CERTAIN PERSONALLY IDENTIFIABLE INFORMATION.—Records of trial, docket information, filings, and other records made publicly accessible in accordance with the uniform standards and criteria for conduct established by the Secretary under subsection (a) shall restrict access to personally identifiable information of minors and victims of crime (including victims of sexual assault and domestic violence), as practicable to the extent such information is restricted in electronic filing systems of Federal and State courts.

“(d) INAPPLICABILITY TO CERTAIN DOCKETS AND RECORDS.—Nothing in this section shall be construed to provide public access to docket information, filings, or
records that are classified, subject to a judicial protective
order, or ordered sealed.”.

(b) **Existing Standards and Criteria.—** The Sec-
retary of Homeland Security shall apply to the Coast
Guard the standards and criteria for conduct established
by the Secretary of Defense under section 940a of title
10, United States Code (article 140a of the Uniform Code
of Military Justice), as in effect on the day before the date
of the enactment of this Act, until such time as the Sec-
retary of Defense, in consultation with the Secretary of
Homeland Security, prescribes revised standards and cri-
teria for conduct under such section that implement the
amendments made by subsection (a) of this section.

**SEC. 560. PILOT PROGRAMS ON DEFENSE INVESTIGATORS
IN THE MILITARY JUSTICE SYSTEM.**

(a) **In General.—** Each Secretary of a military de-
partment shall carry out a pilot program on defense inves-
tigators within the military justice system under the juris-
diction of such Secretary in order to do the following:

(1) Determine whether the presence of defense
investigators within such military justice system
will—

(A) make such military justice system
more effective in determining the truth; and
(B) make such military justice system more fair and efficient.

(2) Otherwise assess the feasibility and advisability of defense investigators as an element of such military justice system.

(b) ELEMENTS.—

(1) MODEL OF SIMILAR CIVILIAN CRIMINAL JUSTICE SYSTEMS.—Defense investigators under each pilot program under subsection (a) shall consist of personnel, and participate in the military justice system concerned, in a manner similar to that of defense investigators in civilian criminal justice systems that are similar to the military justice systems of the military departments.

(2) INTERVIEW OF VICTIM.—A defense investigator may question a victim under a pilot program only upon a request made through the Special Victims’ Counsel or other counsel of the victim, or trial counsel if the victim does not have such counsel.

(3) UNIFORMITY ACROSS MILITARY JUSTICE SYSTEMS.—The Secretary of Defense shall ensure that the personnel and activities of defense investigators under the pilot programs are, to the extent practicable, uniform across the military justice systems of the military departments.
(c) Report.—

(1) In general.—Not later than three years 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 on the pilot programs under subsection (a).

(2) Elements.—The report required by paragraph (1) shall include the following:

(A) A description of each pilot program, including the personnel and activities of defense investigators under such pilot program.

(B) An assessment of the feasibility and advisability of establishing and maintaining defense investigators as an element of the military justice systems of the military departments.

(C) If the assessment under subparagraph (B) is that the establishment and maintenance of defense investigators as an element of the military justice systems of the military departments is feasible and advisable, such recommendations for legislative and administrative action as the Secretary of Defense considers appropriate to establish and maintain defense in-
vestigators as an element of the military justice
systems.

(D) Any other matters the Secretary of
Defense considers appropriate.

SEC. 561. REPORT ON MILITARY JUSTICE SYSTEM INVOLVING
ALTERNATIVE AUTHORITY FOR DETERMINING WHETHER TO
PREFER OR REFER CHANGES FOR FELONY OFFENSES UNDER
THE UNIFORM CODE OF MILITARY JUSTICE.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 300 days
after the date of the enactment of this Act, the Sec-
retary of Defense shall submit to the Committees on
Armed Services of the Senate and the House of Rep-
resentatives a report setting forth the results of a
study, conducted for purposes of the report, on the
feasibility and advisability of an alternative military
justice system in which determinations as to whether
to prefer or refer charges for trial by court-martial
for any offense specified in paragraph (2) is made
by a judge advocate in grade O–6 or higher who has
significant experience in criminal litigation and is
outside of the chain of command of the member sub-
ject to the charges rather than by a commanding of-
ficer of the member who is in the chain of command of the member.

(2) SPECIFIED OFFENSE.—An offense specified in this paragraph is any offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), for which the maximum punishment authorized includes confinement for more than one year.

(b) ELEMENTS.—The study required for purposes of the report under subsection (a) shall address the following:

(1) Relevant procedural, legal, and policy implications and considerations of the alternative military justice system described in subsection (a).

(2) An analysis of the following in connection with the implementation and maintenance of the alternative military justice system:

(A) Legal personnel requirements.

(B) Changes in force structure.

(C) Amendments to law.

(D) Impacts on the timeliness and efficiency of legal processes and court-martial adjudications.

(E) Potential legal challenges to the system.
(F) Potential changes in prosecution and conviction rates.

(G) Potential impacts on the preservation of good order and discipline, including the ability of a commander to carry out nonjudicial punishment and other administrative actions.

(H) Such other considerations as the Secretary considers appropriate.

(3) A comparative analysis of the military justice systems of relevant foreign allies with the current military justice system of the United States and the alternative military justice system, including whether or not approaches of the military justice systems of such allies to determinations described in subsection (a) are appropriate for the military justice system of the United States.

(4) An assessment of the feasibility and advisability of conducting a pilot program to assess the feasibility and advisability of the alternative military justice system, and, if the pilot program is determined to be feasible and advisable—

(A) an analysis of potential legal issues in connection with the pilot program, including potential issues for appeals; and

(B) recommendations on the following:
(i) The populations to be subject to
the pilot program.

(ii) The duration of the pilot program.

(iii) Metrics to measure the effectiveness of the pilot program.

(iv) The resources to be used to conduct the pilot program.

SEC. 562. REPORT ON STANDARDIZATION AMONG THE MILITARY DEPARTMENTS IN COLLECTION AND PRESENTATION OF INFORMATION ON MATTERS WITHIN THE MILITARY JUSTICE SYSTEM.

Not later than 180 days 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 the following:

(1) A plan for actions to provide for standardization, to the extent practicable, among the military departments in the collection and presentation of information on matters within their military justice systems, including information collected and maintained for purposes of section 940a of title 10, United States Code (article 140a of the Uniform
Code of Military Justice), and such other information as the Secretary considers appropriate.

(2) An assessment of the feasibility and advisability of establishing and maintaining a single, Department of Defense-wide data management system for the standardized collection and presentation of information described in paragraph (1).

SEC. 563. REPORT ON ESTABLISHMENT OF GUARDIAN AD LITEM PROGRAM FOR CERTAIN MILITARY DEPENDENTS WHO ARE A VICTIM OR WITNESS OF OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE INVOLVING ABUSE OR EXPLOITATION.

(a) Report Required.—

(1) In general.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment of the feasibility and advisability of establishing a guardian ad litem program for military dependents described in paragraph (2) who are a victim or witness of an offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that involves an element of abuse or exploi-
tation in order to protect the best interests of such dependents in a court-martial of such offense.

(2) COVERED DEPENDENTS.—The military dependents described in this paragraph are as follows:

(A) Military dependents under 12 years of age.

(B) Military dependents who lack mental or other capacity.

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

(1) An assessment of the feasibility and advisability of establishing a guardian ad litem program as described in subsection (a).

(2) If establishment of the guardian ad litem program is considered feasible and advisable, the following:

(A) A description of administrative requirements in connection with the program, including the following:

(i) Any memoranda of understanding between the Department of Defense and State and local authorities required for purposes of the program.
(ii) The personnel, funding, and other resources required for purposes of the program.

(B) Best practices for the program (as determined in consultation with appropriate civilian experts on child advocacy).

(C) Such recommendations for legislative and administration action to implement the program as the Secretary considers appropriate.

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

SEC. 566. CONSECUTIVE SERVICE OF SERVICE OBLIGATION IN CONNECTION WITH PAYMENT OF TUITION FOR OFF-DUTY TRAINING OR EDUCATION FOR COMMISSIONED OFFICERS OF THE ARMED FORCES WITH ANY OTHER SERVICE OBLIGATIONS.

(a) In General.—Section 2007(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) Any active duty service obligation of a commissioned officer under this subsection shall be served consecutively with any other service obligation of the officer
(whether active duty or otherwise) under any other provi-
sion of law.”.

(b) **Effective Date.**—The amendment made by
this section shall take effect on the date of the enactment
of this Act, and shall apply with respect to agreements
for the payment of tuition for off-duty training or edu-
cation that are entered into on or after that date.

**SEC. 567. AUTHORITY FOR DETAIL OF CERTAIN ENLISTED**
**MEMBERS OF THE ARMED FORCES AS STU-
**
**DENTS AT LAW SCHOOLS.**

(a) **In General.**—Section 2004 of title 10, United
States Code, is amended—

(1) in subsection (a)—

(A) by inserting “and enlisted members”

after “commissioned officers”;

(B) by striking “bachelor of laws or”; and

(C) by inserting “and enlisted members”

after “twenty-five officers”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1),

by inserting “or enlisted member” after “offi-
cer”; 

(B) by striking paragraph (1) and insert-
ing the following new paragraph (1):

“(1) either—
“(A) have served on active duty for a period of not less than two years nor more than six years and be an officer in the pay grade O–3 or below as of the time the training is to begin; or

“(B) have served on active duty for a period of not less than four years nor more than eight years and be an enlisted member in the pay grade E–5, E–6, or E–7 as of the time the training is to begin;”;

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

(D) by inserting after paragraph (1), as amended by subparagraph (B), the following new paragraph (2):

“(2) in the case of an enlisted member, meet all requirements for acceptance of a commission as a commissioned officer in the armed forces; and”;

(E) in subparagraph (B) of paragraph (3), as redesignated by subparagraph (C) of this paragraph, by striking “or law specialist”;

(3) in subsection (c)—

(A) in the first sentence, by inserting “and enlisted members” after “Officers”; and
(B) in the second sentence, by inserting
“or enlisted member” after “officer” each place
it appears;
(4) in subsection (d), by inserting “and enlist-
ment members” after “officers”;
(5) in subsection (e), by inserting “or enlist-
ment member” after “officer”; and
(6) in subsection (f), by inserting “or enlisted
member” after “officer”.
(b) CONFORMING AND CLERICAL AMENDMENTS.—
(1) HEADING AMENDMENT.—The heading of
such section is amended to read as follows:
“§2004. Detail as students at law schools; commis-
sioned officers; certain enlisted mem-
bers”.
(2) CLERICAL AMENDMENT.—The table of sec-
tions at the beginning of chapter 101 of such title
is amended by striking the item relating to section
2004 and inserting the following new item:
“2004. Detail as students at law schools; commissioned officers; certain enlisted
members.”.
SEC. 568. CONNECTIONS OF MEMBERS RETIRING OR SEPARATING FROM THE ARMED FORCES WITH COMMUNITY-BASED ORGANIZATIONS AND RELATED ENTITIES.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly seek to enter into memoranda of understanding (MOUs) or other agreements with State veterans agencies under which information from Department of Defense Form DD–2648 on individuals undergoing retirement, discharge, or release from the Armed Forces is transmitted to one or more State veterans agencies, as elected by such individuals, to provide or connect veterans to benefits or services as follows:

(1) Assistance in preparation of resumes.

(2) Training for employment interviews.

(3) Employment recruitment training.

(4) Other services leading directly to a successful transition from military life to civilian life.

(5) Healthcare, including care for mental health.

(6) Transportation or transportation-related services.

(7) Housing.

(8) Such other benefits or services as the Secretaries jointly consider appropriate for purposes of this section.
(b) INFORMATION TRANSMITTED.—The information transmitted on individuals as described in subsection (a) shall be such information on Form DD–2648 as the Secretaries jointly consider appropriate to facilitate community-based organizations and related entities in providing or connecting such individuals to benefits and services as described in subsection (a).

(c) MODIFICATION OF FORM DD–2648.—The Secretary of Defense shall make such modifications to Form DD–2648 as the Secretary considers appropriate to allow an individual filling out the form to indicate an email address at which the individual may be contacted to receive or be connected to benefits or services described in subsection (a).

(d) VOLUNTARY PARTICIPATION.—Information on an individual may be transmitted to and through a State veterans agency as described in subsection (a) only with the consent of the individual. In giving such consent, an individual shall specify the following:

(1) The State veterans agency or agencies elected by the individual to transmit such information as described in subsection (a).

(2) The benefits and services for which contact information shall be so transmitted.
(3) Such other information on the individual as
the individual considers appropriate in connection
with the transmittal.

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

PART I—DEFENSE DEPENDENTS’ EDUCATION

MATTERS

SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL
EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED
FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) Assistance to Schools With Significant
Numbers of Military Dependent Students.—Of the
amount authorized to be appropriated for fiscal year 2020
by section 301 and available for operation and mainte-
nance for Defense-wide activities as specified in the fund-
ing table in section 4301, $40,000,000 shall be available
only for the purpose of providing assistance to local edu-
cational agencies under subsection (a) of section 572 of
the National Defense Authorization Act for Fiscal Year

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

SEC. 572. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

(a) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2020 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $10,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

(b) USE OF CERTAIN AMOUNT.—Of the amount available under subsection (a) for payments as described in that subsection, $5,000,000 shall be available for such payments to local educational agencies determined by the Secretary of Defense, in the discretion of the Secretary, to have higher concentrations of military children with severe disabilities.
SEC. 573. RI’KATAK GUEST STUDENT PROGRAM AT UNITED STATES ARMY GARRISON–KWAJALEIN ATOLL.

(a) PROGRAM AUTHORIZED.—The Secretary of the Army may conduct an assistance program to educate up to five local national students per grade, per academic year, on a space-available basis at the contractor-operated schools on United States Army Garrison–Kwajalein Atoll. The program shall be known as the “Ri’katak Guest Student Program”.

(b) STUDENT ASSISTANCE.—Assistance that may be provided to students participating in the program carried out pursuant to subsection (a) includes the following:

1. Classroom instruction.
2. Extracurricular activities.
3. Student meals.
4. Transportation.
PART II—MILITARY FAMILY READINESS

MATTERS

SEC. 576. TWO-YEAR EXTENSION OF AUTHORITY FOR REIMBURSEMENT FOR STATE LICENSURE AND CERTIFICATION COSTS OF SPOUSES OF MEMBERS 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
connection with a permanent change of duty station
of members to another State.

“(2) Limitation on assistance per compact.—The amount provided under paragraph (1)
as assistance for the development of any particular
interstate compact may not exceed $1,000,000.

“(3) Limitation on total amount of assistance.—The total amount of assistance provided
under paragraph (1) in any fiscal year may not exceed $4,000,000.

“(4) Annual report.—Not later than February 28 each year, the Secretary shall submit to
the Committees on Armed Services of the Senate
and the House of Representatives a report on inter-
state compacts described in paragraph (1) developed
through assistance provided under that paragraph.
Each report shall set forth the following:

“(A) Any interstate compact developed
during the preceding calendar year, including
the occupational licenses covered by such comp-
act and the States agreeing to enter into such
compact.

“(B) Any interstate compact developed
during a prior calendar year into which one or
more additional States agreed to enter during the preceding calendar year.

“(5) EXPIRATION.—The authority to enter into a cooperative agreement under paragraph (1), and to provide assistance described in that paragraph pursuant to such cooperative agreement, shall expire on September 30, 2024.”.

SEC. 578. MODIFICATION OF RESPONSIBILITY OF THE OFFICE OF SPECIAL NEEDS FOR INDIVIDUALIZED SERVICE PLANS FOR MEMBERS OF MILITARY FAMILIES WITH SPECIAL NEEDS.

Subparagraph (F) of section 1781c(d)(4) of title 10, United States Code, is amended to read as follows:

“(F) Requirements regarding the development of an individualized services plan for each military family member with special needs when requested in connection with the completion of a family needs assessment for the military family concerned.”.

SEC. 579. CLARIFYING TECHNICAL AMENDMENT ON DIRECT HIRE AUTHORITY FOR THE DEPARTMENT OF DEFENSE FOR CHILDCARE SERVICES PROVIDERS FOR DEPARTMENT CHILD DEVELOPMENT CENTERS.

Section 559(e) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
1406; 10 U.S.C. 1792 note) is amended by inserting “(including family childcare coordinator services and school age childcare coordinator services)” after “childcare services”.

SEC. 580. PILOT PROGRAM ON INFORMATION SHARING BETWEEN DEPARTMENT OF DEFENSE AND DESIGNATED RELATIVES AND FRIENDS OF MEMBERS OF THE ARMED FORCES REGARDING THE EXPERIENCES AND CHALLENGES OF MILITARY SERVICE.

(a) Pilot Program Required.—

(1) In general.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with the American Red Cross to carry out a pilot program under which the American Red Cross—

(A) encourages a member of the Armed Forces, upon the enlistment or appointment of such member, to designate up to 10 persons to whom information regarding the military service of such member shall be disseminated using contact information obtained under paragraph (6); and
(B) provides such persons, within 30 days after the date on which such persons are designated under subparagraph (A), the option to elect to receive such information regarding military service.

(2) DISSEMINATION.—The Secretary shall disseminate information described in paragraph (1)(A) under the pilot program on a regular basis.

(3) TYPES OF INFORMATION.—The types of information to be disseminated under the pilot program to persons who elect to receive such information shall include information regarding—

(A) aspects of daily life and routine experienced by members of the Armed Forces;

(B) the challenges and stresses of military service, particularly during and after deployment as part of a contingency operation;

(C) the services available to members of the Armed Forces and the dependents of such members to cope with the experiences and challenges of military service;

(D) benefits administered by the Department of Defense for members of the Armed Forces and the dependents of such members;
(E) a toll-free telephone number through which such persons who elect to receive information under the pilot program may request information regarding the program; and

(F) such other information as the Secretary determines to be appropriate.

(4) Privacy of Information.—In carrying out the pilot program, the Secretary may not disseminate information under paragraph (3) in violation of laws and regulations pertaining to the privacy of members of the Armed Forces, including requirements pursuant to—

(A) section 552a of title 5, United States Code; and

(B) the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191).

(5) Notice and Modifications.—In carrying out the pilot program, the Secretary shall, with respect to a member of the Armed Forces—

(A) ensure that such member is notified of the ability to modify designations made by such member under paragraph (1)(B); and
(B) upon the request of a member, authorize such member to modify such designations at any time.

(6) CONTACT INFORMATION.—In making a designation under the pilot program, a member of the Armed Forces shall provide necessary contact information, specifically including an email address, to facilitate the dissemination of information regarding the military service of the member.

(7) OPT-IN AND OPT-OUT OF PROGRAM.—

(A) OPT-IN BY MEMBERS.—A member may participate in the pilot program only if the member voluntarily elects to participate in the program. A member seeking to make such an election shall make such election in a manner, and by including such information, as the Secretary and the Red Cross shall jointly specify for purposes of the pilot program.

(B) OPT-IN BY DESIGNATED RECIPIENTS.—A person designated pursuant to paragraph (1)(A) may receive information under the pilot program only if the person makes the election described in paragraph (1)(B).

(C) OPT-OUT.—In carrying out the pilot program, the Secretary shall, with respect to a
person who has elected to receive information under such pilot program, cease disseminating such information to that person upon request of such person.

(b) Survey and Report on Pilot Program.—

(1) Survey.—Not later than two years after the date on which the pilot program commences, the Secretary, in consultation with the American Red Cross, shall administer a survey to persons who elected to receive information under the pilot program for the purpose of receiving feedback regarding the quality of information disseminated under this section, including whether such information appropriately reflects the military career progression of members of the Armed Forces.

(2) Report.—Not later than three years after the date on which the pilot program commences, the Secretary shall submit to the congressional defense committees a final report on the pilot program which includes—

(A) the results of the survey administered under paragraph (1);

(B) a determination as to whether the pilot program should be made permanent; and
(C) recommendations as to modifications necessary to improve the program if made per-
manent.

(e) Termination of Pilot Program.—The pilot program shall terminate upon submission of the report re-
quired by subsection (b)(2).

SEC. 581. BRIEFING ON USE OF FAMILY ADVOCACY PRO-
GRAMS TO ADDRESS DOMESTIC VIOLENCE.

Not later than 180 days after the date of the enact-
ment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on various mecha-
isms by which the Family Advocacy Programs (FAPs) of the military departments may be used and enhanced in order to end domestic violence among members of the Armed Forces and support survivors of such violence and their dependents.

Subtitle G—Decorations and Awards

SEC. 585. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO JOHN J. DUFFY FOR ACTS OF VALOR IN VIETNAM.

(a) Waiver of Time Limitations.—Notwith-
standing the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation
with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to John J. Duffy for the acts of valor in Vietnam described in subsection (b).

(b) Acts of Valor Described.—The acts of valor referred to in subsection (a) are the actions of John J. Duffy on April 14 and 15, 1972, in Vietnam for which he was previously awarded the Distinguished-Service Cross.

SEC. 586. STANDARDIZATION OF HONORABLE SERVICE REQUIREMENT FOR AWARD OF MILITARY DECORATIONS.

(a) Honorable Service Requirement.—

(1) In General.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section

“§1136. Honorable service requirement for award of military decorations

“No military decoration, including a medal, cross, or bar, or an associated emblem or insignia, may be awarded or presented to any person, or to a representative of the person, if the service of the person after the person distinguished himself or herself has not been honorable.”
(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 57 of such title is amended by adding at the end the following:

“1136. Honorable service requirement for award of military decorations.”.

(b) **CONFORMING AMENDMENTS.**—Title 10, United States Code, is further amended as follows:

(1) In section 7274—

(A) in subsection (b) in the matter preceding paragraph (1), by striking “subsection (d)” and inserting “subsection (e)”;

(B) by striking subsection (e); and

(C) by redesignating subsection (d) as subsection (e).

(2)(A) Section 8299 is repealed.

(B) The table of sections at the beginning of chapter 837 is amended by striking the item relating to section 8299.

(3) In section 9274—

(A) in subsection (b) in the matter preceding paragraph (1), by striking “subsection (d)” and inserting “subsection (e)”;

(B) by striking subsection (e); and

(C) by redesignating subsection (d) as subsection (e).

(4) In section 9279, by striking subsection (e).
SEC. 587. AUTHORITY TO AWARD OR PRESENT A DECORATION NOT PREVIOUSLY RECOMMENDED IN A TIMELY FASHION FOLLOWING A REVIEW REQUESTED BY CONGRESS.

(a) Authority To Award or Present.—Section 1130 of title 10, United States Code, is amended—

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

(2) by inserting after subsection (c) the following new subsection (d):

“(d)(1) A decoration may be awarded or presented following the submittal of a recommendation under subsection (b) approving the award or presentation.

“(2) The authority to make an award or presentation under this subsection shall apply notwithstanding any limitation described in subsection (a).”.

(b) Conforming and Clerical Amendments.—

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

“§ 1130. Consideration of proposals for decorations not previously submitted in timely fashion: procedures for review and award or presentation”.

(2) Clerical Amendment.—The table of sections at the beginning of chapter 57 of such title is
amended by striking the item relating to section 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.”

SEC. 588. AUTHORITY TO MAKE POSTHUMOUS AND HONORARY PROMOTIONS AND APPOINTMENTS FOLLOWING A REVIEW REQUESTED BY CONGRESS.

(a) Authority To Make.—Section 1563 of title 10, United States Code, is amended—

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

(2) by inserting after subsection (b) the following new subsections:

“(c) Authority To Make.—(1) Under regulations prescribed by the Secretary of Defense, a posthumous or honorary promotion or appointment may be made following the submittal of a determination under subsection (b) if the determination is to approve the making of such promotion of appointment.

“(2) The authority to make a promotion or appointment under this subsection shall apply notwithstanding that such promotion or appointment is not otherwise authorized by law.

“(d) Additional Benefits Not To Accrue.—The promotion or appointment of individual pursuant to sub-
section (c) shall not affect the retired pay or other benefits
from the United States to which the individual would have
been entitled based upon the individual’s military service,
if any, or affect any benefits to which any other person
may become entitled based on the individual’s military
service, if any.”.

(b) Conforming and Clerical Amendments.—

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

“§ 1563. Consideration of proposals for posthumous
and honorary promotions and appoint-
ments: procedures for review and pro-
motion or appointment”.

(2) Clerical Amendment.—The table of sec-
tions at the beginning of chapter 80 of such title is
amended by striking the item relating to section
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.”.

Subtitle H—Other Matters

SEC. 591. MILITARY FUNERAL HONORS MATTERS.

(a) Full Military Honors Ceremony for Cer-
tain Veterans.—Section 1491(b) of title 10, United
States Code, is amended by adding at the end the fol-
lowing:
“(3) The Secretary concerned shall provide full military honors (as determined by the Secretary concerned) for the funeral of a veteran who—

“(A) is first interred or first inurned in Arlington National Cemetery on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020;

“(B) was awarded the medal of honor or the prisoner-of-war medal; and

“(C) is not entitled to full military honors by the grade of that veteran.”.

(b) Full Military Funeral Honors for Veterans at Military Installations.—

(1) Installation Plans for Honors Required.—The commander of each military installation at or through which a funeral honors detail for a veteran is provided pursuant to section 1491 of title 10, United States Code (as amended by subsection (a)), shall maintain and carry out a plan for the provision, upon request, of full military funeral honors at funerals of veterans for whom a funeral honors detail is authorized in that section.

(2) Elements.—Each plan of an installation under paragraph (1) shall include the following:
(A) Mechanisms to ensure compliance with the requirements applicable to the composition of funeral honors details in section 1491(b) of title 10, United States Code (as so amended).

(B) Mechanisms to ensure compliance with the requirements for ceremonies for funerals in section 1491(c) of such title.

(C) In addition to the ceremonies required pursuant to subparagraph (B), the provision of a gun salute for each funeral by appropriate personnel, including personnel of the installation, members of the reserve components of the Armed Forces residing in the vicinity of the installation who are ordered to funeral honors duty, and members of veterans organizations or other organizations referred to in section 1491(b)(2) of such title.

(D) Mechanisms for the provision of support authorized by section 1491(d) of such title.

(E) Such other mechanisms and activities as the Secretary concerned considers appropriate in order to assure that full military funeral honors are provided upon request at funerals of veterans.

(3) DEFINITIONS.—In this subsection:
(A) The term “Secretary concerned” has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(B) The term “veteran” has the meaning given that term in section 1491(h) of title 10, United States Code.

SEC. 592. INCLUSION OF HOMESCHOoled STUDENTS IN JUNIOR RESERVE OFFICERS’ TRAINING CORPS UNITS.

Section 2031 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g)(1) Each public secondary educational institution that maintains a unit under this section shall permit membership in the unit to homeschooled students residing in the area served by the institution who are qualified for membership in the unit (but for lack of enrollment in the institution).

“(2) A student who is a member of a unit pursuant to this subsection shall count toward the satisfaction by the institution concerned of the requirement in subsection (b)(1) relating to the minimum number of student members in the unit necessary for the continuing maintenance of the unit.”.
SEC. 593. SENSE OF SENATE ON THE JUNIOR RESERVE OFFICERS’ TRAINING CORPS.

It is the sense of the Senate that—

(1) the Junior Reserve Officers’ Training Corps (JROTC) is a valuable program that instill the values of citizenship, service to the community, personal responsibility and a sense of accomplishment in high school students;

(2) the Junior Reserve Officers’ Training Corps is supported by all the Armed Forces, and there are Junior Reserve Officers’ Training Corps units in all 50 States, 4 United States territories, and the District of Columbia;

(3) the Junior Reserve Officers’ Training Corps consistently improves student outcomes across a wide variety of academic and nonacademic data points, including grade point average, high school graduation and college acceptance rates, standardized test scores, drop-out rates, discipline problems, and leadership skills;

(4) the Department of Defense should view the Junior Reserve Officers’ Training Corps as a unique program to help close the divide between the military and the greater civilian community in the United 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 DEPENDENTS 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;
(3) by redesignating paragraph (3) as paragraph (4); and

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

“(3) For purposes of the provision of benefits under this section pursuant to this subsection, a member shall be considered separated from active duty upon the earliest of—

“(A) the date an administrative separation is initiated by a commander of the member;

“(B) the date the court-martial sentence is adjudged if the sentence, as adjudged, includes a dismissal, dishonorable discharge, bad conduct discharge, or forfeiture of all pay and allowances; or

“(C) the date the member’s term of service expires.”.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) Authorities Relating To Reserve Forces.—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service, is amended by striking
“December 31, 2019” and inserting “December 31, 2020”.

(b) Title 10 Authorities Relating to Health Care Professionals.—The following sections of title 10, United States Code, are amended by striking “December 31, 2019” and inserting “December 31, 2020”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(c) Authorities Relating to Nuclear Officers.—Section 333(i) of title 37, United States Code, is amended by striking “December 31, 2019” and inserting “December 31, 2020”.

(d) Authorities Relating to Title 37 Consolidated Special Pay, Incentive Pay, and Bonus Authorities.—The following sections of title 37, United States Code, are amended by striking “December 31, 2019” and inserting “December 31, 2020”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.
(3) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(4) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(5) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers’ Training Corps.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(e) AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section 403(b)(7)(E) of title 37, United States Code, is amended by striking “December 31, 2019” and inserting “December 31, 2020”.
Subtitle C—Travel and Transportation Allowances

SEC. 621. EXTENSION OF PILOT PROGRAM ON A GOVERNMENT LODGING PROGRAM.


SEC. 622. REINVESTMENT OF TRAVEL REFUNDS BY THE DEPARTMENT 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-
ations and efficiency improvements for improved financial
management of official travel.

“(c) DEFINITIONS.—In this section:

“(1) MANAGED TRAVEL PROGRAM.—The term
‘managed travel program’ includes air, rental car,
train, bus, dining, lodging, and travel management,
but does not include rebates or refunds attributable
to the use of the Government travel card, the Gov-
ernment Purchase Card, or Government travel ar-
ranged by Government Contracted Travel Manage-
ment Centers.

“(2) REFUND.—The term ‘refund’ includes
miscellaneous receipts credited to the Department
identified as a refund, rebate, repayment, or other
similar amounts collected.”.

(b) CLERICAL AMENDMENT.—The table of sections
at the beginning of chapter 8 of such title is amended by
inserting after the item relating to section 455 the fol-
lowing new item:

“456. Managed travel program refunds.”.

(c) CLARIFICATION ON RETENTION OF TRAVEL PRO-
MOTIONAL ITEMS.—Section 1116(a) of the National De-
Fense Authorization Act for Fiscal Year 2002 (Public Law
107–107; 5 U.S.C. 5702 note) is amended—
(1) by striking “DEFINITION.—In this section, the term” and inserting the following: “DEFINITIONS.—In this section:

“(1) The term”; and

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

“(2) The term ‘general public’ includes the Federal Government or an agency.”.

Subtitle D—Disability Pay, Retired Pay, and Survivor Benefits

SEC. 631. CONTRIBUTIONS TO DEPARTMENT OF DEFENSE MILITARY RETIREMENT FUND BASED ON PAY COSTS PER ARMY FORCE RATHER THAN ON ARMED FORCES-WIDE BASIS.

(a) DETERMINATION OF CONTRIBUTIONS GENERALLY.—Section 1465(c) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “single level percentage of basic pay for active duty (other than the Coast Guard) and for full-time National Guard duty” and inserting “percentage of basic pay for each armed force (other than the Coast Guard) and for any full-time National Guard duty”;
(B) in subparagraph (B)—

(i) by striking “single level”; and

(ii) by striking “members of the Selected Reserve of the armed forces (other than the Coast Guard)” and inserting “each armed force (other than the Coast Guard) for members of the Selected Reserve”; and

(C) in the flush matter following subparagraph (B), by striking “single level”; and

(2) in paragraph (4)—

(A) by striking “a single level percentage determined” both places it appears and inserting “percentages”; and

(B) in the flush matter following subparagraph (B), by striking “single level”.

(b) Conforming Amendments.—

(1) Determination of Contributions.—

Section 1465(b) of title 10, United States Code, is amended—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking “product” and inserting “aggregate of the products”;
(II) in clause (i), by striking “single level percentage of basic pay” and inserting “percentage of basic pay for each armed force (other than the Coast Guard)”;

(III) in clause (ii), by striking “for active duty (other than the Coast Guard) and for full-time National Guard duty” and inserting “for such armed force for active duty and for any full-time National Guard duty”; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking “product” and inserting “aggregate of the products”; and

(II) in clause (i), by striking “single level percentage of basic pay and of compensation (paid pursuant to section 206 of title 37)” and inserting “percentage of basic pay and of compensation (paid pursuant to section 206 of title 37) for each armed force (other than the Coast Guard)”;

and
(III) in clause (ii), by striking “the armed forces (other than the Coast Guard)” and inserting “such armed force”; and

(B) in paragraph (3), by striking “single level”.

(2) PAYMENTS OF CONTRIBUTIONS.—Section 1466(a) of such title is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “product” and inserting “aggregate of the products”; 

(ii) in subparagraph (A), by striking “level percentage of basic pay” and inserting “percentage of basic pay for each armed force (other than the Coast Guard)” ; and 

(iii) in subparagraph (B), by striking “for active duty (other than for the Coast Guard) and for full-time National Guard duty” and inserting “for such armed force for active duty and for any full-time National Guard duty”; and

(B) in paragraph (2)—
(i) in the matter preceding subparagraph (A), by striking “product” and inserting “aggregate of the products”;

(ii) in subparagraph (A), by striking “level percentage of basic pay and of compensation (paid pursuant to section 206 of title 37)” and inserting “percentage of basic pay and of compensation (paid pursuant to section 206 of title 37) for each armed force (other than the Coast Guard)”;

(iii) in subparagraph (B), by striking “the armed forces (other than the Coast Guard)” and inserting “such armed force”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2019, and shall apply with respect to determinations of contributions to the Department of Defense Military Retirement Fund, and payments into the Fund, beginning with fiscal year 2021.
SEC. 632. MODIFICATION OF AUTHORITIES ON ELIGIBILITY FOR AND REPLACEMENT OF GOLD STAR LAPEL BUTTONS.

(a) EXPANSION OF AUTHORITY TO DETERMINE NEXT OF KIN FOR ISSUANCE.—Section 1126 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “widows, parents, and” in the matter preceding paragraph (1);

(2) in subsection (b), by striking “the widow and to each parent and” and inserting “each”; and

(3) in subsection (d)—

(A) by striking paragraphs (1), (2), (3), and (4) and inserting the following new paragraph (1):

“(1) The term ‘next of kin’ means individuals standing in such relationship to members of the armed forces described in subsection (a) as the Secretaries concerned shall jointly specify in regulations for purposes of this section.”; and

(B) by redesignating paragraphs (5), (6), (7), and (8) as paragraphs (2), (3), (4), and (5), respectively.

(b) REPLACEMENT.—Subsection (c) of such section is amended by striking “and payment” and all that follows and inserting “and without cost.”.
Subtitle E—Commissary and Non-Appropriated Fund Instrumentality Benefits and Operations

SEC. 641. DEFENSE RESALE SYSTEM MATTERS.

(a) IN GENERAL.—The Under Secretary of Defense for Personnel and Readiness shall, in coordination with the Chief Management Officer of the Department of Defense, maintain oversight of business transformation efforts of the defense commissary system and the exchange store system in order to ensure the following:

(1) Development of an intercomponent business strategy that maximizes efficiencies and results in a viable defense resale system in the future.

(2) Preservation of patron savings and satisfaction from and in the defense commissary system and exchange stores system.

(3) Sustainment of financial support of the defense commissary and exchange systems for morale, welfare, and recreation (MWR) services of the Armed Forces.

(b) EXECUTIVE RESALE BOARD ADVICE ON OPERATIONS OF SYSTEMS.—The Executive Resale Board of the Department of Defense shall advise the Under Secretary on the implementation of sustainable, complementary op-
(c) PRACTICES AND SERVICES.—

(1) IN GENERAL.—The Secretary of Defense shall, acting through the Under Secretary and with advice from the Executive Resale Board, require the Defense Commissary Agency and the Military Exchange Service to identify and implement practices and services described in paragraph (2) across the defense resale system.

(2) PRACTICES AND SERVICES.—Practices and services described in this paragraph shall include the following:

(A) Best commercial business practices.

(B) Shared-services systems that increase efficiencies across the defense resale system, including in transportation of goods, application-based marketing initiatives and other mobile electronic-commerce programs, facilities construction, back-office information technology systems, human resource management, legal services, financial services, and advertising.

(C) Integration of services provided by the exchange stores system within commissary system facilities, as appropriate, including services
such as dry cleaning, health and wellness activities, pharmacies, urgent care centers, food, and other retail services.

(d) INFORMATION TECHNOLOGY MODERNIZATION.—The Secretary shall, acting through the Under Secretary and with advice from the Executive Resale Board, require the Defense Commissary Agency and the Military Exchange Service to do as follows:

(1) Field new technologies and best business practices for information technology for the defense resale system.

(2) Implement cutting-edge marketing opportunities across the defense resale system.

(e) INCLUSION OF ADVERTISING IN OPERATING EXPENSES OF COMMISSARY STORES.—Section 2483(b) of title 10, United States Code, is amended by adding at the end the following paragraph:

“(7) Advertising of commissary sales on materials available within commissary stores and at other on-base locations.”.
SEC. 642. TREATMENT OF FEES ON SERVICES PROVIDED AS
SUPPLEMENTAL FUNDS FOR COMMISSARY
OPERATIONS.
Section 2483(c) of title 10, United States Code, is
amended by inserting “fees on services provided,” after
“handling fees for tobacco products,”.

SEC. 643. PROCUREMENT BY COMMISSARY STORES OF CERTAIN
LOCALLY SOURCED PRODUCTS.
The Secretary of Defense shall ensure that the dairy
products and fruits and vegetables procured for commis-
issy stores under the defense commissary system are,
to the extent practicable, locally sourced in order to ensure
the availability of the freshest possible dairy products and
fruits and vegetables for patrons of the stores.

TITLE VII—HEALTH CARE
PROVISIONS
Subtitle A—TRICARE and Other
Health Care Benefits
SEC. 701. CONTRACEPTION COVERAGE PARITY UNDER THE
TRICARE PROGRAM.
(a) In General.—Section 1074d(b)(3) of title 10,
United States Code, is amended by inserting before the
period at the end the following: “(including all methods
of contraception approved by the Food and Drug Adminis-
tration, contraceptive care (including with respect to inser-
tion, removal, and follow up), sterilization procedures, and
patient education and counseling in connection there-
with)’’.

(b) Prohibition on Cost-sharing for Certain
Services.—

(1) TRICARE SELECT.—Section 1075(c) of
such title is amended by adding at the end the fol-
lowing new paragraph:

“(4) For all beneficiaries under this section,
there is no cost-sharing for any method of contra-
ception provided by a network provider.’’.

(2) TRICARE PRIME.—Section 1075a(b) of
such title is amended by adding at the end the fol-
lowing new paragraph:

“(5) For all beneficiaries under this section, there is
no cost-sharing for any method of contraception provided
under TRICARE Prime.’’.

(3) PHARMACY BENEFITS PROGRAM.—Section
1074g(a)(6) of such title is amended by adding at
the end the following new subparagraph:

“(D) Notwithstanding subparagraphs (A), (B), and
(C), there is no cost-sharing for any prescription contra-
ceptive on the uniform formulary provided by a retail
pharmacy described in subsection (a)(2)(E)(ii) or the na-
tional mail-order pharmacy program.’’.
(c) **Effective Date.**—The amendments made by this section shall take effect on January 1, 2020.

SEC. 702. TRICARE PAYMENT OPTIONS FOR RETIREES AND THEIR DEPENDENTS.

(a) **In General.**—Section 1099 of title 10, United States Code, is amended—

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

(2) by inserting after subsection (c) the following new subsection (d):

“(d) **Payment Options.**—(1) A member or former member of the uniformed services, or a dependent thereof, eligible for medical care and dental care under section 1074(b) or 1076 of this title shall pay a premium for coverage under this chapter.

“(2) To the maximum extent practicable, a premium owed by a member, former member, or dependent under paragraph (1) shall be withheld from the retired, retainer, or equivalent pay of the member, former member, or dependent. In all other cases, a premium shall be paid in a frequency and method determined by the Secretary.”.

(b) **Conforming and Clerical Amendments.**—

(1) **Conforming Amendments.**—Section 1097a of title 10, United States Code, is amended—

(A) by striking subsection (c); and
(B) by redesignating subsections (d), (e), and (f) as subsections (e), (d), and (e), respectively.

(2) Heading amendments.—

(A) Automatic enrollments.—The heading for section 1097a of such title is amended to read as follows:

“§ 1097a. TRICARE Prime: automatic enrollments”.

(B) Enrollment system and payment options.—The heading for section 1099 of such title is amended to read as follows:

“§ 1099. Health care enrollment system and payment options”.

(3) Clerical amendments.—The table of sections at the beginning of chapter 55 of such title is amended—

(A) by striking the item relating to section 1097a and inserting the following new item:

“1097a. TRICARE Prime: automatic enrollments.”; and

(B) by striking the item relating to section 1099 and inserting the following new item:

“1099. Health care enrollment system and payment options.”.

(c) Effective date.—The amendments made by this section shall apply to health care coverage beginning on or after January 1, 2021.
SEC. 703. LEAD LEVEL SCREENING AND TESTING FOR CHILDREN.

(a) COMPREHENSIVE SCREENING, TESTING, AND REPORTING GUIDELINES.—

(1) IN GENERAL.—The Secretary of Defense shall establish clinical practice guidelines for health care providers employed by the Department of Defense on screening, testing and reporting of blood lead levels in children.

(2) USE OF CDC RECOMMENDATIONS.—Guidelines established under paragraph (1) shall reflect recommendations made by the Centers for Disease Control and Prevention with respect to the screening, testing, and reporting of blood lead levels in children.

(3) DISSEMINATION OF GUIDELINES.—Not later than one year after the date of the enactment of this Act, the Secretary shall disseminate the clinical practice guidelines established under paragraph (1) to health care providers of the Department of Defense.

(b) CARE PROVIDED IN ACCORDANCE WITH CDC GUIDANCE.—The Secretary shall ensure that any care provided by the Department of Defense to a child for lead poisoning shall be carried out in accordance with applica-
ble guidance issued by the Centers for Disease Control and Prevention.

(c) Sharing of Results of Testing.—

(1) In general.—With respect to a child who receives from the Department of Defense a test for lead poisoning—

(A) the Secretary shall provide the results of the test to the parent or guardian of the child; and

(B) notwithstanding any requirements for the confidentiality of health information under the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191), the Secretary shall provide the results of the test and the address at which the child resides to—

(i) the relevant health department of the State in which the child resides if the child resides in the United States; or

(ii) if the child resides outside the United States—

(I) the Centers for Disease Control and Prevention; and

(II) the appropriate authority of the country in which the child resides.
(2) STATE DEFINED.—In this subsection, the term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(d) REPORT.—

(1) IN GENERAL.—Not later than January 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report detailing, with respect to the period beginning on the date of the enactment of this Act and ending on the date of the report, the following:

(A) The number of children who were tested by the Department of Defense for the level of lead in the blood of the child, and of such number, the number who were found to have elevated blood lead levels.

(B) The number of children who were screened by the Department of Defense for an elevated risk of lead exposure.

(C) The treatment provided to children pursuant to chapter 55 of title 10, United States Code, for lead poisoning.

(2) ELEVATED BLOOD LEAD LEVEL DEFINED.—In this paragraph, the term “elevated blood
lead level” has the meaning given that term by the
Centers for Disease Control and Prevention.

SEC. 704. PROVISION OF BLOOD TESTING FOR FIRE-
FIGHTERS OF DEPARTMENT OF DEFENSE TO
DETERMINE EXPOSURE TO
PERFLUOROALKYL AND POLYFLUOROALKYL
SUBSTANCES.

(a) IN GENERAL.—Beginning on October 1, 2020,
the Secretary of Defense shall provide blood testing to de-
termine and document potential exposure to perfluoroalkyl
and polyfluoroalkyl substances (commonly known as
“PFAS”) for each firefighter of the Department of De-
fense during the annual physical exam conducted by the
Department for each such firefighter.

(b) FIREFIGHTER DEFINED.—In this section, the
term “firefighter” means someone whose primary job or
military occupational specialty is being a firefighter.

Subtitle B—Health Care
Administration

SEC. 711. MODIFICATION OF ORGANIZATION OF MILITARY
HEALTH SYSTEM.

(a) ADMINISTRATION OF MILITARY MEDICAL TREAT-
MENT FACILITIES.—Subsection (a) of section 1073c of
title 10, United States Code, is amended—

(1) in paragraph (1)—
(A) by redesignating subparagraphs (A),
(B), (C), (D), (E), and (F) as subparagraphs
(C), (D), (E), (G), (H), and (I), respectively;
(B) by inserting before subparagraph (C),
as redesignated by subparagraph (A) of this
paragraph, the following new subparagraphs:
“(A) provision and delivery of health care
within each such facility;
“(B) management of privileging, scope of
practice, and quality of health care provided
within each such facility;”; and
(C) inserting the following new subpara-
graph:
“(F) supply and equipment;”;
(2) in paragraph (2)—
(A) by redesignating subparagraphs (D)
through (G) as subparagraphs (E) through (H),
respectively;
(B) by inserting after subparagraph (C)
the following new subparagraph (D):
“(D) to identify the capacity of each mili-
tary medical treatment facility to support clin-
ical readiness standards of health care providers
established by the Secretary of a military de-
department or the Assistant Secretary of Defense for Health Affairs;” and
(C) by amending subparagraph (F), as redesignated by subparagraph (A) of this paragraph, to read as follows:
“(F) to determine, in coordination with each Secretary of a military department, manning, including joint manning, assigned to military medical treatment facilities and intermediary organizations;” and
(3) in paragraph (3)—
(A) in subparagraph (A)—
(i) by inserting “on behalf of the military departments,” before “ensuring”; and
(ii) by striking “and civilian employees”; and
(B) in subparagraph (B), by inserting “on behalf of the Defense Health Agency,” before “furnishing”.
(b) DHA ASSISTANT DIRECTOR.—Subsection (b)(2) of such section is amended by striking “equivalent education and experience” and all that follows and inserting “the education and experience to perform the responsibilities of the position.”.
(c) DHA Deputy Assistant Directors.—Subsection (e) of such section is amended—

(1) in paragraph (2)(B), by striking “across the military health system” and inserting “at military medical treatment facilities”; and

(2) in paragraph (4)(B), by inserting “at military medical treatment facilities” before the period at the end.

(d) Military Medical Treatment Facility.—

Subsection (f) of such section is amended by adding at the end the following new paragraph:

“(3) The term ‘military medical treatment facility’ means—

“(A) any fixed facility of the Department of Defense that is outside of a deployed environment and used primarily for health care; and

“(B) any other location used for purposes of providing health care services as designated by the Secretary of Defense.”.

(e) Technical Amendments.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking “paragraph (4)” and inserting “paragraph (5)”;
(2) by redesignating paragraph (5) as paragraph (6);

(3) by redesignating the first paragraph (4) as paragraph (5); and

(4) by moving the second paragraph (4) so as to appear before paragraph (5), as redesignated by paragraph (3) of this subsection.

SEC. 712. SUPPORT BY MILITARY HEALTH SYSTEM OF MEDICAL REQUIREMENTS OF COMBATANT COMMANDS.

(a) IN GENERAL.—Section 712 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) in subsection (a), by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—The Secretary of Defense shall, acting through the Secretaries of the military departments, the Defense Health Agency, and the Joint Staff, implement an organizational framework of the military health system that effectively implements chapter 55 of title 10, United States Code, to maximize the readiness of the medical force, promote interoperability, and integrate medical capabilities of the Armed Forces in order to enhance joint military
medical operations in support of requirements of the combatant commands.”;

(2) in subsection (e), by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by moving such paragraphs so as to appear at the end of subsection (d);

(3) by striking subsection (e), as amended by paragraph (2) of this subsection;

(4) by redesignating subsections (b) through (d) as subsections (c) through (e), respectively;

(5) by inserting after subsection (a) the following new subsection (b):

“(b) ADDITIONAL DUTIES OF SURGEONS GENERAL OF THE ARMED FORCES.—The Surgeons General of the Armed Forces shall have the following duties:

“(1) To ensure the readiness for operational deployment of medical and dental personnel and deployable medical or dental teams or units of the Armed Force or Armed Forces concerned.

“(2) To meet medical readiness standards, subject to standards and metrics established by the Assistant Secretary of Defense for Health Affairs.

“(3) With respect to uniformed medical and dental personnel of the military department concerned—
“(A) to assign such personnel to military medical treatment facilities, under the operational control of the commander or director of the facility, or to partnerships with civilian or other medical facilities for training activities specific to such military department; and

“(B) to maintain readiness of such personnel for operational deployment.

“(4) To provide logistical support for operational deployment of medical and dental personnel and deployable medical or dental teams or units of the Armed Force or Armed Forces concerned.

“(5) To oversee mobilization and demobilization in connection with the operational deployment of medical and dental personnel of the Armed Force or Armed Forces concerned.

“(6) To develop operational medical capabilities required to support the warfighter, and to develop policy relating to such capabilities.

“(7) To provide health professionals to serve in leadership positions across the military healthcare system.

“(8) To deliver operational clinical services under the operational control of the combatant commands—
'“(A) on ships and planes; and

“(B) on installations outside of military medical treatment facilities.

“(9) To manage privileging, scope of practice, and quality of health care in the settings described in paragraph (8).”;

(6) in subsection (e), as redesignated by paragraph (4) of this subsection—

(A) in the subsection heading, by inserting “AGENCY” before “REGIONS”; and

(B) in paragraph (1)—

(i) in the paragraph heading, by inserting “AGENCY” before “REGIONS”; and

(ii) by striking “defense health” and inserting “Defense Health Agency”;

(7) in subsection (d), as redesignated by paragraph (4) of this subsection—

(A) in the subsection heading, by inserting “AGENCY” before “REGIONS”;

(B) in the matter preceding paragraph (1), by striking “defense health” and inserting “Defense Health Agency”; and

(C) in paragraph (3), by striking “subsection (b)” and inserting “subsection (e)”;}
(8) in subsection (e), as redesignated by paragraph (4) of this subsection—

    (A) in paragraph (2)—

        (i) by amending subparagraph (A) to read as follows:

            “(A) IN GENERAL.—The Secretaries of the military departments shall coordinate with the Chairman of the Joint Chiefs of Staff and the Defense Health Agency to direct resources allocated to the military departments to support requirements related to readiness and operational medicine support that are established by the combatant commands and validated by the Joint Staff.”; and

        (ii) in subparagraph (B), in the matter preceding clause (i), by striking “Based on” and all that follows through “shall—” and inserting “The Director of the Defense Health Agency, in coordination with the Assistant Secretary of Defense for Health Affairs, shall—”;

    (B) in paragraph (3), as moved and redesignated by paragraph (2) of this subsection, in the second sentence—
(i) by inserting “primarily” before “through”; and

(ii) by inserting “, in coordination with the Secretaries of the military departments,” after “the Defense Health Agency”; and

(C) by adding at the end the following:

“(5) MANPOWER.—

“(A) ADMINISTRATIVE CONTROL OF MILITARY PERSONNEL.—Each Secretary of a military department shall exercise administrative control of members of the Armed Forces assigned to military medical treatment facilities, including personnel assignment and issuance of military orders.

“(B) OVERSIGHT OF CERTAIN PERSONNEL BY THE DIRECTOR OF THE DEFENSE HEALTH AGENCY.—In situations in which members of the Armed Forces provide health care services at a military medical treatment facility, the Director of the Defense Health Agency shall maintain oversight for the provision of care delivered by those individuals through policies, procedures, and privileging responsibilities of the military medical treatment facility.”.
(b) CONFORMING AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading for section 712 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended to read as follows:

“SEC. 712. SUPPORT BY MILITARY HEALTHCARE SYSTEM OF MEDICAL REQUIREMENTS OF COMBATANT COMMANDS.”.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 712 and inserting the following new item:

“Sec. 712. Support by military healthcare system of medical requirements of combatant commands.”.

SEC. 713. TOURS OF DUTY OF COMMANDERS OR DIRECTORS OF MILITARY TREATMENT FACILITIES.

(a) IN GENERAL.—Not later than January 1, 2021, the Secretary of Defense shall establish a minimum length for the tour of duty of an individual as a commander or director of a military treatment facility.

(b) TOURS OF DUTY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the length of the tour of duty as a commander or director of a military treatment facility of any individual assigned to such position after Janu-
January 1, 2021, may not be shorter than the longer of—

(A) the length established pursuant to subsection (a); or

(B) four years.

(2) WAIVER.—

(A) IN GENERAL.—The Secretary of the military department concerned, in coordination with the Director of the Defense Health Agency, may authorize a tour of duty of an individual as a commander or director of a military treatment facility of a shorter length than is otherwise provided for in paragraph (1) if the Secretary determines, in the discretion of the Secretary, that there is good cause for a tour of duty in such position of shorter length.

(B) CASE-BY-CASE BASIS.—Any determination under subparagraph (A) shall be made on a case-by-case basis.

SEC. 714. EXPANSION OF STRATEGY TO IMPROVE ACQUISITION OF MANAGED CARE SUPPORT CONTRACTS UNDER TRICARE PROGRAM.

Section 705(c)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1073a note) is amended, in the matter preceding
subparagraph (A), by striking “, other than overseas med-
ical support contracts”.

SEC. 715. ESTABLISHMENT OF REGIONAL MEDICAL HUBS
TO SUPPORT COMBATANT COMMANDS.

(a) IN GENERAL.—The Secretary of Defense shall es-

tablish not more than four regional medical hubs, con-
sistent with the defense health regions established under
section 712 of the John S. McCain National Defense Au-

thorization Act for Fiscal Year 2019 (Public Law 115–
232), to support operational medical requirements of the

(b) TIMING.—Establishment of regional medical hubs
under subsection (a) shall commence not later than Octo-
ber 1, 2020, and shall be completed not later than October
1, 2022.

(c) LEADERSHIP.—Each regional medical hub estab-
lished under subsection (a) shall be led by a commander
or director who is a member of the Armed Forces serving
in a grade not higher than major general or rear admiral
and who shall be—

(1) selected by the Director of the Defense
Health Agency from among members of the Armed
Forces recommended by the military departments
for service in such position; and
(2) under the authority, direction, and control of the Director while serving in such position.

(d) DESIGNATION OF PRIMARY CENTER.—

(1) IN GENERAL.—Each regional medical hub established under subsection (a) shall include a major military medical center designated by the Secretary to serve as the primary center for the provision of specialized medical services in that region.

(2) CAPABILITIES.—A major military medical center may not be designated under paragraph (1) unless the center—

(A) includes one or more large graduate medical education training platforms; and

(B) provides, at a minimum, role 4 medical care.

(3) LOCATION.—

(A) IN GENERAL.—Any major military medical center designated under paragraph (1) shall be geographically located so as to maximize the support provided by uniformed medical resources to the combatant commands.

(B) COLLOCATION WITH MAJOR AERIAL DEBARKATION POINTS.—In designating major military medical centers under paragraph (1), the Secretary shall give consideration to the col-
location of such centers with major aerial de-

debarkation points of patients in the medical
evacuation system of the United States Trans-
portation Command.

(4) MAJOR HEALTH CARE DELIVERY PLAT-
FORM.—A major military medical center designated
under paragraph (1) shall serve as the major health
care delivery platform for the provision of complex
specialized medical care in the region, whether
through patient referrals from other military medical
treatment facilities or through referrals from either
civilian medical facilities or healthcare facilities of
the Department of Veterans Affairs.

(e) ADDITIONAL MILITARY MEDICAL CENTERS.—
Consistent with section 1073d of title 10, United States
Code, the Secretary, in establishing regional medical hubs
under subsection (a), may establish additional military
medical centers in the following locations:

(1) Locations with large beneficiary popu-
lations.

(2) Locations that serve as the primary readi-
ness platforms of the Armed Forces.

(f) PATIENT REFERRALS AND COORDINATION.—In
implementing the regional medical hubs established under
subsection (a), the Director of the Defense Health Agency
shall ensure effective and efficient medical care referrals
and coordination among military medical treatment facili-
ties and among local or regional high-performing health
systems through local or regional partnerships with insti-
tutional or individual civilian providers.

SEC. 716. MONITORING OF ADVERSE EVENT DATA ON DIE-
TARY SUPPLEMENT USE BY MEMBERS OF
THE ARMED FORCES.

(a) In general.—The Secretary of Defense shall
modify the electronic health record system of the military
health system to include data regarding the use by mem-
ers of the Armed Forces of dietary supplements and ad-
verse events with respect to dietary supplements.

(b) Requirements.—The modifications required by
subsection (a) shall ensure that the electronic health
record system of the military health system—

(1) records adverse event report data regarding
dietary supplement use by members of the Armed
Forces;

(2) generates standard reports on adverse event
data that can be aggregated for analysis;

(3) issues automated alerts to signal a signifi-
cant change in adverse event reporting or to signal
a risk of interaction with a medication or other
treatment; and
(4) provides for reporting of adverse event report data regarding dietary supplement use by members of the Armed Forces to the Food and Drug Administration.

(c) OUTREACH.—The Secretary shall conduct outreach to health care providers in the military health system to educate such providers on the importance of entering adverse event report data regarding dietary supplement use by members of the Armed Forces into the electronic health record system of the military health system and reporting such data to the Food and Drug Administration.

(d) DEFINITIONS.—In this section:

(1) ADVERSE EVENT.—The term “adverse event” has the meaning given that term in section 761(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379aa–1(a)).

(2) DIETARY SUPPLEMENT.—The term “dietary supplement” has the meaning given that term in section 201(ff) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(ff)).
SEC. 717. ENHANCEMENT OF RECORDKEEPING WITH RESPECT TO EXPOSURE BY MEMBERS OF THE ARMED FORCES TO CERTAIN OCCUPATIONAL AND ENVIRONMENTAL HAZARDS WHILE DEPLOYED OVERSEAS.

(a) Inclusion in Medical Tracking System of Occupational and Environmental Health Risks in Deployment Area.—

(1) Elements of Medical Tracking System.—Subsection (b)(1)(A) of section 1074f of title 10, United States Code, is amended—

(A) in clause (ii), by striking “and” at the end;

(B) in clause (iii), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new clause:

“(iv) accurately record any exposure to occupational and environmental health risks during the course of their deployment.”.

(2) Recordkeeping.—Subsection (c) of such section is amended by inserting after “deployment area” the following: “(including the results of any assessment performed by the Secretary of occupational and environmental health risks for such area)”.

S 1790 RS
(b) Postdeployment Medical Examination and Reassessments.—Section 1074f of title 10, United States Code, as amended by subsection (a), is further amended by adding at the end the following new subsection:

“(g) Additional Requirements for Postdeployment Medical Examinations and Health Reassessments.—(1) The Secretary of Defense shall standardize and make available to a provider that conducts a postdeployment medical examination or reassessment under the system described in subsection (a) questions relating to occupational and environmental health exposure.

“(2) The Secretary, to the extent practicable, shall ensure that the medical record of a member includes information on the external cause relating to a diagnosis of the member, including by associating an external cause code (as issued under the International Statistical Classification of Diseases and Related Health Problems, 10th Revision (or any successor revision)).”.

(c) Access to Information in Burn Pit Registry.—

(1) In general.—The Secretary of Defense shall ensure that all medical personnel of the De-
department of Defense have access to the information contained in the burn pit registry.

(2) **Burn Pit Registry Defined.**—In this subsection, the term “burn pit registry” means the registry established under section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

**Subtitle C—Reports and Other Matters**

**SEC. 721. Extension and Clarification of Authority**

FOR JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.

Title XVII of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2567) is amended—

(1) in section 1701(a)—

(A) by striking “Subject to subsection (b), the” and inserting “The”;

(B) by striking subsection (b); and

(C) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively;
(2) in section 1702(a)(1), by striking “hereafter in this title” and inserting “in this section”;

(3) in section 1703, in subsections (a) and (c), by striking “the facility” and inserting “the James A. Lovell Federal Health Care Center”;

(4) in section 1704—

(A) in subsections (a)(3), (a)(4)(A), and (b)(1), by striking “the facility” and inserting “the James A. Lovell Federal Health Care Center”; and

(B) in subsection (e), as most recently amended by section 731 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), by striking “September 30, 2020” and inserting “September 30, 2021”;

(5) in section 1705—

(A) in subsection (a), by striking “the facility” and inserting “the James A. Lovell Federal Health Care Center (in this section referred to as the ‘JALFHCC’)”; and

(B) in subsection (b), in the matter preceding paragraph (1), by striking “the facility” and inserting “the JALFHCC”; and

(C) in subsection (e)—
(i) by striking “the facility” each place it appears and inserting “the JALFHCC”; and
(ii) by adding at the end the following new paragraph:
“(4) To permit the JALFHCC to enter into personal services contracts to carry out health care responsibilities in the JALFHCC to the same extent and subject to the same conditions and limitations as apply under section 1091 of title 10, United States Code, to the Secretary of Defense with respect to health care responsibilities in medical treatment facilities of the Department of Defense.”.

SEC. 722. APPOINTMENT OF NON-EX OFFICIO MEMBERS OF THE HENRY M. JACKSON FOUNDATION FOR THE ADVANCEMENT OF MILITARY MEDICINE.

(a) APPOINTMENT BY NON-EX OFFICIO MEMBERS.—Subparagraph (C) of paragraph (1) of section 178(c) of title 10, United States Code, is amended to read as follows:
“(C) six members, each of whom shall be appointed at the expiration of the term of a member appointed under this subparagraph, as provided for in paragraph (2), by the members currently serving on the Council pursuant to this subparagraph and
paragraph (2), including the member whose expiring
term is so being filled by such appointment.”.

(b) Repeal of Obsolete Authority Establishing Staggered Terms.—Paragraph (2) of such sec-
tion is amended—

(1) by striking “except that—” and all that fol-

(2) by striking “; and” and inserting a period;

(3) by striking subparagraph (B).

(c) Effective Date.—

(1) In General.—The amendments made by
this section shall take effect on the date of the en-
actment of this Act.

(2) Construction for Current Members.—
Nothing in the amendments made by this section
shall be construed to terminate or otherwise alter
the appointment or term of service of members of
the Henry M. Jackson Foundation for the Advance-
ment of Military Medicine who are so serving on the
date of the enactment of this Act pursuant to an ap-
pointment under paragraph (1)(C) or (2) of section
178(c) of title 10, United States Code, made before
that date.
SEC. 723. OFFICERS AUTHORIZED TO COMMAND ARMY DENTAL UNITS.

Section 7081(d) of title 10, United States Code, is amended by striking “Dental Corps Officer” and inserting “Army Medical Department Officer”.

SEC. 724. ESTABLISHMENT OF ACADEMIC HEALTH SYSTEM IN NATIONAL CAPITAL REGION.

(a) In General.—Chapter 104 of title 10, United States Code, is amended by inserting after section 2113a the following new section:

§ 2113b. Academic Health System

“(a) In General.—The Secretary of Defense may establish an Academic Health System to integrate the health care, health professions education, and health research activities of the military health system, including under this chapter, in the National Capital Region.

“(b) Leadership.—(1) The Secretary may appoint employees of the Department of Defense to leadership positions in the Academic Health System established under subsection (a).

“(2) Such positions may include responsibilities for management of the health care, health professions education, and health research activities described in subsection (a) and are in addition to similar leadership positions for members of the armed forces.
“(c) Administration.—The Secretary may use such authorities under this chapter relating to the health care, health professions education, and health research activities of the military health system as the Secretary considers appropriate for the administration of the Academic Health System established under subsection (a).

“(d) National Capital Region Defined.—In this section, the term ‘National Capital Region’ means the area, or portion thereof, as determined by the Secretary, in the vicinity of the District of Columbia.”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 104 of such title is amended by inserting after the item relating to section 2113a the following new item:

“2113b. Academic Health System.”.

SEC. 725. PROVISION OF VETERINARY SERVICES BY VETERINARY PROFESSIONALS OF THE DEPARTMENT OF DEFENSE IN EMERGENCIES.

(a) In General.—Chapter 53 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1060c. Provision of veterinary services in emergencies

“(a) In General.—A veterinary professional described in subsection (b) may provide veterinary services for the purposes described in subsection (c) in any State,
the District of Columbia, or a territory or possession of
the United States, without regard to where such veteri-
nary professional or the patient animal are located, if the
provision of such services is within the scope of the author-
ized duties of such veterinary professional for the Depart-
ment of Defense.

“(b) VETERINARY PROFESSIONAL DESCRIBED.—A
veterinary professional described in this subsection is an
individual who is—

“(1)(A) a member of the armed forces, a civil-
ian employee of the Department of Defense, or oth-
ewise credentialed and privileged at a Federal vet-
inary institution or location designated by the Sec-
retary of Defense for purposes of this section; or

“(B) a member of the National Guard per-
forming training or duty under section 502(f) of title
32;

“(2) certified as a veterinary professional by a
certification recognized by the Secretary of Defense;
and

“(3) currently licensed by a State, the District
of Columbia, or a territory or possession of the
United States to provide veterinary services.
“(c) PURPOSES DESCRIBED.—The purposes described in this subsection are veterinary services in response to any of the following:

“(1) A national emergency declared by the President pursuant to the National Emergencies Act (50 U.S.C. 1601 et seq.).

“(2) A major disaster or an emergency (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)).

“(3) A public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d).

“(4) An extraordinary emergency, as determined by the Secretary of Agriculture under section 10407(b) of the Animal Health Protection Act (7 U.S.C. 8306(b)).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of such title is amended by inserting after the item relating to section 1060b the following new item:

“1060c. Provision of veterinary services in emergencies.”.
SEC. 726. FIVE-YEAR EXTENSION OF AUTHORITY TO CONTINUE THE DOD-VA HEALTH CARE SHARING INCENTIVE FUND.

Section 8111(d)(3) of title 38, United States Code, is amended by striking “September 30, 2020” and inserting, “September 30, 2025”.

SEC. 727. PILOT PROGRAM ON CIVILIAN AND MILITARY PARTNERSHIPS TO ENHANCE INTEROPERABILITY AND MEDICAL SURGE CAPABILITY AND CAPACITY OF NATIONAL DISASTER MEDICAL SYSTEM.

(a) In general.—The Secretary of Defense may carry out a pilot program to establish partnerships with public, private, and nonprofit health care organizations, institutions, and entities in collaboration with the Secretary of Veterans Affairs, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Transportation to enhance the interoperability and medical surge capability and capacity of the National Disaster Medical System under section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11) in the vicinity of major aeromedical transport hubs of the Department of Defense.

(b) Duration.—The Secretary of Defense may carry out the pilot program under subsection (a) for a period of not more than five years.
(c) LOCATIONS.—The Secretary shall carry out the pilot program under subsection (a) at not fewer than five aeromedical transport hub regions in the United States.

(d) REQUIREMENTS.—In establishing partnerships under the pilot program under subsection (a), the Secretary, in collaboration with the Secretary of Veterans Affairs, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Transportation, shall establish requirements under such partnerships for staffing, specialized training, medical logistics, telemedicine, patient regulating, movement, situational status reporting, tracking, and surveillance.

(e) EVALUATION METRICS.—The Secretary of Defense shall establish metrics to evaluate the effectiveness of the pilot program under subsection (a).

(f) REPORTS.—

(1) INITIAL REPORT.—

(A) IN GENERAL.—Not later than 180 days after the commencement of the pilot program under subsection (a), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program.

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:
(i) A description of the pilot program.

(ii) The requirements established under subsection (d).

(iii) The evaluation metrics established under subsection (e).

(iv) Such other matters relating to the pilot program as the Secretary considers appropriate.

(2) Final report.—

(A) In general.—Not later than 180 days after completion of the pilot program under subsection (a), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program.

(B) Elements.—The report required by subparagraph (A) shall include the following:

(i) A description of the pilot program, including the partnerships established under the pilot program as described in subsection (a).

(ii) An assessment of the effectiveness of the pilot program.

(iii) Such recommendations for legislative or administrative action as the Sec-
retary considers appropriate in light of the
pilot program, including recommendations
for extending or making permanent the au-
thority for the pilot program.

SEC. 728. MODIFICATION OF REQUIREMENTS FOR LONGI-
TUDINAL MEDICAL STUDY ON BLAST PRES-
SURE EXPOSURE OF MEMBERS OF THE
ARMED FORCES.

Section 734 of the National Defense Authorization
Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
1444) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking “; and”
and inserting a semicolon;

(B) in paragraph (3), by striking the pe-
riod at the end and inserting “; and”; and

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

“(4) assess the feasibility and advisability of—

“(A) uploading the data gathered from the
study into the Defense Occupational and Envi-
ronmental Health Readiness System – Indus-
trial Hygiene (DOEHRS-IH) or similar system;
and
“(B) allowing personnel of the Department of Defense and the Department of Veterans Affairs to have access to such system.”; and

(2) in subsection (c)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following new paragraph (2):

“(2) ANNUAL STATUS REPORT.—Not later than January 1 of each year during the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020 and ending on the completion of the study under subsection (a), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a status report on the study.”.
TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Contracting and Acquisition Provisions

SEC. 801. PILOT PROGRAM ON INTELLECTUAL PROPERTY EVALUATION FOR ACQUISITION PROGRAMS.

(a) PILOT PROGRAM.—Not later than 180 days after the date of the enactment of this act, the Secretary of Defense and the Secretaries of the military departments may jointly carry out a pilot program to assess mechanisms to evaluate intellectual property, such as technical data deliverables and associated license rights, including commercially available intellectual property valuation analysis and techniques, in acquisition programs for which they are responsible to better understand the benefits associated with these techniques on—

(1) the development of cost-effective intellectual property strategies, and

(2) assessment and management of the value and costs of intellectual property during acquisition and sustainment activities (including source selection evaluation factors) throughout the acquisition
lifecycle for any acquisition program selected by the
Secretary concerned.

(b) ACTIVITIES.—Activities carried out under the
pilot program may include the following:

(1) Establishing a team of Department of De-
fense and private sector subject matter experts to
identify, to the maximum extent practicable at each
milestone for a selected acquisition programs, intel-
lectual property evaluation techniques to obtain
quantitative and qualitative analysis related to the
value of intellectual property during the procure-
ment, production and deployment, and operations
and support phases of the acquisition of the systems
under the program.

(2) Assessment of commercial valuation tech-
niques for intellectual property for use by the De-
partment of Defense.

(3) Assessment of the feasibility of agency-level
oversight to standardize intellectual property evalua-
tion practices and procedures.

(4) Assessment of contracting mechanisms to
speed delivery of intellectual property to the Armed
Forces or reduce sustainment costs.

(5) Assessment of agency acquisition planning
to ensure procurement of intellectual property
deliverables and intellectual property rights necessary for Government-planned sustainment activities.

(6) Engagement with the commercial industry to—

   (A) support the development of strategies and program requirements to aid in acquisition and transition planning for intellectual property;

   (B) support the development and improvement of intellectual property strategies as part of life-cycle sustainment plans; and

   (C) propose and implement alternative and innovative methods of intellectual property valuation, prioritization, and evaluation techniques for intellectual property.

(7) Recommending to the cognizant program manager for an acquisition program evaluation techniques and contracting mechanisms for implementation into the acquisition and sustainment activities of that acquisition program.

(c) ACQUISITION OF COMMERCIAL AND NON-DEVELOPMENTAL ITEMS, PRODUCTS, AND SERVICES.—The pilot program shall provide criteria to ensure the appropriate consideration of commercial items and non-de-
developmental items as alternatives to items to be specifically developed for the acquisition program, including evaluation of the benefits of reduced risk regarding cost, schedule, and performance associated with commercial and non-developmental items, products, and services.

(d) Assessments.—Not later than November 1, 2020, and annually thereafter through 2023, the Secretary of Defense, in coordination with the Secretaries concerned, shall submit to the congressional defense committees a joint report on the pilot program conducted under this section. The report shall, at a minimum, include—

(1) a description of the acquisition programs selected by the Secretary concerned;

(2) a description of the specific activities in paragraph (b) that were performed under each program;

(3) an assessment of the effectiveness of the activities;

(4) an assessment of improvements to acquisition or sustainment activities related to the pilot program; and

(5) an assessment of cost-savings from the activities related to the pilot program, including any
improvement to mission success during the operations and support phase of the program.

SEC. 802. PILOT PROGRAM TO USE ALPHA CONTRACTING TEAMS FOR COMPLEX REQUIREMENTS.

(a) In General.—(1) The Secretary of Defense shall select at least 2, and up to 5, initiatives to participate in a pilot to use teams that, with the advice of expert third parties, focus on the development of complex contract technical requirements for services, with each team focusing on developing achievable technical requirements that are appropriately valued and identifying the most effective acquisition strategy to achieve those requirements.

(2) The Secretary shall develop metrics for tracking progress of the program at improving quality and acquisition cycle time.

(b) Development of Criteria and Initiatives.—

(1) Not later than February 1, 2020, the Secretary of Defense shall establish the pilot program and notify the congressional defense committees of the criteria used to select initiatives and the metrics used to track progress.

(2) Not later than May 1, 2020, the Secretary shall notify the congressional defense committees of the initiatives selected for the program.

(3) Not later than December 1, 2020, the Secretary shall brief the congressional defense committees on the
progress of the selected initiatives, including the progress
of the initiatives at improving quality and acquisition cycle
time according to the metrics developed under subsection
(a)(2).

SEC. 803. MODIFICATION OF WRITTEN APPROVAL RE-
QUIREMENT FOR TASK AND DELIVERY
ORDER SINGLE CONTRACT AWARDS.

Section 2304a(d)(3) of title 10, United States Code,
is amended—

(1) in subparagraph (B), by redesignating
clauses (i) and (ii) as subclauses (I) and (II), respec-
tively;

(2) by redesignating subparagraphs (A), (B),
(C), and (D) as clauses (i), (ii), (iii), and (iv), re-
spectively;

(3) by striking “No task or delivery order con-
tract” and inserting “(A) Except as provided under
subparagraph (B), no task or delivery order con-
tract”; and

(4) by adding at the end the following new sub-
paragraph:
“(B) A task or delivery order contract in an amount
estimated to exceed $100,000,000 (including all options)
may be awarded to a single source without the written
determination otherwise required under subparagraph (A)
if the head of the agency has made a written determina-
tion pursuant to section 2304(e) of this title that other
than competitive procedures may be used for the awarding
of such contract.”.

SEC. 804. EXTENSION OF AUTHORITY TO ACQUIRE PROD-
JECTS AND SERVICES PRODUCED IN COUN-
TRIES ALONG A MAJOR ROUTE OF SUPPLY
TO AFGHANISTAN.

Section 801(f) of the National Defense Authorization
Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.
2399), as most recently amended by section 1214 of the
National Defense Authorization Act for Fiscal Year 2018
(Public Law 115–91; 131 Stat. 1649), is further amended
by striking “December 31, 2019” and inserting “Decem-
ber 31, 2021”.

SEC. 805. MODIFICATION OF DIRECTOR OF OPERATIONAL
TEST AND EVALUATION REPORT.

Section 139(h)(5) of title 10, United States Code, is
amended to read as follows:

“(5) The Director shall solicit comments from the
Secretaries of the military departments on each report of
the Director to Congress under this section and summa-
rine the comments in the report. The Director shall deter-
mine the amount of time available for the Secretaries to
comment on the draft report on a case by case basis, and
consider the extent to which substantive discussions have already been held between the Director and the military department. The Director shall reserve the right to issue the report without comment from a military department if the department’s comments are not received within the time provided, and shall indicate any such omission in the report.”.

SEC. 806. DEPARTMENT OF DEFENSE USE OF FIXED-PRICE CONTRACTS.

(a) Department of Defense Review.—

(1) In general.—The Under Secretary of Defense for Acquisition and Sustainment shall review how the Department of Defense informs decisions to use fixed-price contracts to support broader acquisition objectives, to ensure that such decisions are made strategically and consistently. The review should include decisions on the use of the various types of fixed price contracts, including fixed-price incentive contracts.

(2) Briefing.—Not later than February 1, 2020, the Under Secretary shall brief the congressional defense committees on the findings of the review required under paragraph (1).

(b) Comptroller General Report.—
(1) IN GENERAL.—Not later than February 1, 2021, the Comptroller General of the United States shall submit to the congressional defense committees a report on the Department of Defense’s use of fixed-price contracts, including different types of fixed-price contracts.

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

(A) A description of the extent to which fixed-price contracts have been used over time and the conditions in which they are used.

(B) An assessment of the effects of the decisions to use of fixed-price contract types, such as any additional costs or savings or efficiencies in contract administration.

(C) An assessment of how decisions to use various types of fixed-price contracts affects the contract closeout process.

(c) DELAYED IMPLEMENTATION OF REGULATIONS REQUIRING THE USE OF FIXED-PRICE CONTRACTS FOR FOREIGN MILITARY SALES.—The regulations prescribed pursuant to section 830(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 22 U.S.C. 2762 note) shall not take effect until December 31, 2020. The regulations as so prescribed shall
take into account the findings of the review conducted under subsection (a)(1).

SEC. 807. PILOT PROGRAM TO ACCELERATE CONTRACTING AND PRICING PROCESSES.

Section 890 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) by striking subsection (b);

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

(3) in subsection (b), as redesignated by paragraph (2), by striking “and an assessment of whether the program should be continued or expanded”;

and

(4) in subsection (c), as so redesignated, by striking “January 2, 2021” and inserting “January 2, 2023”.

SEC. 808. PILOT PROGRAM TO STREAMLINE DECISION-MAKING PROCESSES FOR WEAPON SYSTEMS.

(a) CANDIDATE ACQUISITION PROGRAMS.—

(1) IN GENERAL.—Not later than February 1, 2020, each Service Acquisition Executive shall recommend to the Secretary of Defense at least one major defense acquisition program for a pilot program to include tailored measures to streamline the
entire milestone decision process, with the results evaluated and reported for potential wider use.

(2) ELEMENTS.—Each pilot program selected pursuant to paragraph (1) shall include the following elements:

(A) Delineating the appropriate information needed to support milestone decisions, assuring program accountability and oversight, which should be based on the business case principles needed for well-informed milestone decisions, including user-defined requirements, reasonable acquisition and life-cycle cost estimates, and a knowledge-based acquisition plan for maturing technologies, stabilizing the program design, and ensuring key manufacturing processes are in control.

(B) Developing an efficient process for providing this information to the milestone decision authority by—

   (i) minimizing any reviews between the program office and the different functional staff offices within each chain of command level; and

   (ii) establishing frequent, regular interaction between the program office and
milestone decision makers, in lieu of documenta-


tion reviews, to help expedite the 


process.

(b) BRIEFING.—Not later than May 1, 2020, the 

Under Secretary of Defense for Acquisition and 

Sustainment shall provide to the congressional defense 

committees an informal briefing detailing—

(1) the acquisition programs selected pursuant 

to subsection (a);

(2) the associated action plans, including 

timelines, for each program; and

(3) the manner in which each program con-

forms to the requirements set forth in subsection 

(a)(2).

SEC. 809. DOCUMENTATION OF MARKET RESEARCH RE-

LATED TO COMMERCIAL ITEM DETERMINA-

TIONS.

(a) In general.—Section 2377(c) of title 10, 

United States Code, is amended—

(1) by redesignating paragraph (4) as para-

graph (5); and

(2) by inserting after paragraph (3) the fol-

lowing new paragraph:
“(4) The head of an agency shall document the results of market research in a manner appropriate to the size and complexity of the acquisition.”.

(b) Conforming Amendment Related to Prospective Amendment.—Section 836(d)(3)(C)(ii) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended by striking “in paragraph (4)” and inserting “in paragraph (5)”.

SEC. 810. MODIFICATION TO SMALL PURCHASE THRESHOLD EXCEPTION TO SOURCING REQUIREMENTS FOR CERTAIN ARTICLES.

Subsection (h) of section 2533a of title 10, United States Code, is amended to read as follows:

“(h) Exception for Small Purchases.—Subsection (a) does not apply to purchases for amounts not greater than $150,000. A proposed purchase or contract for an amount greater than $150,000 may not be divided into several purchases or contracts for lesser amounts in order to qualify for this exception. On October 1 of each year evenly divisible by 5, the Secretary of Defense may adjust the dollar threshold in this subsection based on changes in the Consumer Price Index. The Secretary shall publish notice of any such adjustment in the Federal Reg-
ister, and the new price threshold shall take effect on the date of publication.”.

Subtitle B—Provisions Relating to Major Defense Acquisition Programs

SEC. 821. NAVAL VESSEL CERTIFICATION REQUIRED BEFORE MILESTONE B APPROVAL.

Section 2366b(a) of title 10, United States Code, is amended—

(1) in paragraph (3)(O), by striking “; and” and inserting a semicolon;

(2) in paragraph (4), by striking the period at the end and inserting “; and”;

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

“(5) in the case of a naval vessel program, certifies compliance with the requirements of section 8669b of this title.”.

Subtitle C—Industrial Base Matters

SEC. 831. MODERNIZATION OF ACQUISITION PROCESSES TO ENSURE INTEGRITY OF INDUSTRIAL BASE.

(a) DIGITIZATION AND MODERNIZATION.—The Secretary of Defense shall streamline and digitize the existing
Department of Defense approach for identifying and mitigating risks to the defense industrial base across the acquisition process, creating a continuous model that uses digital tools, technologies, and approaches designed to ensure the accessibility of data to key decision-makers in the Department.

(b) ANALYTICAL FRAMEWORK.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Defense Security Service (or successor entity) and other organizations as appropriate, shall develop an analytical framework for risk mitigation across the acquisition process.

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

(A) Characterization and monitoring of supply chain risks, including—

(i) material sources and fragility;

(ii) counterfeit parts;

(iii) cybersecurity of contractors;

(iv) vendor vetting in contingency or operational environments; and

(v) other risk areas as determined appropriate.
(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;
(vi) contractor mobilization to include hiring, training, and establishing facilities;

(vii) contract administration, contract management, and oversight;

(viii) contract audit for closeout;

(ix) contractor business system reviews; and

(x) other relevant processes and procedures.

(D) Characterization and monitoring of the health and activities of the defense industrial base, including those relating to—

(i) balance sheets, revenues, profitability, and debt;

(ii) investment, innovation, and technological and manufacturing sophistication;

(iii) finances, access to capital markets, and cost of raising capital within those markets;

(iv) corporate governance, leadership, and culture of performance; and

(v) history of performance on past Department of Defense and government contracts.
(c) ROLES AND RESPONSIBILITIES.—The Secretary of Defense shall designate the roles and responsibilities of organizations and individuals to execute activities under this section, including—

(1) the Under Secretary of Defense for Acquisition and Sustainment, including the Office of Defense Pricing and Contracting and the Office of Industrial Policy;

(2) Service Acquisition Executives;

(3) program offices and procuring contracting officers;

(4) administrative contracting officers within the Defense Contract Management Agency and the Supervisor of Shipbuilding;

(5) the Defense Security Service and the Defense Counterintelligence Security Agency;

(6) the Defense Contract Audit Agency;

(7) departments, agencies, or activities which own or operate systems containing data relevant to Department of Defense contractors;

(8) the Under Secretary for Research and Engineering; and

(9) other relevant organizations and individuals.

(d) ENABLING DATA, TOOLS, AND SYSTEMS.—
(1) Assessment of existing data sources, systems, and tools.—

(A) In general.—The Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Chief Data Officer of the Department of Defense, and the Defense Security Service (or successor entity), shall assess the extent to which existing systems of record relevant to risk assessments and contracting are producing, exposing, and timely maintaining valid and reliable data for the purposes of the Department’s continuous assessment and mitigation of risks in the defense industrial base.

(B) Elements.—The assessment required under subparagraph (A) shall include the following elements:

(i) Identification of the necessary source data, to include data from contractors, intelligence and security activities, program offices, and commercial research entities.

(ii) A description of the modern data infrastructure, tools, and applications and what changes would improve the effective-
ness and efficiency of mitigating the risks described in subsection (b)(2).

(iii) An assessment of the following systems owned or operated outside of the Department of Defense:

(I) The Federal Awardee Performance and Integrity Information System (FAPIIS).

(II) The System for Award Management (SAM).

(III) The Federal Procurement Data System–Next Generation (FPDS-NG).

(iv) An assessment of systems owned or operated by the Department of Defense, including the Defense Security Service (or successor entity) and other defense agencies and field activities used to capture and analyze the performance of vendors and contractors.

(2) MODERNIZATION OF DATA COLLECTION, EXPOSURE, AND ANALYSIS METHODS.—Based on the findings pursuant to paragraph (1), the Secretary of Defense shall develop a unified set of activities to modernize the systems of record, data sources and
collection methods, and data exposure mechanisms.

The unified set of activities should feature—

(A) the ability to continuously collect data on, assess, and mitigate risks;

(B) data analytics and business intelligence tools and methods; and

(C) continuous development and continuous delivery of secure software to implement the activities.

(e) Reports.—

(1) Initial report.—Not later than November 15, 2019, the Secretary of Defense shall submit to the congressional defense committees a report on actions taken pursuant to this section, including recommendations for any further authorities or legislation.

(2) Second report.—Not later than April 15, 2020, the Secretary of Defense shall submit to the congressional defense committees a report on actions taken pursuant to this section, including recommendations for any further legislation.

(f) Comptroller General Reviews.—

(1) Briefing.—Not later than February 15, 2020, the Comptroller General of the United States shall brief the congressional defense committees on
Department of Defense efforts over the previous 5 years to continuously assess and mitigate risks to the defense industrial base across the acquisition process, and a summary of current and planned efforts.

(2) Annual Assessments.—Not later than June 15, 2020, and annually thereafter, the Comptroller General of the United States shall submit to the congressional defense committees an assessment of Department of Defense progress in implementing the framework required under subsection (b).

SEC. 832. ASSESSMENT OF PRECISION-GUIDED MISSILES FOR RELIANCE ON FOREIGN-MADE MICRO-ELECTRONIC COMPONENTS.

(a) In General.—Not later than August 31, 2020, the Secretary of the Air Force shall brief the congressional defense committees on the findings of an assessment of the Air Force’s precision-guided missiles for reliance on foreign-made microelectronic components.

(b) Elements.—The assessment required under subsection (a) shall—

(1) consider certain risks such as—

(A) where microelectronic components for all of the Air Force’s precision-guided missiles currently in production were made;
(B) the contract tier level of the microelectronic components supplier; and
(C) which of the microelectronic components are cyber security concerns; and
(2) identify mitigation strategies.

SEC. 833. MITIGATING RISKS RELATED TO FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE OF DEPARTMENT OF DEFENSE CONTRACTORS OR SUBCONTRACTORS.

(a) DEFINITIONS.—In this section:

(1) BENEFICIAL OWNER; BENEFICIAL OWNERSHIP.—The terms “beneficial owner” and “beneficial ownership” shall be determined in the manner set forth in section 240.13d–3 of title 17, Code of Federal Regulations.

(2) COMPANY.—The term “company” means any corporation, company, limited liability company, limited partnership, business trust, business association, or other similar entity.

(3) COVERED CONTRACTOR OR SUBCONTRACTOR.—The term “covered contractor or subcontractor” means a company that is an existing or prospective contractor or subcontractor of the Department of Defense on a contract or subcontract with
a value in excess of $5,000,000, except as provided in subsection (e).

(4) **FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE; FOCI.**—The terms “foreign ownership, control, or influence” and “FOCI” have the meanings given those terms under the policy, factors, and procedures of the National Industrial Security Program Operating Manual, DOD 5220.22-M, or a successor document.

(b) **IMPROVED ASSESSMENT AND MITIGATION OF RISKS RELATED TO FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE.**—

(1) **IN GENERAL.**—In developing and implementing the analytical framework for mitigating risk relating to ownership structures, as required by section 831(b)(2)(B)(ii), the Secretary of Defense shall improve the process and procedures for the assessment and mitigation of risks related to foreign ownership, control, or influence (FOCI) of contractors and subcontractors doing business with the Department of Defense.

(2) **ELEMENTS.**—The process and procedures for the assessment and mitigation of risk relating to ownership structures referred to in paragraph (1) shall include the following elements:
(A) **ASSESSMENT OF FOCI.**—(i) A requirement for covered contractors and subcontractors to disclose to the Defense Security Service, or its successor organization, their beneficial ownership and whether they are under FOCI.

(ii) A requirement to update such disclosures when significant changes occur to information previously provided, consistent with or similar to the procedures for updating FOCI information under the National Industrial Security Program.

(iii) A requirement for covered contractors and subcontractors determined to be under FOCI to disclose contact information for each of its foreign owners that is a beneficial owner.

(iv) A requirement that, at a minimum, the disclosures required by this paragraph be provided at the time the contract or subcontract is awarded, amended, or renewed, but in no case later than one year after the Secretary prescribes regulations to carry out this subsection.

(B) **RESPONSIBILITY DETERMINATION.**—Consistent with section 831(b)(2)(C)(ii), consid-
eration of FOCI risks as part of responsibility determinations, including—

(i) whether to establish a special standard of responsibility relating to FOCI risks for covered contractors or subcontractors, and the extent to which the policies and procedures consistent with or similar to those relating to FOCI under the National Industrial Security Program shall be applied to covered contractors or subcontractors;

(ii) procedures for contracting officers making responsibility determinations regarding whether covered contractors and subcontractors may be under foreign ownership, control, or influence and for determining whether there is reason to believe that such foreign ownership, control, or influence would pose a risk to national security or potential risk of compromise because of sensitive data, systems, or processes, such as personally identifiable information, cybersecurity, or national security systems involved with the contract or subcontract; and
(iii) modification of policies, directives, and practices to provide that an assessment that a covered contractor or subcontractor is under FOCI may be a sufficient basis for a contracting officer to determine that a contractor or subcontractor is not responsible.

(C) CONTRACT REQUIREMENTS, ADMINISTRATION, AND OVERSIGHT RELATING TO FOCI.—

(i) Requirements for contract clauses providing for and enforcing disclosures related to changes in FOCI during performance of the contract, consistent with subparagraph (A), and necessitating the effective mitigation of risks related to FOCI throughout the duration of the contract or subcontract.

(ii) Pursuant to section 831(c), designation of the appropriate Department of Defense official responsible to approve and to take actions relating to award, modification, termination of a contract, or direction to modify or terminate a subcontract due to an assessment by the Defense Security
Service, or its successor organization, that
a covered contractor or subcontractor
under FOCI poses a risk to national secu-

(iii) A requirement for the provision
of additional information regarding bene-

(iv) Other measures as necessary to
be consistent with other relevant practices,
policies, regulations, and actions, including
those under the National Industrial Secu-

(c) Applicability to Contracts and Sub-
contracts for Commercial Products and Services
and Other Forms of Acquisition Agreements.—

(1) Commercial products and services.—
The disclosure requirements under subsection (b)
shall not apply to a contract or subcontract for com-
mercial products or services, unless a designated
senior official specifically requires the disclosures de-
scribed in such subparagraphs with respect to the
contract or subcontract based on a determination by
the designated senior official that the contract or

subcontract involves a risk to national security or potential risk of compromise because of sensitive data, systems, or processes, such as personally identifiable information, cybersecurity, or national security systems.

(2) Research and development and procurement activities.—The Secretary of Defense shall ensure that the requirements of this section are applied to research and development and procurement activities, including for the delivery of services, established through any means including those under section 2358(b) of title 10, United States Code.

(d) Availability of resources.—The Secretary shall ensure that sufficient resources, including subject matter expertise, are allocated to execute the functions necessary to carry out this section, including the assessment, mitigation, contract administration, and oversight functions.

(e) Reporting requirements and limited availability of beneficial ownership data.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a process to update systems of record to improve the assessment and
mitigation of risks associated with FOCI through the inclusion and updating of all appropriate associated uniquely identifying information about the contracts and contractors and subcontracts and subcontractors in the Federal Awardee Performance and Integrity Information System (FAPIIS), administered by the General Services Administration, and the Commercial and Government Entity (CAGE) database, administered by the Defense Logistics Agency.

(2) Limited availability of information.—The Secretary of Defense shall ensure that the information required to be disclosed pursuant to this subsection is—

(A) not made public;

(B) made available via the FAPIIS and CAGE databases; and

(C) made available to appropriate government departments or agencies.

SEC. 834. EXTENSION AND REVISIONS TO NEVER CONTRACT WITH THE ENEMY.


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(b) EXPANSION OF PROGRAM.—Section 841(a) of such Act is amended—

(1) in the heading, by striking “IDENTIFICATION OF PERSONS AND ENTITIES” and inserting “PROGRAM”;

(2) in the matter preceding paragraph (1), by striking “establish in” and all that follows and inserting “establish a program to mitigate threats posed by vendors supporting operations outside the United States. The program shall use available intelligence to identify persons and entities that—”;

(3) in paragraph (1), by striking “; or” and inserting a semicolon;

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

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

“(3) directly or indirectly support a covered person or entity or otherwise pose a force protection risk to personnel of the United States or coalition forces; or

“(4) pose an unacceptable national security risk.”.

(c) INCLUSION OF ALL CONTRACTS.—Sections 841 and 842 of such Act are further amended by striking “cov-
(d) INCLUSION OF ALL COMBATANT COMMANDS.—
Sections 841 and 842 of such Act are further amended
by striking “covered combatant command” each place it
appears and inserting “combatant command”.

(e) COVERED PERSON OR ENTITY.—Section 843(6)
of such Act is amended to read as follows:

“(6) COVERED PERSON OR ENTITY.—The term
‘covered person or entity’ means a person that is—

“(A) engaging in acts of violence against
personnel of the United States or coalition
forces;

“(B) providing financing, logistics, training, or intelligence to a person described in sub-
paragraph (A);

“(C) engaging in foreign intelligence activi-
ties against the United States or against coal-
tion forces;

“(D) engaging in transnational organized
crime or criminal activities; or

“(E) engaging in other activities that
present a direct or indirect risk to the national
security of the United States or coalition
forces.”.
(f) Delegation Authority of Combatant Commander.—

(1) Use of Designees.—Sections 841 and 842 of such Act are further amended by striking “specified deputies” each place it appears and inserting “designee”.

(2) Removal of Limitations on Delegation.—Section 841 of such Act is further amended by striking subsection (g).

(g) Authorities to Terminate, Void, and Restrict.—Section 841(c) of such Act is further amended—

(1) in paragraph (1)—

(A) by inserting “to a person or entity” after “concerned”; and

(B) by striking “the contract” and all that follows through the period at the end and inserting “the person or entity has been identified under the program established under subsection (a).”;

(2) in paragraph (2), by striking “has failed” and all that follows and inserting “has been identified under the program established under subsection (a).”;

(3) in paragraph (3), by striking “the contract” and all that follows through the period at the end
and inserting “the contractor, or the recipient of the grant or cooperative agreement, has been identified under the program established under subsection (a).”.

(h) CONTRACT CLAUSE.—Section 841(d)(2)(B) of such Act is amended by inserting “and restrict future award to any contractor, or recipient of a grant or cooperative agreement, that has been identified under the program established under subsection (a)” after “subsection (c)”.

(i) PARTICIPATION OF SECRETARY OF STATE.—Section 841 of such Act is further amended—

(1) in subsection (a) in the matter preceding paragraph (1), by striking “in consultation with”; and

(2) in subsection (f)(1), by striking “in consultation with”.

(j) SHARING OF INFORMATION ON SUPPORTERS OF THE ENEMY.—Section 841(h)(1) of such Act is further amended by striking “may be providing” and all that follows through “or entity” and inserting “have been identified under the program established under subsection (a)”.

(k) INAPPLICABILITY TO CERTAIN CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS.—Section 841(j) of such Act is amended by striking “contracts,
grants, and cooperative agreements” and all that follows through the period at the end and inserting “a contract, grant, or cooperative agreement that is performed entirely inside the United States unless the recipient of such contract, grant, or cooperative agreement is a foreign entity.”.

(l) Construction With Other Authorities.—Section 841 of such Act is further amended—

(1) in subsection (l), by striking “Except as provided in subsection (m), the” and inserting “The”; and

(2) by striking subsection (m).

(m) Additional Access to Records.—Section 842 of such Act is further amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “, except as provided under subsection (c)(1),”;

(B) in paragraph (2), by striking “ensure that funds” and all that follows through the period at the end and inserting “support the program established under section 841(a).”;

(C) in paragraph (3), by striking “that funds” and all that follows through the period at the end and inserting “that the examination of such records will support the program established under section 841(a).”; and
(D) by striking paragraph (4); and

(2) by striking subsection (e).

(n) REPORTS.—Subtitle E of title VIII of such Act (10 U.S.C. 2302 note) is further amended—

(1) in section 841(i)(1), in the matter preceding subparagraph (A), by striking “2016, 2017, and 2018” and inserting “2016 through 2023”; and

(2) in section 842(b)(1), by striking “2016, 2017, and 2018” and inserting “2016 through 2023”.

(o) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 841 of such Act is amended by striking “PROVIDING FUNDS TO” and inserting “SUPPORTING”.

(2) REDISEIGNATIONS.—Section 841 of such Act is further amended by redesignating subsections (h) through (l) and (n) (as amended by subsections (a) through (n) of this section) as subsections (g) through (l), respectively.

(3) DEFINITIONS.—Section 843 of such Act is amended by striking paragraphs (2) through (5) and redesignating paragraphs (6) through (9) as paragraphs (2) through (5), respectively.
Subtitle D—Small Business Matters

SEC. 841. REAUTHORIZATION AND IMPROVEMENT OF DEPARTMENT OF DEFENSE MENTOR-PROTÉGÉ PROGRAM.


(b) OFFICE OF SMALL BUSINESS PROGRAMS OVERSIGHT.—Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note) is amended—

(1) by redesignating subsection (n) as subsection (o); and

(2) by inserting after subsection (m) the following new subsection:

“(n) ESTABLISHMENT OF PERFORMANCE GOALS AND PERIODIC REVIEWS.—The Office of Small Business Programs of the Department of Defense shall—

“(1) establish performance goals consistent with the stated purpose of the Mentor-Protégé Program and outcome-based metrics to measure progress in meeting those goals; and

“(2) submit to the congressional defense committees, not later than February 1, 2020, a report
on progress made toward implementing these performance goals and metrics, based on periodic reviews of the procedures used to approve mentor-protégé agreements.”.

(c) MODIFICATION OF DISADVANTAGED SMALL BUSINESS CONCERN DEFINITION.—Subsection (o)(2) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as redesignated by subsection (b)(1) of this section, is amended by striking “has less than half the size standard corresponding to its primary North American Industry Classification System code” and inserting “is not more than the size standard corresponding to its primary North American Industry Classification System code”.

(d) REMOVAL OF PILOT PROGRAM REFERENCES.—Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note) is amended—

(1) in the subsection heading for subsection (a), by striking “PILOT”; and
(2) by striking “pilot” each place it appears.

(e) INDEPENDENT REPORT ON PROGRAM EFFECTIVENESS.—

(1) IN GENERAL.—The Secretary of Defense 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-
sive procurement for an amount not exceeding $100,000,000; and

(2) for purposes of subsections (a)(2) and (c)(3)(A) of such section, the appropriate official designated to approve the justification for a sole-source contract awarded by the Department of Defense in a covered procurement exceeding $100,000,000 is the official designated in section 2304(f)(1)(B)(ii) of title 10, United States Code.

(b) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to implement the authority under subsection (a).

(c) COMPTROLLER GENERAL REVIEW.—

(1) DATA TRACKING AND COLLECTION.—The Department of Defense shall track the use of the authority provided pursuant to subsection (a) and make the data available to the Comptroller General for purposes of the report required under paragraph (2).

(2) REPORT.—Not later than February 1, 2022, the Comptroller General of the United States shall submit a report to the congressional defense committees on the use of the authority provided pur-
suant to subsection (a) through the end of fiscal year 2021.

Subtitle E—Provisions Related to Software-Driven Capabilities

SEC. 851. IMPROVED MANAGEMENT OF INFORMATION TECHNOLOGY AND CYBERSPACE INVESTMENTS.

(a) Improved Management.—

(1) In General.—The Chief Information Officer of the Department of Defense shall work with the Chief Data Officer of the Department of Defense to optimize the Department’s process for accounting for, managing, and reporting its information technology and cyberspace investments. The optimization should include alternative methods of presenting budget justification materials to the public and congressional staff to more accurately communicate when, how, and with what frequency capability is delivered to end users, in accordance with best practices for managing and reporting on information technology investments.

(2) Briefing.—Not later than February 3, 2020, the Chief Information Officer of the Department of Defense shall brief the congressional defense committees on the process optimization undertaken
pursuant to paragraph (1), including any recommenda-
tions for legislation.

(b) Delivery of Information Technology Budget.—The Secretary of Defense shall submit to the congressional defense committees the Department of Defense budget request for information technology not later than 15 days after the submittal to Congress of the budget of the President for a fiscal year pursuant to section 1105 of title 31, United States Code.

SEC. 852. SPECIAL PATHWAYS FOR RAPID ACQUISITION OF SOFTWARE APPLICATIONS AND UPGRADES.

(a) Guidance Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish guidance authorizing the use of special pathways for the rapid acquisition of software applications and upgrades that are intended to be fielded within one year.

(b) Software Acquisition Pathways.—

(1) Use of Proven Technologies and Solutions.—The guidance required by subsection (a) shall provide for the use of proven technologies and solutions to continuously engineer and deliver capabilities in software.

(2) Objectives.—The objectives of using the acquisition authority under this section shall be to
begin the engineering of new capabilities quickly, to
demonstrate viability and effectiveness of those capa-
bilities in operation, and to continue updating and
delivering new capabilities iteratively afterwards.

(3) TREATMENT NOT AS ACQUISITION PRO-
GRAM.—An acquisition using the authority under
this section shall not be treated as an acquisition
program for the purpose of section 2430 of title 10,
United States Code, or Department of Defense Di-
rective 5000.01 without the specific direction of the
Under Secretary of Defense for Acquisition and
Sustainment or a Senior Acquisition Executive.

(4) PATHWAYS.—The guidance shall provide for
the following two rapid acquisition pathways:

(A) APPLICATIONS.—The applications soft-
ware acquisition pathway shall provide for the
use of rapid development and implementation of
applications and other software and software
improvements running on commercial com-
modity hardware (including modified hardware)
operated by the Department of Defense.

(B) EMBEDDED SYSTEMS.—The embedded
systems software acquisition pathway shall pro-
vide for the rapid development and insertion of
upgrades and improvements for software em-
bedded in weapon systems and other military-
unique hardware systems.

(c) Expedited Process.—

(1) In General.—The guidance required by
subsection (a) shall provide for a streamlined and
coordinated requirements, budget, and acquisition
process that results in the rapid fielding of software
applications and software upgrades to embedded sys-
tems in a period of not more than one year from the
time that the process is initiated. It shall also re-
quire the collection of data on the version fielded
and continuous engagement with the users of that
software, so as to enable engineering and delivery of
additional versions in periods of not more than one
year each.

(2) Expedited Software Requirements
Process.—

(A) Inapplicability of Existing Guid-
ance.—Software acquisitions conducted under
the authority of this provision shall not be sub-
ject to the Joint Capabilities Integration and
Development System (JCIDS) Manual and De-
partment of Defense Directive 5000.01, except
to the extent specifically provided in the guid-
ance required under subsection (a) or by the
Under Secretary of Defense for Acquisition and Sustainment or a Senior Acquisition Executive.

(B) REQUIREMENTS.—The guidance required by subsection (a) shall provide the following with respect to requirements:

(i) Requirements for covered acquisitions are developed on an iterative basis through engagement with the user community, and the use of user feedback in order to regularly define and set priorities for software requirements and evaluate the software capabilities acquired.

(ii) The requirements process begins with the identification of the warfighter or user need, including the rationale for how these software capabilities will support increased lethality and efficiency, and the identification of a relevant user community.

(iii) Initial contract requirements are stated in the form of a summary-level list of problems and shortcomings in existing software systems and desired features or capabilities of new or upgraded software systems.
(iv) Contract requirements are continuously refined and set in priority order in an evolutionary process through discussions with users that may continue throughout the development and implementation period.

(v) Issues related to lifecycle costs and systems interoperability are continuously considered.

(vi) Issues of logistics support in cases where the software developer may stop supporting the software system are addressed.

(vii) Rapid contracting procedures, to include timeframes for award, contract types, teaming, and options.

(viii) Execution processes, including supporting development and test infrastructure, automation and tools, data collection and sharing, the role of developmental and operational testing activities, and key decisionmaking and oversight events, and supporting processes and activities such as independent costing activi-
ity, operational demonstration, and performance metrics.

(ix) Administrative procedures, including procedures related to the roles and responsibilities of the implementing project or product teams and supporting activities, team selection and staffing process, oversight roles and responsibilities, and appropriate independent technology assessments, testing, and cost estimation, including relevant thresholds or designation criteria.

(x) Mechanisms and waivers designed to ensure flexibility in the implementation of the authority, including the use of other transaction authority, broad agency announcements, and other procedures.

**Subtitle F—Other Matters**

**SEC. 861. NOTIFICATION OF NAVY PROCUREMENT PRODUCTION DISRUPTIONS.**

(a) In General.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:
§ 2339b. Notification of Navy procurement production disruptions

“(a) Requirement for Contractor to Provide Notice of Delays.—The Secretary of the Navy shall require prime contractors of any Navy procurement program to report within 15 calendar days any stop work order or other manufacturing disruption of 15 calendar days or more, by the prime contractor or any sub-contractor, to the respective program manager and Navy technical authority.

“(b) Quarterly Reports.—The Secretary of the Navy shall submit to the congressional defense committees not later than 15 calendar days after the end of each quarter of a fiscal year a report listing all notifications made pursuant to subsection (a) during the preceding quarter.”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 137 of title 10, United States Code, is amended by inserting after the item relating to section 2339a the following new item:

“2339b. Notification of Navy procurement production disruptions.”.

SEC. 862. MODIFICATION TO ACQUISITION AUTHORITY OF THE COMMANDER OF THE UNITED STATES CYBER COMMAND.

Section 807 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2224 note) is amended by inserting “on new contract ef-
forts” after “may not obligate or expend more than $75,000,000”.

SEC. 863. PROHIBITION ON OPERATION OR PROCUREMENT OF FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS.

(a) Prohibition on Agency Operation or Procurement.—The Secretary of Defense may not operate or enter into or renew a contract for the procurement of—

(1) a covered unmanned aircraft system that—

(A) is manufactured in a covered foreign country or by an entity domiciled in a covered foreign country;

(B) uses flight controllers, radios, data transmission devices, cameras, or gimbals manufactured in a covered foreign country or by an entity domiciled in a covered foreign country;

(C) uses a ground control system or operating software developed in a covered foreign country or by an entity domiciled in a covered foreign country; or

(D) uses network connectivity or data storage located in or administered by an entity domiciled in a covered foreign country; or

(2) a system manufactured in a covered foreign country or by an entity domiciled in a covered for-
eign country for the detection or identification of
covered unmanned aircraft systems.

(b) EXEMPTION.—The Secretary of Defense is ex-
empt from the restriction under subsection (a) if the oper-
ation or procurement is for the purposes of—

(1) Counter-UAS surrogate testing and train-
ing; or

(2) intelligence, electronic warfare, and infor-
mation warfare operations, testing, analysis, and
training.

(c) WAIVER.—The Secretary of Defense may waive
the restriction under subsection (a) on a case by case basis
by certifying in writing to the congressional defense com-
mittees that the operation or procurement is required in
the national interest of the United States.

(d) DEFINITIONS.—In this section:

(1) COVERED FOREIGN COUNTRY.—The term
“covered foreign country” means the People’s Re-
public of China.

(2) COVERED UNMANNED AIRCRAFT SYSTEM.—
The term “covered unmanned aircraft system”
means an unmanned aircraft system and any related
services and equipment.
SEC. 864. PROHIBITION ON CONTRACTING WITH PERSONS THAT HAVE BUSINESS OPERATIONS WITH THE MADURO REGIME.

(a) Prohibition.—Except as provided under subsections (c), (d), and (e), the Department of Defense may not enter into a contract for the procurement of goods or services with any person that has business operations with an authority of the Government of Venezuela that is not recognized as the legitimate Government of Venezuela by the United States Government.

(b) Definitions.—In this section:

(1) Business operations.—The term “business operations” means engaging in commerce in any form, including acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

(2) Government of Venezuela.—(A) The term “Government of Venezuela” includes the government of any political subdivision of Venezuela, and any agency or instrumentality of the Government of Venezuela.

(B) For purposes of subparagraph (A), the term “agency or instrumentality of the Government of Venezuela” means an agency or instrumentality
of a foreign state as defined in section 1603(b) of title 28, United States Code, with each reference in such section to “a foreign state” deemed to be a reference to “Venezuela”.

(3) PERSON.—The term “person” means—

(A) a natural person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))); and

(C) any successor, subunit, parent entity, or subsidiary of, or any entity under common ownership or control with, any entity described in subparagraph (A) or (B).

(c) EXCEPTIONS.—

(1) IN GENERAL.—The prohibition under subsection (a) does not apply to a contract that the Secretary of Defense determines—

(A) is necessary—
(i) for purposes of providing humanitarian assistance to the people of Venezuela;

(ii) for purposes of providing disaster relief and other urgent life-saving measures;

(iii) to carry out noncombatant evacuations; or

(iv) to carry out stabilization activities; or

(B) is vital to the national security interests of the United States.

(2) Notification Requirement.—The Secretary of Defense shall notify the congressional defense committees of any contract entered into on the basis of an exception provided for under paragraph (1).

(d) Office of Foreign Assets Control Licenses.—The prohibition in subsection (a) shall not apply to a person that has a valid license to operate in Venezuela issued by the Office of Foreign Assets Control.

(e) American Diplomatic Mission in Venezuela.—The prohibition in subsection (a) shall not apply to contracts related to the operation and mainte-
nance of the United States Government's consular offices and diplomatic posts in Venezuela.

(f) APPLICABILITY.—This section shall apply with respect to any contract entered into on or after the date of the enactment of this section.

SEC. 865. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON DEPARTMENT OF DEFENSE EFFORTS TO COMBAT HUMAN TRAFFICKING THROUGH PROCUREMENT PRACTICES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on Department of Defense efforts to combat human trafficking.

(b) ELEMENTS.—The report required under subsection (a) shall evaluate—

(1) the efforts of the Department of Defense to combat human trafficking in its contracting and supply chain policy, regulation, and practices, to include implementation of title XVII of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2092) and Executive Order 13627 (77 Fed. Reg. 60029), as well as the nature and extent of training for Department of
Defense contract officers on how to evaluate compliance plans, monitor contractor adherence to the plans, and respond to reports of noncompliance;

(2) the role of the current trafficking in person’s office within the Department of Defense in helping the Department address all forms of human trafficking, and what, if any, improvements should be made to the office;

(3) the process used by contract officers to evaluate compliance plans with regards to preventing human trafficking; and

(4) how many instances of human trafficking have been reported to the Inspector General of the Department of Defense and the outcome of those cases.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on the Judiciary of the Senate; and

(2) the Committee on Armed Services and the Committee on the Judiciary of the House of Representatives.
TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Office of the Secretary of Defense and Related Matters

SEC. 901. HEADQUARTERS ACTIVITIES OF THE DEPARTMENT OF DEFENSE MATTERS.

(a) Assessment and Reform of Enterprise Business Operations.—Subsection (b) of section 921 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2222 note) is amended to read as follows:

“(b) Assessment and Reform of Enterprise Business Operations.—

“(1) Periodic Assessments and Actions.—

Not later than January 1, 2020, and not less frequently than once every five years thereafter, the Secretary of Defense shall, acting through the Chief Management Officer of the Department of Defense—

“(A) assess enterprise business operations of the Department of Defense across all organizations and elements of the Department; and

“(B) take or direct the taking of such actions as will minimize the duplication of efforts
and maximize efficiency and effectiveness in mission execution.

“(2) CMO REPORTS.—Not later than January 1 of every fifth calendar year beginning with January 1, 2025, the Chief Management Officer shall submit to the congressional defense committees a report that describes the assessments carried out and the actions taken by the Chief Management Officer, and by other officers or employees of the Department at the direction of the Chief Management Office, under this subsection during the preceding five years, including the following:

“(A) A description of the metrics for performance relating to minimization of duplication of efforts and maximization of efficiency and effectiveness in mission execution established for applicable organizations and elements of the Department.

“(B) A certification of any costs avoided or cost savings achieved as a result of such assessments and actions.”.

(b) Report on Military and Civilian Personnel for the NGB and National Guard Joint Staff.—Not later than January 1, 2020, the Secretary
of Defense shall submit to the congressional defense committees a report setting forth the following:

(1) The total number of members of the Armed Forces and civilian employees of the Department of Defense assigned to the Office of the Chief of the National Guard Bureau and the National Guard Joint Staff.

(2) A recommendation for the total number of members and employees required for the Office of the Chief of the National Guard Bureau and the National Guard Joint Staff to execute the missions and functions of the National Guard Bureau and the National Guard Joint Staff.

(e) REPEAL OF SUPERSEDED LIMITATIONS.—The following provisions are repealed:


(d) MODIFICATION OF LIMITATIONS ON NUMBER OF PERSONNEL IN OSD AND OTHER DoD HEADQUARTERS.—
(1) OSD.—Section 143 of title 10, United States Code, is amended—

(A) in subsection (a), by striking “3,767” and inserting “4,000”; and

(B) in subsection (b), by striking “, civilian, and detailed personnel” and inserting “and civilian personnel”.

(2) JOINT STAFF.—

(A) In general.—Section 155(h) of such title is amended—

(i) in paragraph (1), by striking “2,069” and inserting “2,250”; and

(ii) in paragraph (2), by striking “1,500” and inserting “1,600”.

(B) Effective date.—The amendments made by subparagraph (A) shall take effect on December 31, 2019, immediately after the coming into effect of the amendment made by section 903(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2344), to which such amendments relate.

(3) Office of Secretary of the Army.—

Section 7014(f) of title 10, United States Code, is amended—
(A) in paragraph (1), by striking “3,105” and inserting “3,250”; and

(B) in paragraph (2), by striking “1,865” and inserting “1,900”.

(4) Office of Secretary of the Navy.—Section 8014(f) of such title is amended—

(A) in paragraph (1), by striking “2,866” and inserting “3,000”; and

(B) in paragraph (2), by striking “1,720” and inserting “1,800”.

(5) Office of Secretary of the Air Force.—Section 9014(f) of such title is amended—

(A) in paragraph (1), by striking “2,639” and inserting “2,750”; and

(B) in paragraph (2), by striking “1,585” and inserting “1,650”.

(e) Sunset of Reduction in Funding for DoD Headquarters, Administrative, and Support Activities.—Section 346 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 111 note) is amended by adding at the end the following new subsection:

“(e) Sunset.—No action is required under this section with respect to any fiscal year after fiscal year 2019.”.
SEC. 902. RESPONSIBILITY OF UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT FOR PROCUREMENT TECHNICAL ASSISTANCE COOPERATIVE AGREEMENT PROGRAM.

(a) In general.—Section 2411(3) of title 10, United States Code, is amended by striking “Secretary of Defense acting through the Director of the Defense Logistics Agency” and inserting “Secretary of Defense acting through the Under Secretary of Defense for Acquisition and Sustainment”.

(b) Authority to pay administrative and other costs.—Section 2417 of title 10, United States Code, is amended by striking “Director of the Defense Logistics Agency” and inserting “Under Secretary of Defense for Acquisition and Sustainment”.

SEC. 903. RETURN TO CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE OF RESPONSIBILITY FOR BUSINESS SYSTEMS AND RELATED MATTERS.

(a) Return of responsibility.—

(1) In general.—Section 142(b)(1) of title 10, United States Code, is amended by striking “systems and” each place it appears in subparagraphs (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), the Chief Data Officer shall have access to all
Department of Defense data, including data in con-
nection with warfighting missions and back-office
data.

(3) RESPONSIBLE TO CIO.—The Chief Data Of-
ficer shall report directly to the Chief Information
Officer of the Department of Defense in the per-
formance of the responsibility specified in paragraph
(1).

(4) REPORT.—Not later than December 1,
2019, the Secretary of Defense shall submit to the
Committees on Armed Services of the Senate and
the House of Representatives a report setting forth
such recommendations for legislative or administra-
tive action as the Secretary considers appropriate to
carry out this subsection.

SEC. 904. SENIOR MILITARY ADVISOR FOR CYBER POLICY
AND DEPUTY PRINCIPAL CYBER ADVISOR.

(a) ADVISOR.—

(1) IN GENERAL.—The Under Secretary of De-
fense for Policy shall, acting through the Joint
Staff, designate an officer within the Office of the
Under Secretary of Defense for Policy to serve with-
in that Office as the Senior Military Advisor for
Cyber Policy, and concurrently, as the Deputy Principal Cyber Advisor.

(2) Officers eligible for designation.—The officer designated pursuant to this subsection shall be designated from among commissioned regular officers of the Armed Forces in a general or flag officer grade who are qualified for designation.

(3) Grade.—The officer designated pursuant to this subsection shall have the grade of major general or rear admiral while serving in that position, without vacating the officer’s permanent grade.

(b) Scope of positions.—

(1) In general.—The officer designated pursuant to subsection (a) is each of the following:

(A) The Senior Military Advisor for Cyber Policy to the Under Secretary of Defense for Policy.

(B) The Deputy Principal Cyber Advisor to the Under Secretary of Defense for Policy.

(2) Direction and control and reporting.—In carrying out duties under this section, the officer designated pursuant to subsection (a) shall be subject to the authority, direction, and control of, and shall report directly to, the following:
(A) The Under Secretary with respect to Senior Military Advisor for Cyber Policy duties.

(B) The Principal Cyber Advisor with respect to Deputy Principal Cyber Advisor duties.

(c) DUTIES.—

(1) DUTIES AS SENIOR MILITARY ADVISOR FOR CYBER POLICY.—The duties of the officer designated pursuant to subsection (a) as Senior Military Advisor for Cyber Policy are as follows:

(A) To serve as the principal uniformed military advisor on military cyber forces and activities to the Under Secretary of Defense for Policy.

(B) To assess and advise the Under Secretary on aspects of policy relating to military cyberspace operations, resources, personnel, cyber force readiness, cyber workforce development, and defense of Department of Defense networks.

(C) To advocate, in consultation with the Joint Staff, and senior officers of the Armed Forces and the combatant commands, for consideration of military issues within the Office of 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
programs, projects, and activities, including with respect to resources, personnel, manpower, and acquisitions and technology.

(D) To assist in the overall supervision of Department cyber activities relating to offensive missions.

(E) To assist in the overall supervision of Department defensive cyber operations, including activities of component-level cybersecurity service providers and the integration of such activities with activities of the Cyber Mission Force.

(F) To advise senior leadership of the Department on, and advocate for, investment in capabilities to execute Department missions in and through cyberspace.

(G) To identify shortfalls in capabilities to conduct Department missions in and through cyberspace, and make recommendations on addressing such shortfalls in the Program Budget Review process.

(H) To coordinate and consult with stakeholders in the cyberspace domain across the Department in order to identify other issues on
cyberspace for the attention of senior leadership
of the Department.

(I) On behalf of the Principal Cyber Advisor,

to lead the cross-functional team established pursuant to 932(c)(3) of the National
(10 U.S.C. 2224 note) in order to synchronize
and coordinate military and civilian cyber forces
and activities of the Department.

SEC. 905. LIMITATION ON TRANSFER OF STRATEGIC CAPABILITIES OFFICE.

(a) LIMITATION.—The Under Secretary of Defense
for Research and Engineering may not transfer the Strategic Capabilities Office or change the reporting structure
of the Office, as in effect on the day before the date of
the enactment of this Act, until the Secretary of Defense,
acting through the Chief Management Officer and the
Under Secretary of Defense for Research and Engineering
and in consultation with the United States Indo-Pacific,
Europe, and Special Operations Command, submits the
report required by subsection (b)(1).

(b) REPORT.—

(1) IN GENERAL.—The Secretary shall submit
to the congressional defense committees a report
that evaluates the following options for transferring the Office:

(A) Transferring the Office so that the Director of the Office reports directly to the Under Secretary of Defense for Acquisition and Sustainment.

(B) Maintaining the arrangement in effect on the day before the date of the enactment of this Act such that the Director continues to report to the Under Secretary of Defense for Research and Engineering.

(C) Transferring the Office to the Defense Advanced Research Projects Agency.

(D) Such other options as the Under Secretary may identify.

(2) CONTENTS.—The report submitted under paragraph (1) shall include, for each option evaluated under such paragraph, an evaluation of whether the option considered will provide for—

(A) responding to the critical needs of combatant commanders;

(B) augmentation of cross-Department of Defense efforts with respect to developing strategic capabilities;
(C) developing new and innovative ways to counter advanced threats;
(D) providing sound technical and program management for activities of the Strategic Capabilities Office;
(E) coordinating appropriately with other research and technology development activities of the Department; and
(F) partnering with and responding to senior leadership across the Department.

Subtitle B—Organization and Management of Other Department of Defense Offices and Elements

SEC. 911. ASSISTANT SECRETARIES OF THE MILITARY DEPARTMENTS FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT.

(a) Assistant Secretary of the Army.—Section 7016(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6) One of the Assistant Secretaries shall be the Assistant Secretary of the Army for Energy, Installations, and Environment.”.

(b) Assistant Secretary of the Navy.—Section 8016(b) of such title is amended by adding at the end the following new paragraph:
“(5) One of the Assistant Secretaries shall be the Assistant Secretary of the Navy for Energy, Installations, and Environment.”.

(c) ASSISTANT SECRETARY OF THE AIR FORCE.—Section 9016(b) of such title is amended by adding at the end the following new paragraph:

“(5) One of the Assistant Secretaries shall be the Assistant Secretary of the Air Force for Energy, Installations, and Environment.”.

SEC. 912. REPEAL OF CONDITIONAL DESIGNATION OF EXPLOSIVE ORDNANCE DISPOSAL CORPS AS A BASIC BRANCH OF THE ARMY.

Section 582 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1415) is repealed, and the amendment otherwise provided for by subsection (a) of that section shall not be made.

Subtitle C—Other Matters

SEC. 921. EXCLUSION FROM LIMITATIONS ON PERSONNEL IN THE OFFICE OF THE SECRETARY OF DEFENSE AND DEPARTMENT OF DEFENSE HEADQUARTERS OF FELLOWS APPOINTED UNDER THE JOHN S. MCCAIN DEFENSE FELLOWS PROGRAM.

Section 932(f)(3) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public
is amended by adding at the end the following new sentence: “An individual appointed pursuant to this paragraph shall not count against the limitation on the number of Office of the Secretary of Defense personnel in section 143 of title 10, United States Code, or any similar limitation in law on the number of personnel in headquarters of the Department that would otherwise apply to the office or headquarters to which appointed.”.

SEC. 922. REPORT ON RESOURCES TO IMPLEMENT THE CIVILIAN CASUALTY POLICY OF THE DEPARTMENT OF DEFENSE.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report, in unclassified form, on the resources necessary over the period of the future-years defense plan for fiscal year 2020 under section 221 of title United States Code, to fulfill the requirements of section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1939; 10 U.S.C. 134 note) and fully implement policies developed as a result of such section.
TITLE X—GENERAL PROVISIONS
Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) Authority To Transfer Authorizations.—

(1) Authority.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2020 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) Limitation.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $4,000,000,000.

(3) Exception for Transfers Between Military Personnel Authorizations.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) Limitations.—The authority provided by subsection (a) to transfer authorizations—
(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) Effect on Authorization Amounts.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) Notice to Congress.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. MODIFICATION OF REQUIRED ELEMENTS OF ANNUAL REPORTS ON EMERGENCY AND EXTRAORDINARY EXPENSES OF THE DEPARTMENT OF DEFENSE.

Paragraph (2) of section 127(d) of title 10, United States Code, is amended to read as follows:

“(2) Each report submitted under paragraph (1) shall include, for each individual expenditure covered by such report in an amount in excess of $20,000, the following:
“(A) A detailed description of the purpose of such expenditure.

“(B) The amount of such expenditure.

“(C) An identification of the approving authority for such expenditure.

“(D) A justification why other authorities available to the Department could not be used for such expenditure.

“(E) Any other matters the Secretary considers appropriate.”.

SEC. 1003. INCLUSION OF MILITARY CONSTRUCTION PROJECTS IN ANNUAL REPORTS ON UNFUNDED PRIORITIES OF THE ARMED FORCES AND THE COMBATANT COMMANDS.

(a) Inclusion of Military Construction Projects Among Unfunded Priorities.—Subsection (d) of section 222a of title 10, United States Code, is amended in the matter preceding paragraph (1) by inserting “, including a military construction project,” after “program, activity, or mission requirement”.

(b) Order of Urgency of Priority.—Paragraph (2) of subsection (c) of such section is amended to read as follows:
“(2) Prioritization of priorities.—Each report shall present the unfunded priorities covered by such report as follows:

“(A) In overall order of urgency of priority.

“(B) In overall order of urgency of priority among unfunded priorities (other than military construction projects).

“(C) In overall order of urgency of priority among military construction projects.”.

SEC. 1004. PROHIBITION ON DELEGATION OF RESPONSIBILITY FOR SUBMITTAL TO CONGRESS OF OUT-YEAR UNCONSTRAINED TOTAL MUNITIONS REQUIREMENTS AND OUT-YEAR INVENTORY NUMBERS.

Section 222c of title 10, United States Code, is amended—

(1) in subsection (a), by striking “subsection (b)” and inserting “subsection (c)”;

(2) by redesignating subsections (b), (c), and (d) as subsections (e), (d), and (e), respectively;

(3) by inserting after subsection (a) the following new subsection (b):

“(b) Prohibition on Delegation of Submittal Responsibility.—The responsibility of the chief of staff
of an armed force in subsection (a) to submit a report may not be delegated outside the armed force concerned.”;

and

(4) in subsection (c), as redesignated by paragraph (2), by striking “subsection (c)” in paragraph (6) and inserting “subsection (d)”.

SEC. 1005. ELEMENT IN ANNUAL REPORTS ON THE FINANCIAL IMPROVEMENT AND AUDIT REMEDIATION PLAN ON ACTIVITIES WITH RESPECT TO CLASSIFIED PROGRAMS.

Section 240b(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by adding at the end the following new clause:

“(ix) A description of audit activities and results for classified programs, including a description of the use of procedures and requirements to prevent unauthorized exposure of classified information in such activities.”; and

(2) in subparagraph (C)(i), by inserting “or (ix)” after “clause (vii)”.

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SEC. 1006. MODIFICATION OF SEMIANNUAL BRIEFINGS ON THE CONSOLIDATED CORRECTIVE ACTION PLAN OF THE DEPARTMENT OF DEFENSE FOR FINANCIAL MANAGEMENT INFORMATION.

(a) In General.—Paragraph (2) of section 240b(b) of title 10, United States Code, is amended to read as follows:

“(2) Semiannual briefings.—

“(A) In General.—Not later than February 28 and September 30 each year, the Under Secretary of Defense (Comptroller) and the comptrollers of the military departments shall provide a briefing to the congressional defense committees on the status of the consolidated corrective action plan referred to in paragraph (1)(B)(i) as of the end of the most recent calendar half-year ending before such briefing.

“(B) Elements.—Each briefing under subparagraph (A) shall include the following:

“(i) The absolute number, and the percentage, of personnel performing the amount of auditing or audit remediation services being performed by professionals meeting the qualifications described in section 240d(b) of this title as of the last day
of the calendar half-year covered by such briefing.

“(ii) With respect to each finding and recommendation issued in connection with the audit of the financial statements of a department, agency, component, or other element of the Department of Defense, or the Department of Defense as a whole, that was received by the Department during the calendar half-year covered by such briefing, each of the following:

“(I) A description of the manner in which the corrective action plan of such department, agency, component, or element and the corrective action plan of the Department as a whole, or the corrective action plan of the Department as a whole (in the case of a finding or recommendation regarding the Department as a whole), has been modified in order to incorporate such finding or recommendation into such plans or plan.

“(II) An identification of the processes, systems, procedures, and
technologies required to implement such corrective action plans or plan, as so modified.

“(III) A determination of the funds required to procure, obtain, or otherwise implement each process, system, and technology identified pursuant to subclause (II).

“(IV) An identification the manner in which such corrective action plans or plan, as so modified, support the National Defense Strategy (NDS) of the United States.”.

(b) TECHNICAL AMENDMENT.—Paragraph (1)(B)(i) of such section is amended by striking “section 253a” and inserting “section 240c”.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to calendar half-years that end on or after that date.

SEC. 1007. UPDATE OF AUTHORITIES AND RENAMING OF DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.

(a) RENAMING AS ACCOUNT.—
(1) IN GENERAL.—Section 1705 of title 10, United States Code, is amended—

(A) in subsection (a), by striking “the ‘Department of Defense Acquisition Workforce Development Fund’ (in this section referred to as the ‘Fund’)” and inserting “the ‘Department of Defense Acquisition Workforce Development Account’ (in this section referred to as the ‘Account’)”; and

(B) by striking “Fund” each place it appears (other than subsection (e)(6)) and inserting “Account”.

(2) CONFORMING AND CLERICAL AMENDMENTS.—

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

“§ 1705. Department of Defense Acquisition Workforce Development Account”.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 87 of such title is amended by striking the item relating to section 1705 and inserting the following new item:

“1705. Department of Defense Acquisition Workforce Development Account.”.

(b) MANAGEMENT.—Such section is further amended by striking “Under Secretary of Defense for Acquisition,
Technology, and Logistics” each place it appears and inserting “Under Secretary of Defense for Acquisition and Sustainment”.

(e) APPROPRIATIONS AS SOLE ELEMENTS OF ACCOUNT.—Subsection (d) of such section is amended to read as follows:

“(d) ELEMENTS.—The Account shall consist of amounts appropriated to the Account by law.”.

(d) AVAILABILITY OF AMOUNTS IN ACCOUNT.—Subsection (e)(6) of such section is amended by striking “credited to the Fund” and all that follows and inserting “appropriated to the Account pursuant to subsection (d) shall remain available for expenditure for the fiscal year in which appropriated and the succeeding fiscal year.”.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on October 1, 2019, and shall apply with respect to fiscal years that begin on or after that date.

(2) DURATION OF AVAILABILITY OF PREVIOUSLY DEPOSITED FUNDS.—Nothing in the amendments made by this section shall modify the duration of availability of amounts in the Department of Defense Acquisition Workforce Development Fund that were appropriated or credited to, or de-
posited, in the Fund, before October 1, 2019, as
provided for in section 1705(e)(6) of title 10, United
States Code, as in effect on the day before such
date.

Subtitle B—Counterdrug Activities

SEC. 1011. MODIFICATION OF AUTHORITY TO SUPPORT A

UNIFIED COUNTERDRUG AND COUNTERTER-
RORISM CAMPAIGN IN COLOMBIA.

Section 1021(a)(1) of the Ronald W. Reagan Na-
tional Defense Authorization Act for Fiscal Year 2005
(Public Law 108–375; 118 Stat. 2042), as most recently
amended by section 1011(1) of the National Defense Au-
thorization Act for Fiscal Year 2018 (Public Law 115–
91; 131 Stat. 1545), is further amended by striking “orga-
nizations designated as” and all that follows and inserting
“terrorist organizations or other illegally armed groups
that the Secretary of Defense, with the concurrence of the
Secretary of State, determines pose a threat to the na-
tional security interests of the United States.”.
SEC. 1012. TWO-YEAR EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.

Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 271 note) is amended by striking “2020” and inserting “2022”.

Subtitle C—Naval Vessels and Shipyards

SEC. 1016. MODIFICATION OF AUTHORITY TO PURCHASE VESSELS USING FUNDS IN NATIONAL DEFENSE SEALIFT FUND.

(a) In General.—Section 2218(f)(3)(E) of title 10, United States Code, is amended—

(1) in clause (i), by striking “ten new sealift vessels” and inserting “ten new vessels that are sealift vessels, auxiliary vessels, or a combination of such vessels”; and

(2) in clause (ii), by striking “sealift”.

(b) Effective Date.—The amendments made by subsection (a) shall take effect on October 1, 2019, and shall apply with respect to fiscal years beginning on or after that date.
SEC. 1017. SENIOR TECHNICAL AUTHORITY FOR EACH NAVAL VESSEL CLASS.

(a) Senior Technical Authority for Each Class Required.—Chapter 863 of title 10, United States Code, is amended by inserting after section 8669a the following new section:

“§ 8669b. Senior Technical Authority for each naval vessel class

“(a) Senior Technical Authority.—

“(1) Designation for each vessel class required.—The Secretary of the Navy shall designate, in writing, a Senior Technical Authority for each class of naval vessels as follows:

“(A) In the case of a class of vessels which has received Milestone A approval, an approval to enter into technology maturation and risk reduction, or an approval to enter into a subsequent Department of Defense or Department of the Navy acquisition phase as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020, not later than 30 days after such date of enactment.

“(B) In the case of any class of vessels which has not received any approval described in subparagraph (A) as of such date of enactment, at or before the first of such approvals.
“(2) Prohibition on Delegation.—The Secretary may not delegate designations under paragraph (1).

“(3) Individuals Eligible for Designation.—Each individual designated as a Senior Technical Authority under paragraph (1) shall be an employee of the Navy in the Senior Executive Service in an organization of the Navy that—

“(A) possesses the technical expertise required to carry out the responsibilities specified in subsection (b); and

“(B) operates independently of chains-of-command for acquisition program management.

“(4) Term.—Each Senior Technical Authority shall be designated for a term, not fewer than six years, specified by the Secretary at the time of designation.

“(5) Removal.—An individual may be removed involuntarily from designation as a Senior Technical Authority only by the Secretary. Not later than 15 days after the involuntary removal of an individual from designation as a Senior Technical Authority, the Secretary shall notify, in writing, the congressional defense committees of the removal, including the reasons for the removal.
“(b) Responsibilities and Authority.—Each Senior Technical Authority shall be responsible for, and have the authority to, establish, monitor, and approve technical standards, tools, and processes for the class of naval vessels for which designated under this section in conformance with applicable Department of Defense and Department of the Navy policies, requirements, architectures, and standards.

“(c) Limitation on Obligation of Funds on Lead Vessel in Vessel Class.—

“(1) In general.—On or after October 1, 2020, funds authorized to be appropriated for Shipbuilding and Conversion, Navy or Other Procurement, Navy may not be obligated for the first time on the lead vessel in a class of naval vessels unless the Secretary of the Navy certifies as described in paragraph (2).

“(2) Certification elements.—The certification on a class of naval vessels described in this paragraph is a certification containing each of the following:

“(A) The name of the individual designated as the Senior Technical Authority for such class of vessels, and the qualifications and
professional biography of the individual so designated.

“(B) A description by the Senior Technical Authority of the systems engineering, technology, and ship integration risks for such class of vessels.

“(C) The designation by the Senior Technical Authority of each critical hull, mechanical, electrical, propulsion, and combat system of such class of vessels, including systems relating to power generation, power distribution, and key operational mission areas.

“(D) The date on which the Senior Technical Authority approved the systems engineering, engineering development, and land-based engineering and testing plans for such class of vessels.

“(E) A description by the Senior Technical Authority of the key technical knowledge objectives and demonstrated system performance of each plan approved as described in subparagraph (D).

“(F) A determination by the Senior Technical Authority that such plans are sufficient to achieve thorough technical knowledge of critical
systems of such class of vessels before the start
of detail design and construction.

“(G) A determination by the Senior Technical
Authority that actual execution of activities in support of such plans as of the date of
the certification have been and continue to be
effective and supportive of the acquisition
schedule for such class of vessels.

“(H) A description by the Senior Technical
Authority of other technology maturation and
risk reduction efforts not included in such plans
for such class of vessels taken as of the date of
the certification.

“(I) A certification by the Senior Technical
Authority that each critical system covered by
subparagraph (C) has been demonstrated
through testing of a prototype or identical com-
ponent in its final form, fit, and function in a
realistic environment.

“(J) A determination by the Secretary that
the plans approved as described in subpara-
graph (D) are fully funded and will be fully
funded in the future-years defense program for
the fiscal year beginning in the year in which
the certification is submitted.
“(K) A determination by the Secretary that the Senior Technical Authority will approve, in writing, the ship specification for such class of vessels before the request for proposals for detail design, construction, or both, as applicable, is released.

“(3) DEADLINE FOR SUBMITTAL OF CERTIFICATION.—The certification required by this subsection with respect to a class of naval vessels shall be submitted, in writing, to the congressional defense committees not fewer than 30 days before the Secretary obligates for the first time funds authorized to be appropriated for Shipbuilding and Conversion, Navy or Other Procurement, Navy for the lead vessel in such class of naval vessels.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘class of naval vessels’—

“(A) means any group of similar undersea or surface craft procured with Shipbuilding and Conversion, Navy or Other Procurement, Navy funds, including manned, unmanned, and optionally-manned craft; and

“(B) includes—
“(i) a substantially new class of craft (including craft procured using ‘new start’ procurement); and
“(ii) a class of craft undergoing a significant incremental change in its existing class (such as a next ‘flight’ of destroyers or next ‘block’ of attack submarines).
“(2) The term ‘future-years defense program’ has the meaning given that term in section 221 of this title.
“(3) The term ‘Milestone A approval’ has the meaning given that term in section 2431a of this title.”

(b) Clerical Amendment.—The table of sections at the beginning of chapter 863 of such title is amended by inserting after the item relating to section 8669a the following new item:

“8669b. Senior Technical Authority for each naval vessel class.”.

SEC. 1018. PERMANENT AUTHORITY FOR SUSTAINING OPERATIONAL READINESS OF LITTORAL COMBAT SHIPS ON EXTENDED DEPLOYMENT.

Section 8680(a)(2) of title 10, United States Code, is amended by striking subparagraph (D).
Subtitle D—Counterterrorism

SEC. 1021. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.


SEC. 1022. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINNEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

SEC. 1023. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.


SEC. 1024. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.


SEC. 1025. AUTHORITY TO TRANSFER INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES TEMPORARILY FOR EMERGENCY OR CRITICAL MEDICAL TREATMENT.

(a) TEMPORARY TRANSFER FOR MEDICAL TREATMENT.—Notwithstanding section 1033 of the John S.
McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), or any similar provision of law enacted after September 30, 2015, the Secretary of Defense may, after consultation with the Secretary of Homeland Security, temporarily transfer an individual detained at Guantanamo to a Department of Defense medical facility in the United States for the sole purpose of providing the individual medical treatment if the Secretary of Defense determines that—

(1) the medical treatment of the individual is necessary to prevent death or imminent significant injury or harm to the health of the individual;

(2) the necessary medical treatment is not available to be provided at United States Naval Station, Guantanamo Bay, Cuba, without incurring excessive and unreasonable costs; and

(3) the Department of Defense has provided for appropriate security measures for the custody and control of the individual during any period in which the individual is temporarily in the United States under this section.

(b) LIMITATION ON EXERCISE OF AUTHORITY.—The authority of the Secretary of Defense under subsection (a) may be exercised only by the Secretary of Defense or an-
other official of the Department of Defense at the level
of Under Secretary of Defense or higher.

(c) CONDITIONS OF TRANSFER.—An individual who
is temporarily transferred under the authority in sub-
section (a) shall—

(1) while in the United States, remain in the
custody and control of the Secretary of Defense at
all times; and

(2) be returned to United States Naval Station,
Guantanamo Bay, Cuba, as soon as feasible after a
Department of Defense physician determines, in con-
sultation with the Commander, Joint Task Force-
Guantanamo Bay, Cuba, that any necessary follow-
up medical care may reasonably be provided the in-
dividual at United States Naval Station, Guanta-
namo Bay.

(d) STATUS WHILE IN UNITED STATES.—An indi-
vidual who is temporarily transferred under the authority
in subsection (a), while in the United States—

(1) shall be deemed at all times and in all re-
spects to be in the uninterrupted custody of the Sec-
retary of Defense, as though the individual remained
physically at United States Naval Station, Guanta-
namo Bay, Cuba;
(2) shall not at any time be subject to, and may
not apply for or obtain, or be deemed to enjoy, any
right, privilege, status, benefit, or eligibility for any
benefit under any provision of the immigration laws
(as defined in section 101(a)(17) of the Immigration
and Nationality Act (8 U.S.C. 1101(a)(17)), or any
other law or regulation;

(3) shall not be permitted to avail himself of
any right, privilege, or benefit of any law of the
United States beyond those available to individuals
detained at United States Naval Station, Guanta-
amo Bay; and

(4) shall not, as a result of such transfer, have
a change in any designation that may have attached
to that detainee while detained at United States
Naval Station, Guantanamo Bay, pursuant to the
Authorization for Use of Military Force (Public Law
107–40), as determined in accordance with applica-
tive law and regulations.

(e) NO CAUSE OF ACTION.—Any decision to transfer
or not to transfer an individual made under the authority
in subsection (a) shall not give rise to any claim or cause
of action.

(f) LIMITATION ON JUDICIAL REVIEW.—
(1) LIMITATION.—Except as provided in paragraph (2), no court, justice, or judge shall have jurisdiction to hear or consider any claim or action against the United States or its departments, agencies, officers, employees, or agents arising from or relating to any aspect of the detention, transfer, treatment, or conditions of confinement of an individual transferred under this section.

(2) EXCEPTION FOR HABEAS CORPUS.—The United States District Court for the District of Columbia shall have exclusive jurisdiction to consider an application for writ of habeas corpus seeking release from custody filed by or on behalf of an individual who is in the United States pursuant to a temporary transfer under the authority in subsection (a). Such jurisdiction shall be limited to that required by the Constitution, and relief shall be only as provided in paragraph (3). In such a proceeding the court may not review, halt, or stay the return of the individual who is the object of the application to United States Naval Station, Guantanamo Bay, Cuba, pursuant to subsection (c).

(3) RELIEF.—A court order in a proceeding covered by paragraph (2)—
(A) may not order the release of the individual within the United States; and

(B) shall be limited to an order of release from custody which, when final, the Secretary of Defense shall implement in accordance with section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 801 note).

(g) Notification.—Whenever a temporary transfer of an individual detained at Guantanamo is made under the authority of subsection (a), the Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives of the transfer not later than five days after the date on which the transfer is made.

(h) Individual Detained at Guantanamo Defined.—In this section, the term “individual detained at Guantanamo” means an individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)) or a member of the Armed Forces of the United States; and
(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise detained at United States Naval Station, Guantanamo Bay.

(i) **Applicability.**—This section shall apply to an individual temporarily transferred under the authority in subsection (a) regardless of the status of any pending or completed proceeding or detention on the date of the enactment of this Act.

**SEC. 1026. CHIEF MEDICAL OFFICER AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

(a) **Chief Medical Officer.**—

(1) **In general.**—There shall be at United States Naval Station, Guantanamo Bay, Cuba, a Chief Medical Officer of United States Naval Station, Guantanamo Bay (in this section referred to as the “Chief Medical Officer”).

(2) **Grade.**—The individual serving as Chief Medical Officer shall be an officer of the Armed Forces who holds a grade not below the grade of colonel, or captain in the Navy.

(3) **Chain of Command.**—The Chief Medical Officer shall report to the Assistant Secretary of Defense for Health Affairs in the performance of duties
and the exercise of powers of the Chief Medical Officer under this section.

(b) Duties.—

(1) In general.—The Chief Medical Officer shall oversee the provision of medical care to individuals detained at Guantanamo.

(2) Quality of care.—The Chief Medical Officer shall ensure that medical care provided as described in paragraph (1) meets applicable standards of care.

(c) Powers.—

(1) In general.—The Chief Medical Officer shall make medical determinations relating to medical care for individuals detained at Guantanamo, including—

(A) decisions regarding assessment, diagnosis, and treatment; and

(B) determinations concerning medical accommodations to living conditions and operating procedures for detention facilities.

(2) Resolution of declination to follow determinations.—If the commander of Joint Task Force Guantanamo declines to follow a determination of the Chief Medical Officer under paragraph (1), the matter covered by such determination shall
be jointly resolved by the Assistant Secretary of De-
fense for Special Operations and Low Intensity Con-
flict and the Assistant Secretary of Defense for
Health Affairs not later than seven days after re-
cipient of notification of the matter by either Assistant
Secretary.

(3) SECURITY CLEARANCES.—The appropriate
departments or agencies of the Federal Government
shall, to the extent practicable in accordance with
existing procedures and requirements, process expe-
ditiously any application and adjudication for a secu-
rity clearance required by the Chief Medical Officer
to carry out the Chief Medical Officer’s duties and
powers under this section.

(d) ACCESS TO INDIVIDUALS, INFORMATION, AND
ASSISTANCE.—

(1) IN GENERAL.—The Chief Medical Officer
may secure directly from the Department of Defense
access to any individual, information, or assistance
that the Chief Medical Officer considers necessary to
enable the Chief Medical Officer to carry out this
section, including full access to the following:

(A) Any individual detained at Guanta-
namo.
(B) Any medical records of any individual detained at Guantanamo.

(C) Medical professionals of the Department who are working, or have worked, at United States Naval Station, Guantanamo Bay.

(2) Access upon request.—Upon request of the Chief Medical Officer, the Department shall make available to the Chief Medical Officer on an expeditious basis access to individuals, information, and assistance as described in paragraph (1).

(3) Lack of expeditious availability.—If access to individuals, information, or assistance is not made available to the Chief Medical Officer upon request on an expeditious basis as required by paragraph (2), the Chief Medical Officer shall notify the Assistant Secretary of Defense for Health Affairs, who shall take actions to resolve the matter expeditiously.

(e) Definitions.—In this section:

(1) Individual detained at Guantanamo defined.—The term “individual detained at Guantanamo” means an individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—
(A) is not a national of the United States
(as defined in section 101(a)(22) of the Immi-
gration and Nationality Act (8 U.S.C.
1101(a)(22)) or a member of the Armed Forces
of the United States; and

(B) is—

(i) in the custody or under the control
of the Department of Defense; or

(ii) otherwise detained at United
States Naval Station, Guantanamo Bay.

(2) MEDICAL CARE.—The term “medical care”
means physical and mental health care.

(3) STANDARD OF CARE.—The term “standard
of care” means evaluation and treatment that is ac-
cepted by medical experts and reflected in peer-re-
viewed medical literature as the appropriate medical
approach for a condition, symptoms, illness, or dis-
ease and that is widely used by healthcare profes-
ionals.
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 speci-

fied 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 pro-
ceeding;

“(B) disturbs the proceeding by any riot or dis-
order; 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:
'"(A) Any judge of the United States Court of Military Commission Review.

'(B) Any military judge detailed to a military commission or any other proceeding under this chapter.

"(b) PUNISHMENT.—The punishment for contempt under subsection (a) may not exceed confinement for 30 days, a fine of $1,000, or both.

"(c) REVIEW.—(1) A punishment under this section—

"(A) is not reviewable by the convening authority of a military commission under this chapter;

"(B) if imposed by a military judge, shall constitute a judgment, subject to review in the first instance only by the United States Court of Military Commission Review and then only by the United States Court of Appeals for the District of Columbia Circuit; and

"(C) if imposed by a judge of the United States Court of Military Commission Review, shall constitute a judgment of the court subject to review only by the United States Court of Appeals for the District of Columbia Circuit.

"(2) In reviewing a punishment for contempt imposed under this section, the reviewing court shall affirm such
punishment unless the court finds that imposing such punish-
ishment was an abuse of the discretion of the judicial offi-
cer who imposed such punishment.

“(3) A petition for review of punishment for contempt
imposed under this section shall be filed not later than
60 days after the date on which the authenticated record
upon which the contempt punishment is based and any
contempt proceedings conducted by the judicial officer are
served on the person punished for contempt.

“(d) PUNISHMENT NOT CONVICTION.—Punishment
for contempt is not a conviction or sentence within the
meaning of section 949m of this title. The imposition of
punishment for contempt is not governed by other provi-
sions of this chapter applicable to military commissions,
except that the Secretary of Defense may prescribe proce-
dures for contempt proceedings and punishments, pursu-
ant to the authority provided in section 949a of this
title.”.

(2) CLERICAL AMENDMENT.—The table of sec-
tions at the beginning of subchapter IV of such
chapter is amended by adding at the end the fol-
lowing new item:

“949o–1. Contempt.”.

(b) CONFORMING AMENDMENTS.—Section 950t of
title 10, United States Code, is amended—

(1) by striking paragraph (31); and
(2) by redesignating paragraph (32) as para-

graph (31).

(c) Rule of Construction.—The amendments
made by subsections (a) and (b) shall not be construed
to affect the lawfulness of any punishment for contempt
adjudged prior to the effective date of such amendments.

(d) Applicability.—The amendments made by sub-
sections (a) and (b) shall take effect on the date of the
enactment of this Act, and shall apply with respect to con-
duct by a person that occurs on or after such date.

SEC. 1032. COMPREHENSIVE DEPARTMENT OF DEFENSE

POLICY ON COLLECTIVE SELF-DEFENSE.

(a) Comprehensive Policy Required.—The Sec-
retary of Defense shall prescribe a comprehensive written
policy for the Department of Defense on the issuance of
authorization for, and the provision by members and units
of the United States Armed Forces of, collective self-de-
fense to designated foreign nationals, their facilities, and
their property.

(b) Elements.—The policy required by subsection
(a) shall address the following:

(1) Each basis under domestic and inter-
national law pursuant to which a member or unit of
the United States Armed Forces has been or may be
authorized to provide collective self-defense to des-
esignated foreign nationals, their facilities, or their
property under each circumstance as follows:

(A) Inside an area of active hostilities, or
in a country or territory in which United States
forces are authorized to conduct or support di-
rect action operations.

(B) Outside an area of active hostilities, or
in a country or territory in which United States
forces are not authorized to conduct direct ac-
tion military operations.

(C) When United States personnel, facili-
ties, or equipment are not threatened, including
both as described in subparagraph (A) and as
described in subparagraph (B).

(D) When members of the United States
Armed Forces are not participating in a mili-
tary operation as part of an international coal-
tion.

(E) Any other circumstance not encom-
passed by subparagraphs (A) through (D) in
which a member or unit of the United States
Armed Forces has been or may be authorized to
provide such collective self-defense.

(2) A list and explanation of any limitations im-
posed by law or policy on the provision of collective
self-defense to designated foreign nationals, their facilities, and their property under any of the bases in domestic or international law in the circumstances enumerated in paragraph (1), and the conditions under which any such limitation applies.

(3) The procedure by which a proposal that any member or unit of the United States Armed Forces provide collective self-defense in support of designated foreign nationals, their facilities, and their property is to be submitted, processed, and endorsed through offices, officers, and officials of the Department to the applicable approval authority for final decision, and a list of any information, advice, or opinion to be included with such proposal in order to inform appropriate action on such proposal by such approval authority.

(4) The title and duty position of any officers and officials of the Department empowered to render a final decision on a proposal described in paragraph (3), and the conditions applicable to, and limitations on, the exercise of such decisionmaking authority by each such officer or official.

(5) A description of the Rules of Engagement applicable to the provision of collective self-defense to designated foreign nationals, their facilities, and
their property under any of the bases in domestic or international law in the circumstances enumerated in paragraph (1), and the conditions under which any such Rules of Engagement would be modified.

(6) A description of the process through which policy guidance pertaining to the authorization for, and the provision by members of the United States Armed Forces of, collective self-defense to designated foreign nationals, their facilities, and their property is to be disseminated to the level of tactical execution.

(7) Such other matters as the Secretary considers appropriate.

(c) REPORT ON POLICY.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report setting forth the policy required by subsection (a).

(2) DoD GENERAL COUNSEL STATEMENT.— The Secretary shall include in the report under paragraph (1) a statement by the General Counsel of the Department of Defense as to whether the policy prescribed pursuant to subsection (a) is consistent with domestic and international law.
(3) FORM.—The report required by paragraph (1) may be submitted in classified form.

(d) BRIEFING ON POLICY.—Not later than 30 days after the date of the submittal of the report required by subsection (c), the Secretary shall provide the congressional defense committees a classified briefing on the policy prescribed pursuant to subsection (a). The briefing shall make use of vignettes designated to illustrate real world application of the policy in each the circumstances enumerated in subsection (b)(1).

SEC. 1033. OVERSIGHT OF DEPARTMENT OF DEFENSE EXECUTE ORDERS.

(a) REVIEW OF EXECUTE ORDERS.—Upon a written request by the Chairman or Ranking Member of a congressional defense committee, the Secretary of Defense shall provide the committee, including appropriately designated staff of the committee, with an execute order approved by the Secretary or the commander of a combatant command for review within 30 days of receiving the written request.

(b) EXCEPTION.—

(1) IN GENERAL.—In extraordinary circumstances necessary to protect operations security, the sensitivity of the execute order, or other appro-
priate considerations, the Secretary may limit review of an execute order.

(2) **SUMMARY AND OTHER INFORMATION.**—In extraordinary circumstances described in paragraph (1) with respect to an execute order, the Secretary shall provide the committee concerned, including appropriately designated staff of the committee, a detailed summary of the execute order and other information necessary for the conduct of the oversight duties of the committee within 30 days of receiving the written request under subsection (a).

**SEC. 1034. PROHIBITION ON OWNERSHIP OR TRADING OF STOCKS IN CERTAIN COMPANIES BY DEPARTMENT OF DEFENSE OFFICERS AND EMPLOYEES.**

(a) **Prohibition on Ownership and Trading by Certain Senior Officials.**—

(1) **Prohibition.**—An official of the Department of Defense described in paragraph (2) may not own or trade a publicly traded stock of a company if, during the preceding calendar year, the company received more than $1,000,000,000 in revenue from the Department of Defense, including through one or more contracts with the Department.
(2) Department of Defense officials.—
An official of the Department of Defense described in this paragraph is any current Department of Defense official described by section 847(c) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 1701 note).

(3) Administrative actions.—In the event that an official of the Department of Defense described in subsection (a) knowingly fails to comply with the requirements of this subsection, the Secretary of Defense may take administrative action against the official, including suspension or termination, in accordance with the procedures otherwise applicable to administrative actions against such officials.

(b) Prohibition on ownership and trading by all officers and employees.—An officer or employee of the Department of Defense may not own or trade a publicly traded stock of a company that is a contractor or subcontractor of the Department if the Office of Standards and Compliance of the Office of the General Counsel of the Department of Defense determines that the value of the stock may be directly or indirectly influenced by any official action of the officer or employee for the Department.
(c) **INAPPLICABILITY TO MUTUAL FUNDS.**—For purposes of this section, publically-traded stock does not include a widely-held investment fund described in section 102(f)(8) of the Ethics in Government Act of 1978 (5 U.S.C. App.).

**SEC. 1035. POLICY REGARDING THE TRANSITION OF DATA AND APPLICATIONS TO THE CLOUD.**

(a) **POLICY REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer of the Department of Defense and the Chief Data Officer of the Department shall, in consultation with the J6 of the Joint Staff and the Chief Management Officer, develop and issue enterprise-wide policy and implementing instructions regarding the transition of data and applications to the cloud under the Department cloud strategy in accordance with subsection (b).

(b) **DESIGN.**—The policy required by subsection (a) shall be designed to dramatically improve support to operational missions and management processes, including by the use of artificial intelligence and machine learning technologies, by—

(1) making the data of the Department available to support new types of analyses;

(2) preventing, to the maximum extent practicable, the replication in the cloud of data stores
that cannot readily be accessed by applications for which the data stores were not originally engineered;

(3) ensuring that data sets can be readily discovered and combined with others to enable new insights and capabilities; and

(4) ensuring that data and applications are readily portable and not tightly coupled to a specific cloud infrastructure or platform.

SEC. 1036. MODERNIZATION OF INSPECTION AUTHORITIES APPLICABLE TO THE NATIONAL GUARD AND EXTENSION OF INSPECTION AUTHORITY TO THE CHIEF OF THE NATIONAL GUARD BUREAU.

(a) Modernization of Inspection Authorities of Secretaries of the Army and Air Force.—Subsection (a) of section 105 of title 32, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking “by him, the Secretary of the Army shall have” and inserting “by such Secretary, the Secretary of the Army and the Secretary of the Air Force shall each have”;

(B) by striking “, if necessary,”; and
(C) by striking “the Regular Army” and inserting “the Regular Army or the Regular Air Force”;

(2) by striking “Army National Guard” each place it appears and inserting “Army National Guard or Air National Guard”; and

(3) by striking the flush matter following paragraph (7).

(b) INSPECTION AUTHORITY OF CHIEF OF THE NATIONAL GUARD BUREAU.—Such section is further amended by adding at the end the following new subsection:

“(c) Under regulations prescribed by the Chief of the National Guard Bureau, the Chief of the National Guard Bureau may have an inspection made by inspectors general, or by commissioned officers of the Army National Guard of the United States or the Air National Guard of the United States detailed for that purpose, in order to determine the following:

“(1) Whether the units and members of the Army National Guard comply with Federal law and policy applicable to the National Guard, including policies issued by the Department of Defense, the Department of the Army, and the National Guard Bureau.
“(2) Whether the units and members of the Air
National Guard comply with Federal law and policy
applicable to the National Guard, including policies
issued by the Department of Defense, the Depart-
ment of the Air Force, and the National Guard Bu-
reau.”.

SEC. 1037. ENHANCEMENT OF AUTHORITIES ON FOR-
FEITURE OF FEDERAL BENEFITS BY THE NA-
TIONAL GUARD.

(a) IN GENERAL.—The text of section 108 of title
32, United States Code, is amended to read as follows:
“(a) AVAILABILITY OF FUNDS CONTINGENT ON COM-
PLIANCE WITH FEDERAL LAW AND POLICY.—The avail-
ability of Federal funds provided to the National Guard
of individual States is contingent upon compliance with
Federal law and policy applicable to the National Guard.
“(b) BAR OF STATES FOR FAILURE TO COMPLY.—
If, within a time fixed by the President, a State fails to
comply with Federal law or policy applicable to the Na-
tional Guard, a requirement of this title, or a regulation
prescribed under this title, the National Guard of that
State is barred, in whole or in part (as the President may
prescribe), from receiving such money or other aid, ben-
efit, or privilege authorized by law with respect to the Na-
tional Guard of that State as the President may prescribe.
“(c) Bar or Withdrawal of Recognition of Officers for Failure to Comply.—If, within a time fixed by the President, an officer of the National Guard fails to comply with Federal law or policy applicable to the National Guard, the President may bar the officer from receiving Federal funds, or withdraw the officer’s Federal recognition under section 323 of this title.

“(d) Bar or Withdrawal of Recognition of Units for Failure to Comply.—If, within a time fixed by the President, a unit of the National Guard fails to comply with Federal law or policy applicable to the National Guard, the President may bar the unit from receiving Federal funds, or withdraw the unit’s Federal recognition.

“(e) Advance Notice to Congress on Final Actions.—Before taking a final action under subsection (c) or (d), President shall notify the Committees on Armed Services of the Senate and the House of Representatives of such final action.

“(f) Limitation on Delegation of Final Actions.—The President may not delegate the authority to take a final action under subsection (c) or (d) to any official other than the Secretary of Defense.”.

(b) Effective Date.—The amendment made by subsection (a) shall take effect on October 1, 2019, and
shall apply with respect to amounts authorized to be appropriated for fiscal years that begin on or after that date.

SEC. 1038. MODERNIZATION OF AUTHORITIES ON PROPERTY AND FISCAL OFFICERS OF THE NATIONAL GUARD.

(a) PROPERTY AND FISCAL OFFICER FOR EACH STATE FROM NGB.—Section 708 of title 32, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection (a):

“(a) PROPERTY AND FISCAL OFFICER FOR EACH STATE.—(1) The Chief of the National Guard Bureau shall assign, designate, or detail, subject to the approval of the Secretary of the Army or the Secretary of the Air Force, as applicable, a qualified commissioned officer ordered to active duty in the National Guard Bureau under section 12402(a) of title 10 to be the property and fiscal officer of each State, Territory, and the District of Columbia.

“(2)(A) An officer may not be assigned, designated, or detailed as the property and fiscal officer of a State, Territory, or the District of Columbia under paragraph (1) if the officer has served within such jurisdiction during the 36 months preceding such assignment, designation, or detail.
“(B) The Secretary of the Army or the Secretary of
the Air Force may waive the applicability of subparagraph
(A) to the assignment, designation, or detail of a par-
ticular officer if such Secretary considers the waiver to
be in the best interests of the State, Territory, or District
of Columbia, as applicable, concerned.

“(3) An officer assigned, designated, or detailed as
a property and fiscal officer under paragraph (1) shall,
while so serving as such an officer, serve in a grade com-
mensurate with the functions and responsibilities of the
officer, but not above the grade of colonel.”; and

(2) by striking subsection (d).

(b) SUPPORT STAFF.—Such section is further
amended—

(1) by redesignating subsections (b) and (c) as
subsections (c) and (d), respectively; and

(2) by inserting after subsection (a), as amend-
ed by subsection (a) of this section, the following
new subsection (b):

“(b) SUPPORT STAFF.—The Chief of the National
Guard Bureau shall assign, designate, or detail other per-
sonnel of the National Guard Bureau to serve as the Fed-
eral support staff for the property and fiscal officer for
the National Guard of each State, Territory, or the Dis-
trict of Columbia under subsection (a).”.
(c) RESPONSIBILITIES.—Subsection (c) of such section, as redesignated by subsection (b)(1) of this section, is amended—

(1) by inserting “RESPONSIBILITIES OF OFFICERS.—” after “(c)”;

(2) in paragraph (1), by striking “he” and inserting “such officer”; and

(3) in paragraph (2), by inserting “, the Chief of Staff of the Army or the Chief of Staff of the Air Force (as applicable), or the Chief of the National Guard Bureau” before the period at the end.

(d) OTHER MATTERS.—Such section is further amended—

(1) by striking subsection (d), as redesignated by subsection (b)(1) of this section; and

(2) by striking subsection (e).

(e) INTRUSTMENT OF MONIES.—Such section is further amended—

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

(2) in subsection (d), as so redesignated—

(A) by inserting “INTRUSTMENT OF MONIES.—” after “(d)”;

(B) by striking “an officer” and inserting “a Federally recognized officer”;
(C) by striking “him” and inserting “such agent officer”; and

(D) by striking “he” and inserting “the agent officer”.

SEC. 1039. LIMITATION ON PLACEMENT BY THE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS OF WORK WITH FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS.

(a) LIMITATION.—The Under Secretary of Defense for Personnel and Readiness may not place any work with a federally funded research and development center (FFRDC) until the Under Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a report on all studies, reports, and other analyses being undertaken for the Under Secretary as of the date of the report by federally funded research and development centers.

(b) ELEMENTS.—The report required by subsection (a) shall set forth the following:

(1) A list of each study, report, and analysis described by subsection (a).

(2) For each study, report, or analysis, the following:

(A) Title.
(B) Federally funded research and development center undertaking.

(C) Amount of contract.

(D) Anticipated completion date.

SEC. 1040. TERMINATION OF REQUIREMENT FOR DEPARTMENT OF DEFENSE FACILITY ACCESS CLEARANCES FOR JOINT VENTURES COMPOSED OF PREVIOUSLY-CLEARED ENTITIES.

A clearance for access to a Department of Defense installation or facility may not be required for a joint venture if that joint venture is composed entirely of entities that are currently cleared for access to such installation or facility.

SEC. 1041. DESIGNATION OF DEPARTMENT OF DEFENSE STRATEGIC ARCTIC PORTS.

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

(1) The strategic importance of the Arctic continues to increase as the United States and other countries recognize the military significance of the sea lanes and choke points within the region and understand the potential for power projection from the Arctic into multiple regions.

(2) On January 19, 2018, Secretary of Defense James Mattis released the document titled “2018
National Defense Strategy of the United States of America” in which the Secretary outlined the re-emergence of long-term, strategic competition by countries classified by the National Security Strategy as revisionist powers.

(3) Russia and China have conducted military exercises together in the Arctic, have agreed to connect the Northern Sea Route, claimed by Russia, with China’s Maritime Silk Road, and are working together in developing natural gas resources in the Arctic.

(4) The Government of the Russian Federation—

(A) has prioritized the development of Arctic capabilities and has made significant investments in military infrastructure in the Arctic, including the creation of a new Arctic Command and the construction or refurbishment of 16 deepwater ports and 14 airfields in the region;

(B) has approximately 40 icebreakers as of May 2019, including several nuclear-powered icebreakers, is currently constructing four icebreakers, and is planning to build an additional eight icebreakers; and
(C) conducted the largest military exercise since the 1980s, Vostok 2018, which included—

(i) 300,000 troops;
(ii) 1,000 aircraft;
(iii) 80 ships;
(iv) 36,000 vehicles; and

(v) notably, 3,200 Chinese troops, 30 Chinese rotary and fixed-wing aircraft, and 900 Chinese tanks.

(5) The Government of the People’s Republic of China—

(A) released, in January 2018, its new Arctic Strategy, the Polar Silk Road, in which it declares itself as a “near-Arctic state”, even though its nearest territory to the Arctic is 900 miles away;

(B) has publicly stated that it seeks to expand its “Belt and Road Initiative” to the Arctic region, including current investment in the natural gas fields in the Yamal Peninsula in Russia, rare-earth element mines in Greenland, and the real estate, alternative energy, and fisheries in Iceland; and

(C) has shown great interest in expanding its Arctic presence, including through—
(i) the operation of research vessels in the region;

(ii) the recent construction of the Xuelong 2, or Snow Dragon II, the only polar research boat vessel in the world that can break ice while going forward or backward;

(iii) a freedom of navigation operation in the Aleutian Islands in 2015; and

(iv) its recent plans to develop a 33,000 ton nuclear-powered icebreaker.

(6) The economic significance of the Arctic continues to grow as countries around the globe begin to understand the potential for maritime transportation through, and economic and trade development in, the region.

(7) The Arctic is home to 13 percent of the world’s undiscovered oil, 30 percent of its undiscovered gas, an abundance of uranium, rare earth minerals, gold, diamonds, and millions of square miles of untapped resources, including abundant fisheries.

(8) The Bering Strait is experiencing significant increases in international traffic from vessels transiting the Northern Sea Route, increases which
are projected to continue if decreases in sea ice coverage continue.

(9) Along a future ice-free Arctic shipping route, a ship sailing from South Korea to Germany would have an average travel time of just 23 days, compared to 34 days via the Suez Canal and 46 days via the Cape of Good Hope.

(10) In a speech at the Arctic Forum in September 2011, Russian Federation President Vladimir Putin highlighted the Northern Sea Route as a potential alternative to the Suez Canal and has publicly stated plans to invest $11,400,000,000 along the Northern Sea Route by 2024.

(11) Increases in human, maritime, and resource development activity in the Arctic region are expected to create additional mission requirements for the Department of Defense and the Department of Homeland Security, given—

(A) the strategic focus of the Government of the Russian Federation and the Government of the People’s Republic of China on the Arctic;

(B) overlapping territorial claims; and

(C) the potential for maritime accidents, oil spills, and illegal fishing near the exclusive economic zone of the United States.
(12) The increasing role of the United States in the Arctic has been highlighted in each of the last four National Defense Authorization Acts.


(14) Section 1095 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2438) required the Department of Defense to create criteria to designate a Department of Defense Strategic Arctic Port.

(15) Section 122 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1310) authorized the procurement of one polar-class heavy icebreaker vessel.

(16) Section 151 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) authorized the procurement of five additional polar-class icebreaker vessels and expressed that the Coast Guard should—

(A) maintain an inventory of not fewer than six polar-class icebreaker vessels;
(B) award a contract for the first new polar-class icebreaker not later than fiscal year 2019 and deliver the icebreaker not later than fiscal year 2023; and

(C) deliver the second through sixth polar-class icebreakers at a rate of one vessel per year in fiscal years 2025 through 2029.

(17) In January 2017, the Department of Defense released a report entitled “Report to Congress on Strategy to Protect United States National Security Interests in the Arctic Region” to update “the ways and means” the Department of Defense intends to use to achieve its objectives as it implements the 2013 National Strategy for the Arctic Region, including—

(A) enhancing the capability of United States forces to defend the homeland and exercise sovereignty;

(B) strengthening deterrence at home and abroad;

(C) preserving freedom of the seas in the Arctic; and

(D) evolving the infrastructure and capabilities of the Department in the Arctic consistent with changing conditions and needs.
(18) The United States Coast Guard Arctic Strategic Outlook released in April 2019 states, “Demonstrating commitment to operational presence, Canada, Denmark, and Norway have made strategic investments in ice-capable patrol ships charged with national or homeland security missions. [The United States] is the only Arctic State that has not made similar investments in ice-capable surface maritime security assets. This limits the ability of the Coast Guard, and the Nation, to credibly uphold sovereignty or respond to contingencies in the Arctic”.

(19) On January 12, 2017, Secretary of Defense James Mattis stated, “The Arctic is key strategic terrain . . . Russia is taking aggressive steps to increase its presence there . . . I will prioritize the development of an integrated strategy for the Arctic. I believe that our interests and the security of the Arctic would benefit from increasing the focus of the Department of Defense on this region”.

(20) On January 9, 2019, Secretary of the Air Force Heather Wilson and Chief of Staff of the Air Force General David Goldfein wrote, “. . . the Arctic has become even more important to the nation. Both a northern approach to the United States, as
well as a critical location for projecting American
power, its geo-strategic significance is difficult to
overstate”.

(21) On February 26, 2019, General John
Hyten, Commander of the United States Strategic
Command, stated, “In particular, the Arctic is an
area that we really need to focus on and really look
at investing. That is no longer a buffer zone. We
need to be able to operate there. We need to be able
to communicate there. We need to have a presence
there that we have not invested in in the same way
that our adversaries have. And they see that as a
vulnerability from us, whereas it is becoming a
strength for them and it is a weakness for us, we
need to flip that equation”.

(22) On February 26, 2019, General Terrence
O’Shaughnessy, Commander of the United States
Northern Command stated, “It has become clear
that defense of the homeland depends on our ability
to detect and defeat threats operating both in the
Arctic and passing through the Arctic. Russia’s
fielding of advanced, long-range cruise missiles capa-
ble of flying through the northern approaches and
striking targets in the United States and Canada
has emerged as the dominant military threat in the
Arctic. . . . Meanwhile, China has declared that it is not content to remain a mere observer in the Arctic and has taken action to normalize its naval and commercial presence in the region in order to increase its access to lucrative resources and shipping routes. I view the Arctic as the front line in the defense of the United States and Canada . . . .”

(23) On May 6, 2019, Admiral Karl Schultz, Commandant of the Coast Guard stated, “We talk about the Arctic as a competitive space. We’ve seen China, we see Russia investing extensively. China built icebreakers in the time since we updated our strategy. China’s been operating off the Alaskan Arctic for a good part of the last six years on an annual basis. [The Coast Guard is] championing increased capabilities in the Arctic . . . better communications, better domain awareness . . . . I want to see the Arctic remain a peaceful domain. China’s a self-declared Arctic state. They’re not one of the eight Arctic nations, so for me, for the service, its presence equals influence”.

(24) On May 6, 2019, Secretary of State Mike Pompeo stated that—

(A) the Arctic “has become an arena for power and for competition”, and the United
States is “entering a new age of strategic en-
gagement in the Arctic, complete with new
threats to the Arctic and its real estate, and to
all of our interests in that region.”;

(B) “Arctic sea lanes could become the
21st century Suez and Panama Canals.”;

(C) “We’re concerned about Russia’s claim
over the international waters of the Northern
Sea Route, including its newly announced plans
to connect it with China’s Maritime Silk
Road.”;

(D) “In the Northern Sea Route, Moscow
already illegally demands other nations request
permission to pass, requires Russian maritime
pilots to be aboard foreign ships, and threatens
to use military force to sink any that fail to
comply with their demands.”;

(E) there is a “pattern of aggressive Rus-

sian behavior here in the Arctic” and “we know
Russian territorial ambitions can turn violent”; and

(F) we do not want “the Arctic Ocean to

transform into a new South China Sea, fraught
with militarization and competing territorial
claims”, nor do we want “the fragile Arctic en-
vironment exposed to the same ecological devast-
tation caused by China’s fishing fleet in the seas off its coast, or unregulated industrial ac-
tivity in its own country’’.

(25) On December 6, 2018, Secretary of the Navy Richard Spencer stated, “We need to have a strategic Arctic port up in Alaska. We need to be doing FONOPs in the northwest – in the northern passage. . . . peace through presence with a sub-
marine is a little tough’’.

(26) Meanwhile, the two closest strategic sea-
ports, as designated by the Department of Defense, to the Arctic Circle are the Port of Anchorage and the Port of Tacoma, located approximately 1,500 nautical miles and 2,400 nautical miles away, re-
spectively, and approximately 1,900 nautical miles and 2,800 nautical miles respectively from Barrow, Alaska.

(27) The distance from Bangor, Maine, to Key West, Florida, is approximately 1,450 nautical miles.

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

(1) the Arctic is a region of strategic impor-
tance to the national security interests of the United States and the Department of Defense must better
align its presence, force posture, and capabilities to meet the growing array of challenges in the region; and

(2) although much progress has been made to increase awareness of Arctic issues and to promote increased presence in the region, additional measures, including the designation of one or more strategic Arctic ports, are needed to show the commitment of the United States to this emerging strategic choke point of future great power competition.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, the Commanding General of the United States Army Corps of Engineers, the Commandant of the Coast Guard, and the Administrator of the Maritime Administration, shall submit to the congressional defense committees a report evaluating potential sites for one or more strategic ports in the Arctic.

(2) ELEMENTS.—Consistent with the updated military strategy for the protection of United States national security interests in the Arctic region set forth in the report required under section 1068 of
the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 992), the report required under paragraph (1) shall include—

(A) an evaluation of the amount of sufficient and suitable space needed to create capacity for port and other necessary infrastructure for at least one of each of type of Navy or Coast Guard vessel, including an Arleigh Burke class destroyer of the Navy, a national security cutter, and a heavy polar ice breaker of the Coast Guard;

(B) an evaluation of the amount of sufficient and suitable space needed to create capacity for equipment and fuel storage, technological infrastructure, and civil infrastructure to support military and civilian operations, including—

   (i) aerospace warning;

   (ii) maritime surface and subsurface warning;

   (iii) maritime control and defense;

   (iv) maritime domain awareness;

   (v) homeland defense;

   (vi) defense support to civil authorities;
(vii) humanitarian relief;
(viii) search and rescue;
(ix) disaster relief;
(x) oil spill response;
(xi) medical stabilization and evacuation; and
(xii) meteorological measurements and forecasting;
(C) an identification of proximity and road access required to an airport designated as a commercial service airport by the Federal Aviation Administration that is capable of supporting military and civilian aircraft for operations designated in subparagraph (B);
(D) a description of the requirements, to include infrastructure and installations, communications, and logistics necessary to improve response effectiveness to support military and civilian operations described in subparagraph (B);
(E) an identification of the sites that the Secretary recommends as potential sites for designation as Department of Defense Strategic Arctic Ports;
(F) the estimated cost of sufficient construction necessary to initiate and sustain expected operations at such sites; and

(G) such other information as the Secretary deems relevant.

(d) Designation of Strategic Arctic Ports.—Not later than 90 days after the date on which the report required under subsection (c) is submitted, the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, the Commanding General of the United States Army Corps of Engineers, the Commandant of the Coast Guard, and the Administrator of the Maritime Administration, shall designate one or more ports as Department of Defense Strategic Arctic Ports from the sites identified under subsection (c)(2)(E).

(e) Rule of Construction.—Nothing in this section may be construed to authorize any additional appropriations for the Department of Defense for the establishment of any port designated pursuant to this section.

(f) Arctic Defined.—In this section, the term “Arctic” has the meaning given that term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).
SEC. 1042. EXTENSION OF NATIONAL SECURITY COMMISSION ON ARTIFICIAL INTELLIGENCE.


(b) Reports.—Subsection (c) of such section is amended—

(1) in paragraph (1), by striking “Not later than 180 days after the date of the enactment of this Act” and inserting “Not later than August 1, 2019”;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (1) the following new paragraphs:

“(2) INTERIM REPORTS.—Not later than each of December 1, 2019, and December 1, 2020, the Commission shall submit as described in that paragraph an interim report on the review required under subsection (b).

“(3) FINAL REPORT.—Not later than March 1, 2021, the Commission shall submit as described in paragraph (1) a comprehensive final report on the review required under subsection (b).”.
SEC. 1043. AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA DIOXIN CLEANUP.

(a) Transfer Authority.—Notwithstanding section 2215 of title 10, United States Code, the Secretary of Defense may transfer to the Secretary of State, for use by the United States Agency for International Development, amounts to be used for the Bien Hoa dioxin cleanup in Vietnam.

(b) Limitation on Amount.—Not more than $15,000,000 may be transferred in fiscal year 2020 under the authority in subsection (a).

(c) Additional Transfer Authority.—The transfer authority in subsection (a) is in addition to any other transfer authority available to the Department of Defense.

SEC. 1044. LIMITATION ON USE OF FUNDS TO HOUSE CHILDREN SEPARATED FROM PARENTS.

(a) In General.—None of the amounts authorized to be appropriated by this Act to the Department of Defense for fiscal year 2020 may be used to house a child separated from a parent.

(b) Child Separated From a Parent Defined.—The term “child separated from a parent” means a person who—
(1) entered the United States, before attaining 18 years of age, at a port of entry or between ports of entry; and

(2) was separated from his or her parent or legal guardian by the Department of Homeland Security, and the Department of Homeland Security failed to demonstrate in a hearing that the parent or legal guardian was unfit or presented a danger to the child.

Subtitle F—Studies and Reports

SEC. 1051. MODIFICATION OF ANNUAL REPORTING REQUIREMENTS ON DEFENSE MANPOWER.

(a) Conversion of Annual Requirements Report into Annual Profile Report.—Section 115a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking the first two sentences and inserting the following new sentence: “Not later than April 1 each year, the Secretary of Defense shall submit to Congress a defense manpower profile report.”;

(B) in paragraph (1), by adding “and” at the end;
(C) in paragraph (2), by striking “; and” and inserting a period; and
(D) by striking paragraph (3);
(2) in subsection (b)—
(A) by striking “(1)”; and
(B) by striking paragraphs (2) and (3);
(3) in subsection (e), by striking “the follow-
ing:” and all that follows and inserting “the manpower required for support and overhead func-
tions within the armed forces and the Department of Defense.”;
(4) by striking subsections (e) and (h); and
(5) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.
(b) CONVERSION OF CERTAIN CURRENT REPORT ELEMENTS INTO SEPARATE, MODIFIED REPORTS.—Such section is further amended—
(1) in subsection (e), as redesignated by sub-
section (a)(5) of this section—
(A) in the matter preceding paragraph (1),
by striking “The Secretary shall also include in each such report” and inserting “Not later than June 1 each year, the Secretary shall submit to Congress a report that sets forth”; and
(B) in paragraph (1), by striking “and es-
timates of such numbers for the current fiscal
year and subsequent fiscal years”; and
(2) in subsection (f), as so redesignated—
(A) in the matter preceding paragraph (1),
by striking “In each report submitted under
subsection (a), the Secretary shall also include
a detailed discussion” and inserting “Not later
than September 1 each year, the Secretary shall
submit to Congress a report that sets forth a
detailed discussion, current as of the preceding
fiscal year”; and
(B) by striking “the year” each place it
appears and inserting “the fiscal year”.
(c) CONFORMING AND CLERICAL AMENDMENTS.—
(1) Heading amendment.—The heading of
such section is amended to read as follows:
§ 115a. Annual defense manpower profile report and
related reports”.
(2) Clerical amendment.—The table of sec-
tions at the beginning of chapter 3 of such title is
amended by striking the item relating to section
115a and inserting the following new item:
“115a. Annual defense manpower profile report and related reports.”.
SEC. 1052. REPORT ON DEPARTMENT OF DEFENSE EFFORTS TO IMPLEMENT A FORCE PLANNING PROCESS IN SUPPORT OF IMPLEMENTATION OF THE 2018 NATIONAL DEFENSE STRATEGY.

(a) REPORT REQUIRED.—Not later than February 1, 2020, the Under Secretary of Defense for Policy shall submit to the congressional defense committees a report setting forth the plan and processes of the Department of Defense to provide analytic support to senior leaders of the Department for the force planning required to implement the 2018 National Defense Strategy. The analytic support shall be designed to weigh options, examine trade-offs across the joint force, and drive decisions on force sizing, shaping, capability, and concept development in order to address the threats outlined in the 2018 National Defense Strategy.

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

(1) The major elements, products, and milestones of the force planning process of the Department.

(2) The conclusions and recommendations of the Defense Planning and Analysis Community initiative.

(3) The progress of the Department in implementing the recommendations of the Comptroller

(4) The progress of the Under Secretary, the Chairman of the Joint Chiefs of Staff, and the Director of Cost Assessment and Program Evaluation in implementing paragraph (5) of section 134(b) of title 10, United States Code, as added by section 902(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

SEC. 1053. EXTENSION OF ANNUAL REPORTS ON CIVILIAN CASUALTIES IN CONNECTION WITH UNITED STATES MILITARY OPERATIONS.

Section 1057(e) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1572) is amended by striking “the date this is five years after the date of the enactment of this Act” and inserting “December 31, 2025”.

SEC. 1054. REPORT ON JOINT FORCE PLAN FOR IMPLEMENTATION OF STRATEGIES OF THE DEPARTMENT OF DEFENSE FOR THE ARCTIC.

(a) IN GENERAL.—Not later than 270 days after the date on which the Secretary of Defense submits to the congressional defense committees the report on an updated Arctic strategy to improve and enhance joint oper-
ations required by section 1071 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), the Secretary of Defense shall, in coordination with the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, submit to the congressional defense committees a joint force plan for implementation of the following:

(1) The December 2016 Report to Congress on the Strategy to Protect United States National Security Interests in the Arctic Region.

(2) The updated Arctic strategy to improve and enhance joint operations.

(b) ELEMENTS.—The report required by subsection (a) shall include the following in connection with the strategies for the Arctic referred to in that subsection:

(1) A description of the specific means for—

(A) enhancing the capability of the Armed Forces to defend the homeland and exercise sovereignty;

(B) strengthening deterrence at home and abroad;

(C) strengthening alliances and partnerships;

(D) preserving freedom of the seas in the Arctic;
(E) engaging public, private, and international partners to improve domain awareness in the Arctic;

(F) developing Department of Defense Arctic infrastructure and capabilities consistent with changing conditions and needs;

(G) providing support to civil authorities, as directed;

(H) partnering with other departments, agencies, and countries to support human and environmental security; and

(I) supporting international institutions that promote regional cooperation and the rule of law.

(2) An analysis of the operational and contingency plans for the protection of United States national security interests in the Arctic region.

(3) A description of training, capability, and resource gaps that must be addressed to execute each mission described in the updated Arctic strategy.

(4) A description of the current and projected Arctic capabilities of the Russian Federation and the People’s Republic of China, and an analysis of United States capabilities for satisfying—
(A) each mission described in the updated
Arctic strategy; and

(B) the strategic objectives in the National
Defense Strategy.

c) FORM.—The report required by subsection (a)
shall be submitted in unclassified form, but may include
a classified annex.

SEC. 1055. REPORT ON USE OF NORTHERN TIER BASES IN
IMPLEMENTATION OF ARCTIC STRATEGY OF
THE UNITED STATES.

(a) IN GENERAL.—Not later than 180 days after the
date of the enactment of this Act, the Secretary of De-
fense, in coordination with the Secretary of the Air Force,
shall submit to the congressional defense committees a re-
port outlining how bases in the northern latitudes, includ-
ing Northern Tier bases, may be used in the implementa-
tion of—

(1) recommendations included in the report
submitted by the Secretary of Defense to Congress
in December 2016 entitled “Report to Congress on
Strategy to Protect United States National Security
Interests in the Arctic Region”; and

(2) the updated Arctic strategy to improve and
enhance joint operations required to be submitted to
the congressional defense committees under section
1071 of the John S. McCain National Defense Au-
1 Thorization Act for Fiscal Year 2019 (Public Law
2 115–232).
3
4 (b) INCLUSION OF MISSION SETS.—The report under
5 subsection (a) shall include a description of current and
6 future mission sets at Northern Tier bases that may fur-
7 ther the Arctic strategy of the United States.
8
9 (c) NORTHERN TIER Bases Defined.—In this sec-
10 tion, the term “Northern Tier bases” means installations
11 in the continental United States that are located in States
12 bordering Canada.

SEC. 1056. REPORT ON THE DEPARTMENT OF DEFENSE
13 PLAN FOR MASS-CASUALTY DISASTER RE-
14 SPONSE OPERATIONS IN THE ARCTIC.
15
16 (a) SENSE OF SENATE.—It is the sense of the Senate
17 that—
18
19 (1) the Department of Defense may be called
20 upon to support the Coast Guard and other agencies
21 of the Department of Homeland Security in re-
22 sponding to any mass-casualty disaster response op-
23 erations in the Arctic;
24
25 (2) coordination between the Department of
26 Defense and the Coast Guard might be necessary for
27 responding to a mass-casualty event in the Arctic; and
(3) prior planning for Arctic mass-casualty dis-
aster response operations will bolster the response of
the Federal Government to a mass-casualty disaster
in the Arctic environment.

(b) REPORT.—Not later than 180 days after the date
of the enactment of this Act, the Secretary of Defense
shall, in coordination with the Secretary of Homeland Se-
curity, submit to the appropriate committees of Congress
a report on the plan of the Department of Defense for
assisting mass-casualty disaster response operations in the
Arctic.

(c) ELEMENTS.—The report required by subsection
(b) shall include the following:

(1) A description of the assets that could be
made available to support other agencies and depart-
ments of the Federal Government for mass-casualty
disaster response operations in the Arctic.

(2) A description and assessment of the com-
mand, control, and coordination relationships that
would be useful to integrate rescue forces for such
operations from multiple departments and agencies
of the Federal Government.

(3) A description and assessment of the com-
munications assets that could be made available in
support of other agencies and departments of the
Federal Government for communication and coordination in such operations.

(4) A description of any cooperative arrangements with Canada and other regional partners in providing rescue assets and infrastructure in connection with such operations.

(5) A description of available medical infrastructure and assets that could be made available in support of other agencies and departments of the Federal Government for aeromedical evacuation in connection with such operations.

(6) A description of available shelter locations that could be made available in support of other agencies and departments of the Federal Government for use in connection with such operations, including the number of people that can be sheltered per location.

(7) An assessment of logistical challenges that evacuations from the Arctic in connection with such operations entail, including potential rotary and fixed-wing aircraft trans-load locations and onward movement requirements.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—
(1) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

SEC. 1057. ANNUAL REPORTS ON APPROVAL OF EMPLOYMENT OR COMPENSATION OF RETIRED GENERAL OR FLAG OFFICERS BY FOREIGN GOVERNMENTS FOR EMOLUMENTS CLAUSE PURPOSES.

(a) Annual Reports.—Section 908 of title 37, United States Code, is amended by adding at the end the following new subsection:

“(d) Annual Reports on Approvals for Retired General and Flag Officers.—(1) Not later than January 31 each year, the Secretaries of the military departments shall jointly submit to the appropriate committees and Members of Congress a report on each approval under subsection (b) for employment or compensation described in subsection (a) for a retired member of the armed forces in a general or flag officer grade that was issued during the preceding year.
“(2) In this subsection, the appropriate committees and Members of Congress are—

“(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate;

“(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives;

“(C) the Majority Leader and the Minority Leader of the Senate; and

“(D) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives.”.

(b) Scope of First Report.—The first report submitted pursuant to subsection (d) of section 908 of title 37, United States Code (as added by subsection (a) of this section), after the date of the enactment of this Act shall cover the five-year period ending with the year before the year in which such report is submitted.

SEC. 1058. TRANSMITTAL TO CONGRESS OF REQUESTS FOR ASSISTANCE RECEIVED BY THE DEPARTMENT OF DEFENSE FROM OTHER DEPARTMENTS.

(a) Requests for Assistance.—Not later than seven calendar days after the receipt by the Department
of Defense of a Request for Assistance from the Department of Homeland Security or the Department of Health and Human Services, the Secretary of Defense shall electronically transmit to the Committees on Armed Services of the Senate and the House of Representatives a copy of such Request for Assistance.

(b) RESPONSES TO REQUESTS.—At the same time the Secretary of Defense submits to the Secretary of Homeland Security or the Secretary of Health and Human Services an official response of the Department of Defense to a Request for Assistance from the Department of Homeland Security or the Department of Health and Human Services, as applicable, the Secretary of Defense shall transmit to the Committees on Armed Services of the Senate and the House of Representatives a copy of such official response.

SEC. 1059. SEMIANNUAL REPORT ON CONSOLIDATED ADJUDICATION FACILITY OF THE DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY.

Not less frequently than once every six months until the Director of the Defense Counterintelligence and Security Agency determines that a steady-state level has been achieved for the Consolidated Adjudication Facility of the Agency, the Director shall submit to the congressional de-
defense committees a report on inventory and timeliness
metrics relating to such facility.

SEC. 1060 COMPTROLLER GENERAL OF THE UNITED
STATES REPORT ON POST-GOVERNMENT EM-
PLOYMENT OF FORMER DEPARTMENT OF DE-
FENSE OFFICIALS.

Not later than 90 days after the date of the enact-
ment of this Act, the Comptroller General of the United
States shall initiate a review updating the information and
findings contained in the May 2008 Government Account-
ability Office report entitled, “Defense Contracting: Post-
Government Employment of Former DOD Officials Needs
Greater Transparency” (GAO–08–485). The Comptroller
General shall provide an interim briefing on the status of
the review to the congressional defense committees not
later than December 31, 2020, with a report to follow by
a date agreed upon with the committees.

Subtitle G—Treatment of Contami-
nated Water Near Military In-
stallations

SEC. 1071. SHORT TITLE.

This subtitle may be cited as the “Prompt and Fast
Action to Stop Damages Act of 2019”.

SEC. 1072. DEFINITIONS.

In this subtitle:
(1) PFOA.—The term “PFOA” means perfluorooctanoic acid.

(2) PFOS.—The term “PFOS” means perfluorooctane sulfonate.

SEC. 1073. PROVISION OF WATER UNCONTAMINATED WITH PERFLUOROOCTANOIC ACID (PFOA) AND PERFLUOROOCTANE SULFONATE (PFOS) FOR AGRICULTURAL PURPOSES.

(a) Authority.—

(1) In general.—Using amounts authorized to be appropriated or otherwise made available for operation and maintenance for the military department concerned, or for operation and maintenance Defense-wide in the case of the Secretary of Defense, the Secretary concerned may provide water sources uncontaminated with perfluoroalkyl and polyfluoroalkyl substances, including PFOA and PFOS, or treatment of contaminated waters, for agricultural purposes used to produce products destined for human consumption in an area in which a water source has been determined pursuant to paragraph (2) to be contaminated with such compounds by reason of activities on a military installation under the jurisdiction of the Secretary concerned.
(2) APPLICABLE STANDARD.—For purposes of paragraph (1), an area is determined to be contami-
nated with PFOA or PFOS if—

(A) the level of contamination is above the
Lifetime Health Advisory for contamination
with such compounds issued by the Environ-
mental Protection Agency and printed in the
Federal Register on May 25, 2016; or

(B) on or after the date the Food and
Drug Administration sets a standard for PFOA
and PFOS in raw agricultural commodities and
milk, the level of contamination is above such
standard.

(b) SECRETARY CONCERNED DEFINED.—In this sec-
tion, the term “Secretary concerned” means the following:

(1) The Secretary of the Army, with respect to
the Army.

(2) The Secretary of the Navy, with respect to
the Navy, the Marine Corps, and the Coast Guard
(when it is operating as a service in the Navy).

(3) The Secretary of the Air Force, with re-
spect to the Air Force.

(4) The Secretary of Defense, with respect to
the Defense Agencies.
SEC. 1074. ACQUISITION OF REAL PROPERTY BY AIR FORCE.

(a) Authority.—

(1) In general.—The Secretary of the Air Force may acquire one or more parcels of real property within the vicinity of an Air Force base that has shown signs of contamination from PFOA and PFOS due to activities on the base and which would extend the contiguous geographic footprint of the base and increase the force protection standoff near critical infrastructure and runways.

(2) Improvements and personal property.—The authority under paragraph (1) to acquire real property described in that paragraph shall include the authority to purchase improvements and personal property located on that real property.

(3) Relocation expenses.—The authority under paragraph (1) to acquire real property described in that paragraph shall include the authority to provide Federal financial assistance for moving costs, relocation benefits, and other expenses incurred in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(b) Environmental activities.—The Air Force shall conduct such activities at a parcel or parcels of real
property acquired under subsection (a) as are necessary
to remediate contamination from PFOA and PFOS re-
related to activities at the Air Force base.

(c) FUNDING.—Funds for the land acquisitions au-
thorized under subsection (a) shall be derived from
amounts authorized to be appropriated for fiscal year
2020 for military construction or the unobligated balances
of appropriations for military construction that are en-
acted after the date of the enactment of this Act.

(d) RULE OF CONSTRUCTION.—The authority under
this section constitutes authority to carry out land acquisi-
tions for purposes of section 2802 of title 10, United
States Code.

SEC. 1075. REMEDIATION PLAN.

(a) IN GENERAL.—Not later than 180 days after the
date of the enactment of this Act, the Secretary of Defense
shall submit to Congress a remediation plan for cleanup
of all water at or adjacent to a military base that is con-
taminated with PFOA or PFOS.

(b) STUDY.—In preparing the remediation plan
under subsection (a), the Secretary shall conduct a study
on the contamination of water at military bases with
PFOA or PFOS.

(c) BUDGET AMOUNT.—The Secretary shall ensure
that each budget of the President submitted to Congress
under section 1105(a) of title 31, United States Code, requests funding in amounts necessary to address remediation efforts under the remediation plan submitted under 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 CIVILIANS 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).

“(2) An eligible individual described in this paragraph is—

“(A) a member of the Armed Forces of the United States on active duty, as defined in section 101 of title 10; or

“(B) a civilian employee of the Department of Defense or a military department who is providing support to military operations.”.

(b) SURFACE SHIPMENT OF MAIL AUTHORIZED.—

Section 3401 of title 39, United States Code, is amended—

(1) by striking subsection (c);

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f), respectively; and

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

“(b) There shall be transported by surface or air, consistent with the service purchased by the mailer, between Armed Forces post offices or from an Armed Forces post office to a point of entry into the United States, the
following categories of mail matter which are mailed at any such Armed Forces post office:

“(1) Letter mail communications having the character of personal correspondence.

“(2) Any parcel exceeding 1 pound in weight but less than 70 pounds in weight and less than 130 inches in length and girth combined.

“(3) Publications published not less frequently than once per week and featuring principally current news of interest to members of the Armed Forces of the United States and the general public.”.

c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 3401 of title 39, United States Code, is amended in the section heading by striking “and of friendly foreign nations”.

(2) The table of sections for chapter 34 of title 39, United States Code, is amended by striking the item relating to section 3401 and inserting the following:

“3401. Mailing privileges of members of Armed Forces of the United States.”.
SEC. 1082. ACCESS TO AND USE OF MILITARY POST OFFICES BY UNITED STATES CITIZENS EMPLOYED OVERSEAS BY THE NORTH ATLANTIC TREATY ORGANIZATION WHO PERFORM FUNCTIONS IN SUPPORT OF MILITARY OPERATIONS OF THE ARMED FORCES.

Section 406 of title 39, United States Code, is amended by adding at the end the following:

“(c)(1) The Secretary of Defense may authorize the use of a post office established under subsection (a) in a location outside the United States by citizens of the United States—

“(A) who—

“(i) are employed by the North Atlantic Treaty Organization; and

“(ii) perform functions in support of the Armed Forces of the United States; and

“(B) if the Secretary makes a written determination that such use is—

“(i) in the best interests of the Department of Defense; and

“(ii) otherwise authorized by applicable host nation law or agreement.

“(2) No funds may be obligated or expended to establish, maintain, or expand a post office established under
subsection (a) for the purpose of use described in paragraph (1) of this subsection.”.

SEC. 1083. GUARANTEE OF RESIDENCY FOR SPOUSES OF MEMBERS OF UNIFORMED SERVICES.

(a) In General.—Title VI of the Servicemembers Civil Relief Act (50 U.S.C. 4021 et seq.) is amended by adding at the end the following new section:

“SEC. 707. GUARANTEE OF RESIDENCY FOR SPOUSES OF SERVICEMEMBERS.

“For the purposes of establishing the residency of a spouse of a servicemember for any purpose, the spouse of a servicemember may elect to use the same residence as the servicemember regardless of the date on which the marriage of the spouse and the servicemember occurred.”.

(b) Clerical Amendment.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 706 the following new item:

“Sec. 707. Guarantee of residency for spouses of servicemembers.”.

SEC. 1084. EXTENSION OF REQUIREMENT FOR BRIEFINGS ON THE NATIONAL BIODEFENSE STRATEGY.

Section 1086(d) of the National Defense Authorization Act for Fiscal year 2017 (Public Law 114–328; 130 Stat. 2423; 6 U.S.C. 104) is amended by striking “March 1, 2019” and inserting “March 1, 2025”.
SEC. 1085. EXTENSION OF NATIONAL COMMISSION ON MILITARY AVIATION SAFETY.


(b) Calendar Year 2020 Funding.—Of the amount authorized to be appropriated for fiscal year 2020 for the Department of Defense by this Act, $3,000,000 shall be available for the National Commission on Aviation Safety under section 1087 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 in calendar year 2020.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. MODIFICATION OF TEMPORARY ASSIGNMENTS OF DEPARTMENT OF DEFENSE EMPLOYEES TO A PRIVATE-SECTOR ORGANIZATION.

Section 1599g(e)(2)(A) of title 10, United States Code, is amended by inserting “permanent” after “without the”.

S 1790 RS
SEC. 1102. MODIFICATION OF NUMBER OF AVAILABLE APPOINTMENTS FOR CERTAIN AGENCIES UNDER PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

Section 1599h(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking “40” and inserting “10”; and

(2) in subparagraph (B), by striking “100” and inserting “130”.

SEC. 1103. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.


S 1790 RS
SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.


SEC. 1105. REIMBURSEMENT OF FEDERAL EMPLOYEES FOR FEDERAL, STATE, AND LOCAL INCOME TAXES INCURRED DURING TRAVEL, TRANSPORTATION, AND RELOCATION.

(a) In General.—5724b of title 5, United States Code, is amended—

(1) in the section heading by striking “of employees transferred”;

(2) in subsection (a)—

(A) in the first sentence, by striking “employee, or by an employee and such employee’s spouse (if filing jointly), for any moving or stor-
jointly), for any travel, transportation, or relocation”; and

(B) in the second sentence, by striking “employee” and inserting “individual, or the individual”; and

(3) by striking subsection (b) and inserting the following:

“(b) For purposes of this section, the term ‘travel, transportation, or relocation expenses’ means all travel, transportation, or relocation expenses reimbursed or furnished in kind pursuant to this subchapter or chapter 41.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—
The table of sections for chapter 57 of title 5, United States Code, is amended by striking the item relating to section 5724b and inserting the following:

“5724b. Taxes on reimbursements for travel, transportation, and relocation expenses.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to travel, transportation, or relocation expenses incurred on or after that date.
TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. EXTENSION OF SUPPORT OF SPECIAL OPERATIONS FOR IRREGULAR WARFARE.

Section 1202(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1639) is amended by striking “fiscal years 2018 through 2020” and inserting “fiscal years 2020 through 2025”.

SEC. 1202. EXTENSION OF AUTHORITY FOR CROSS SERVICING AGREEMENTS FOR LOAN OF PERSONNEL PROTECTION AND PERSONNEL SURVIVABILITY EQUIPMENT IN COALITION OPERATIONS.

SEC. 1203. TWO-YEAR EXTENSION OF PROGRAM AUTHORITY FOR GLOBAL SECURITY CONTINGENCY FUND.

Section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151 note) is amended—

(1) in subsection (i)(1), by striking “September 30, 2019” and inserting “September 30, 2021”; and

(2) in subsection (o)—

(A) in the first sentence, by striking “September 30, 2019” and inserting “September 30, 2021”; and

(B) in the second sentence, by striking “through 2019” and inserting “through 2021”.

SEC. 1204. MODIFICATION OF REPORTING REQUIREMENT FOR USE OF FUNDS FOR SECURITY CO-OPERATION PROGRAMS AND ACTIVITIES.

Section 381(b) of title 10, United States Code, is amended by striking “30 days” and inserting “60 days”.

SEC. 1205. INSTITUTIONAL LEGAL CAPACITY BUILDING INITIATIVE FOR FOREIGN DEFENSE FORCES.

(a) Authorization.—The Secretary of Defense may carry out, consistent with section 332 of title 10, United States Code, an initiative of institutional legal capacity building in collaboration with the appropriate institutions of one or more foreign countries to enhance the capacity of the applicable foreign country to organize, administer,
manage, maintain, sustain, or oversee the military legal institutions of such country.

(b) PURPOSE.—The purpose of the initiative under subsection (a) is to enhance, as appropriate, the institutional legal capacity of the applicable foreign country to do the following:

(1) Integrate legal matters into the authority, doctrine, and policies of the defense ministry of such country.

(2) Provide appropriate legal support to commanders conducting military operations.

(3) With respect to military law, institutionalize education, training, and professional development for military personnel, including military lawyers, officers, and civilian leadership within such defense ministry.

(4) Establish a military justice system that is objective, transparent, and impartial.

(5) Build the legal capacity of military forces to provide equitable, transparent, and accountable institutions and provide for anti-corruption measures within such defense ministry.

(6) Build capacity—
(A) to provide for the protection of civilians consistent with the law of armed conflict; and

(B) to investigate incidents of civilian casualties.

(7) Promote understanding and observance of—

(A) the law of armed conflict;

(B) human rights and fundamental freedoms;

(C) the rule of law; and

(D) civilian control of the military.

(c) Elements.—The initiative under subsection (a) shall include the following elements:

(1) An assessment of the organizational weaknesses for institutional legal capacity building of the applicable foreign country, including baseline information, an assessment of gaps in the capability and capacity of the appropriate institutions of such country, and any other indicator of efficacy for purposes of monitoring and evaluation, as determined by the Secretary.

(2) A multi-year engagement plan for building institutional capacity that addresses the weaknesses identified under paragraph (1), including objectives, milestones, and a timeline.
(3) The assignment of advisors, as appropriate, to the ministry of defense or other institutions of such country to assist in building core legal institutional capacity, competencies, and capabilities.

(4) A measure for monitoring the implementation of the initiative and evaluating the efficiency and effectiveness of the initiative, consistent with section 383 of title 10, United States Code.

(d) REPORTS.—

(1) IN GENERAL.—Not later than 30 days after the end of each fiscal year beginning in fiscal year 2020 through the fiscal year in which the initiative under subsection (a) terminates, the Secretary 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 progress of the legal capacity building activities under this section.

(2) MATTERS TO BE INCLUDED.—Each report under paragraph (1) shall include, for the preceding fiscal year, the following:

(A) The names of the one or more countries in which the initiative was conducted.

(B) For each such country—

(i) the purpose of the initiative;
(ii) the objectives, milestones, and timeline of the initiative;

(iii) the number and type of advisors assigned and deployed to the country, as applicable;

(iv) an assessment of the progress of the implementation of the initiative; and

(v) an evaluation of the efficiency and effectiveness of the initiative.

(e) SUNSET.—The initiative under subsection (a) shall terminate on the date that is five years after the date of the enactment of this Act.

SEC. 1206. DEPARTMENT OF DEFENSE SUPPORT FOR STABILIZATION ACTIVITIES IN NATIONAL SECURITY INTEREST OF THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary of State and in consultation with the Administrator of the United States Agency for International Development, provide support for the stabilization activities of other Federal agencies specified under subsection (c).

(b) DESIGNATION OF FOREIGN AREAS.—

(1) IN GENERAL.—Amounts authorized to be provided pursuant to this section shall be available only for support for stabilization activities—
(A) in a country specified in paragraph (2); and

(B) that the Secretary of Defense, with the concurrence of the Secretary of State, has determined are in the national security interest of the United States.

(2) SPECIFIED COUNTRIES.—The countries specified in this paragraph are as follows:

(A) Iraq.

(B) Syria.

(C) Afghanistan.

(D) Somalia.

(E) Yemen.

(F) Libya.

(c) SUPPORT TO OTHER AGENCIES.—

(1) IN GENERAL.—Support may be provided for stabilization activities under subsection (a) to the Department of State, the United States Agency for International Development, or other Federal agencies, on a reimbursable or nonreimbursable basis.

(2) TYPE OF SUPPORT.—Support under subsection (a) may consist of—

(A) logistic support, supplies, and services;

and

(B) equipment.
(d) Requirement for a Stabilization Strategy.—

(1) Limitation.—With respect to any country specified in subsection (b)(2), no amount of support may be provided under subsection (a) until 15 days after the date on which the Secretary of Defense, with the concurrence of the Secretary of State, submits to the appropriate committees of Congress a detailed report setting forth a stabilization strategy for such country.

(2) Elements of Strategy.—The stabilization strategy required by paragraph (1) shall set forth the following:

(A) The United States interests in conducting stabilization activities in the country specified in subsection (b)(2).

(B) The key foreign partners and actors in such country.

(C) The desired end states and objectives of the United States stabilization activities in such country.

(D) The Department of Defense support intended to be provided for the stabilization activities of other Federal agencies under subsection (a).
(E) Any mechanism for civil-military coordination regarding support for stabilization activities.

(F) The mechanisms for monitoring and evaluating the effectiveness of Department of Defense support for United States stabilization activities in the area.

(e) IMPLEMENTATION IN ACCORDANCE WITH GUIDANCE.—Support provided under subsection (a) shall be implemented in accordance with the guidance of the Department of Defense entitled “DoD Directive 3000.05 Stabilization”, dated December 13, 2018 (or successor guidance).

(f) REPORT.—The Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the appropriate committees of Congress on an annual basis a report that includes the following:

(1) The identification of each foreign area within countries specified in subsection (b)(2) for which support to stabilization has occurred.

(2) The total amount spent by the Department of Defense, broken out by recipient Federal agency and activity.

(3) An assessment of the contribution of each activity toward greater stability.
(4) An articulation of any plans for continued Department of Defense support to stabilization in the specified foreign area in order to maintain or improve stability.

(5) Other matters as the Secretary of Defense considers to be appropriate.

(g) USE OF FUNDS.—

(1) SOURCE OF FUNDS.—Amounts for activities carried out under this section in a fiscal year shall be derived only from amounts authorized to be appropriated for such fiscal year for the Department of Defense for Operation and Maintenance, Defense-wide.

(2) LIMITATION.—Not more than $25,000,000 in each fiscal year is authorized to be used to provide nonreimbursable support under this section.

(h) EXPIRATION.—The authority provided under this section may not be exercised after December 31, 2020.

(i) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

...
(B) the Committee on Armed Services and
the Committee on Foreign Affairs of the House
of Representatives.

(2) LOGISTIC SUPPORT, SUPPLIES, AND SERV-
ICES.—The term “logistic support, supplies, and
services” has the meaning given the term in section
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 re-
cently amended by section 1221 of the John S. McCain
(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”.

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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 S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), $4,803,978,000.

(b) Continuation of Prior Authorities and Notice and Reporting Requirements.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2020 shall be subject to the conditions contained in subsections (b) through (f) of such section 1513.

(c) Use of Funds.—

(1) Type of Assistance.—Subsection (b)(2) of such section 1513 is amended by inserting “(including program and security assistance management support)” after “services”.

(d) Equipment Disposition.—

(1) Acceptance of Certain Equipment.—Subject to paragraph (2), the Secretary of Defense may accept equipment that is procured using amounts authorized to be appropriated for the Afghanistan Security Forces Fund by this Act and is
intended for transfer to the security forces of Afghanistan, but is not accepted by such security forces.

(2) Conditions on acceptance of equipment.—Before accepting any equipment under paragraph (1), the Commander of United States forces in Afghanistan shall make a determination that the equipment was procured for the purpose of meeting requirements of the security forces of Afghanistan, as agreed to by both the Government of Afghanistan and the United States, but is no longer required by such security forces or was damaged before transfer to such security forces.

(3) Elements of determination.—In making a determination under paragraph (2), the Commander of United States forces in Afghanistan shall consider alternatives to acceptance of the equipment by the Secretary. An explanation of each determination, including the basis for the determination and the alternatives considered, shall be included in the relevant quarterly report under paragraph (5).

(4) Treatment as Department of Defense stocks.—Equipment accepted under paragraph (1) may be treated as stocks of the Department of De-
fense upon notification to the congressional defense committees of such treatment.

(5) QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 90-day period thereafter during which the authority provided by paragraph (1) is exercised, the Secretary shall submit to the congressional defense committees a report describing the equipment accepted during the period covered by such report under the following:

(i) This subsection.


(B) ELEMENTS.—Each report under subparagraph (A) shall include a list of all equipment accepted during the period covered by the
report and treated as stocks of the Department
of Defense and copies of the determinations
made under paragraph (2), as required by para-
graph (3).

(e) **Security of Afghan Women.**—

(1) **In general.**—Of the funds available to the
Department of Defense for the Afghanistan Security
Forces Fund for fiscal year 2020, it is the goal that
$25,000,000, but in no event less than $10,000,000,
shall be used for—

(A) the recruitment, integration, retention,
training, and treatment of women in the Af-
ghan National Defense and Security Forces;
and

(B) the recruitment, training, and con-
tracting of female security personnel for future
elections.

(2) **Types of programs and activities.**—
Such programs and activities may include—

(A) efforts to recruit women into the Af-
ghan National Defense and Security Forces, in-
cluding the special operations forces;

(B) programs and activities of the Afghan
Ministry of Defense Directorate of Human
Rights and Gender Integration and the Afghan
Ministry of Interior Office of Human Rights, Gender, and Child Rights;

(C) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(D) efforts to address harassment and violence against women within the Afghan National Defense and Security Forces;

(E) improvements to infrastructure that address the requirements of women serving in the Afghan National Defense and Security Forces, including appropriate equipment for female security and police forces, and transportation for policewomen to their station;

(F) support for Afghan National Police Family Response Units; and

(G) security provisions for high-profile female police and army officers.

(f) ASSESSMENT OF EFFORTS TO BUILD CAPACITY IN THE AFGHAN NATIONAL DEFENSE AND SECURITY FORCES.—

(1) ASSESSMENT REQUIRED.—Not later than 90 days after the date of the enactment of this Act,
the Secretary of Defense, in coordination with the Secretary of State, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an assessment that describes the following:

(A) The integrated capacity development strategies for—

(i) the Ministry of Defense and the Ministry of Interior of Afghanistan; and

(ii) the North Atlantic Treaty Organization-led Train Advise Assist Commands and Task Forces at the national and regional levels in Afghanistan.

(B) An articulation of the key capabilities to be developed and improved with respect to the Ministry of Defense, the Ministry of Interior, and the North Atlantic Treaty Organization-led Train Advise Assist Commands and Task Forces, and the overall plan (including timeframes, budgets, and specific initiatives) to achieve the intended outcomes.

(C) The specific roles of Department of Defense-funded advisors in building the capacity of the Ministry of Defense and the Ministry of Interior of Afghanistan and the Afghan Na-
national Defense and Security Forces at the national and regional levels, and the manner in which such roles align with the development strategy referred to in subparagraph (A).

(D) The metrics used to assess progress on the recruitment, integration, retention, training, and treatment of women in the Afghan National Defense and Security Forces, and a progress report on such recruitment, integration, retention, training, and treatment.

(E) An explanation of the assessment, monitoring, and evaluation mechanisms in place to assess the relevance, effectiveness, and sustainability of each specific initiative and progress made toward the intended outcomes identified under subparagraph (B).

(F) Any other matter the Secretary considers appropriate.

SEC. 1213. EXTENSION OF COMMANDERS’ EMERGENCY RESPONSE PROGRAM.

(1) in subsection (a), by striking “December 31, 2019” and inserting “December 31, 2020”; 

(2) in subsection (b), by striking “of fiscal years 2017 through 2019” and inserting “for each of fiscal years 2017 through 2020”; and 

(3) in subsection (f), in the first sentence, by striking “December 31, 2019” and inserting “December 31, 2020”.

SEC. 1214. EXTENSION AND MODIFICATION OF REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

Section 1233(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1225 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), is further amended to read as follows:

“(a) Authority.—From funds made available for the Department of Defense for the period beginning on October 1, 2019, and ending on December 31, 2020, for overseas contingency operations for operation and maintenance, Defense-wide activities, the Secretary of Defense may reimburse any key cooperating nation (other than Pakistan) for—
“(1) logistical and military support provided by that nation to or in connection with United States military operations in Afghanistan, Iraq, or Syria; and

“(2) logistical, military, and other support, including access, provided by that nation to or in connection with United States military operations described in paragraph (1).”.

SEC. 1215. SUPPORT FOR RECONCILIATION ACTIVITIES LED BY THE GOVERNMENT OF AFGHANISTAN.

(a) In General.—The Secretary of Defense may, with the concurrence of the Secretary of State, provide covered support for reconciliation activities to one or more designated persons or entities or Federal agencies.

(b) Designation.—Not later than 15 days before the Secretary of Defense designates an individual or organization as a designated person or entity, the Secretary shall notify the congressional defense committees of the intent of the Secretary to make such designation.

(c) Reimbursement.—

(1) Designated Persons or Entities.—The Secretary of Defense may provide covered support to a designated person or entity on a reimbursable or nonreimbursable basis.
(2) FEDERAL AGENCIES.—The Secretary of Defense may provide covered support to a Federal agency on a reimbursable or nonreimbursable basis.

(d) LOCATION OF COVERED SUPPORT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Defense may only provide covered support within Afghanistan.

(2) EXCEPTION.—Notwithstanding paragraph (1), the Secretary of Defense may provide covered support in Pakistan if the Secretary determines, and certifies to the congressional defense committees, that providing covered support in Pakistan is in the national security interest of the United States.

(e) NOTIFICATION.—Not later than 15 days before the date on which the Secretary of Defense provides covered support to a nongovernmental designated person or entity or provides covered support in Pakistan, the Secretary shall submit to the congressional defense committees written notice that includes the intended recipient of such covered support and the specific covered support to be provided.

(f) FUNDING.—

(1) SOURCE OF FUNDS.—Amounts for covered support may only be derived from amounts author-
ized to be appropriated for the Department of De-
fense for operation and maintenance.

(2) LIMITATION.—Not more than $15,000,000
may be used for nonreimbursable covered support.

(g) RULE OF CONSTRUCTION.—Covered support
shall not be construed to violate section 2339, 2339A, or
2339B of title 18, United States Code.

(h) REPORTS.—

(1) IN GENERAL.—Not later than 90 days after
the date of the enactment of this Act, and quarterly
thereafter, the Secretary of Defense shall, in coordi-
nation with the Secretary of State, submit to the
congressional defense committees a report on cov-
ered support during the preceding 90-day period.

(2) ELEMENTS.—Each report under this sub-
section shall include, for the preceding reporting pe-
riod, the following:

(A) A summary of the ongoing reconcili-
ation activities for which covered support was
provided.

(B) A description of the covered support,
by class or type, and the designated person or
entity or Federal agency that received each
class or type of covered support.
(C) The total dollar amount of each class or type of covered support, including budget details.

(D) The intended duration of each provision of covered support.

(E) Any other matter the Secretary of Defense considers appropriate.

(i) Sunset.—The authority to carry out this section shall terminate on December 31, 2020.

(j) Definitions.—In this section:

(1) Covered support.—The term “covered support” means logistic support, supplies, and services (as defined in section 2350 of title 10, United States Code) and security provided under this section.

(2) Designated person or entity.—

(A) In general.—The term “designated person or entity” means an individual or organization designated by the Secretary of Defense as necessary to facilitate a reconciliation activity.

(B) Exclusion.—The term “designated person or entity” does not include a Federal agency.
(3) RECONCILIATION ACTIVITY.—The term “reconciliation activity” means any activity intended to support, facilitate, or enable a political settlement between the Government of Afghanistan and the Taliban for the purpose of ending the war in Afghanistan.

(4) SECURITY.—The term “security” means any measure determined by the Secretary of Defense to be necessary to protect reconciliation activities from hostile acts.

SEC. 1216. SENSE OF SENATE ON SPECIAL IMMIGRANT VISA PROGRAM FOR AFGHAN ALLIES.

It is the sense of the Senate that—

(1) the special immigrant visa program for Afghan allies is critical to the mission in Afghanistan and the long-term interests of the United States;

(2) maintaining a robust special immigrant visa program for Afghan allies is necessary to support United States Government personnel in Afghanistan who need translation, interpretation, security, and other services;

(3) Afghan allies routinely risk their lives to assist United States military and diplomatic personnel;

(4) honoring the commitments made to Afghan allies with respect to such special immigrant visa
program is essential to ensuring the continued service and safety of such allies; and

(5) an additional 4,000 visas should be made available to principal aliens who are eligible for special immigrant status under the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) to prevent harm to the operations of the United States Government in Afghanistan.

Subtitle C—Matters Relating to Syria, Iraq, and Iran

SEC. 1221. MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO VETTED SYRIAN GROUPS.


(1) in the matter preceding paragraph (1), by striking “with a cost” and all that follows through “December 31, 2019” and inserting “, and sustainment to appropriately vetted Syrian groups and individuals, through December 31, 2020”;
(2) in paragraph (1), by striking “Islamic State of Iraq and the Levant” and all that follows through the period at the end and inserting the following: “Islamic State of Iraq and Syria (ISIS).”; and

(3) by striking paragraphs (2) and (3) and inserting the following new paragraphs:

“(2) Securing territory formerly controlled by the Islamic State of Iraq and Syria.

“(3) Protecting the United States and its friends and allies from the threats posed by the Islamic State of Iraq and Syria, al Qaeda, and associated forces in Syria.


(b) Scope of Quarterly Progress Reports.—

Subsection (d) of such section, as most recently amended by section 1223(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1653), is further amended to read as follows:
“(d) QUARTERLY PROGRESS REPORTS.—

“(1) IN GENERAL.—Beginning on January 15, 2020, and every 90 days thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees and leadership of the House of Representatives and the Senate a progress report.

“(2) MATTERS TO BE INCLUDED.—Each progress report under paragraph (1) shall include, based on the most recent quarterly information, the following:

“(A) A description of the appropriately vetted recipients receiving assistance under subsection (a).

“(B) A description of training, equipment, supplies, stipends, and other support provided to appropriately vetted recipients under subsection (a) and a statement of the amount of funds expended for such purposes during the period covered by the report.

“(C) Any misuse or loss of provided training and equipment and how such misuse or loss is being mitigated.
“(D) An assessment of the recruitment, throughput, and retention rates of appropriately vetted recipients.

“(E) An assessment of the operational effectiveness of appropriately vetted recipients in meeting the purposes specified in subsection (a).

“(F) A description of United States Government stabilization objectives and activities carried out in areas formerly controlled by the Islamic State of Iraq and Syria, including significant projects and funding associated with such projects.

“(G) A description of coalition contributions to the purposes specified in subsection (a) and other related stabilization activities.

“(H) With respect to Islamic State of Iraq and Syria foreign terrorist fighters—

“(i) an estimate of the number of such individuals being detained by appropriately vetted Syrian groups and individuals;

“(ii) an estimate of the number of such individuals that have been repatriated
and the countries to which such individuals
have been repatriated; and

“(iii) a description of United States
Government support provided to facilitate
the repatriation of such individuals.

“(I) An assessment of the extent to which
appropriately vetted Syrian groups and individu-
als have enabled progress toward establishing
inclusive, representative, accountable, and civil-
ian-led governance and security structures in
territories liberated from the Islamic State of
Iraq and Syria.”.

(e) Elimination of Reprogramming Require-
ment.—Such section is further amended by striking sub-
section (f).

(d) Inclusion of Support for Stabilization Ac-
tivities.—Such section is further amended by inserting
after subsection (e) the following new subsection (f):

“(f) Support for Stabilization Activities.—

“(1) In General.—The Secretary of Defense
may, with the concurrence of the Secretary of State
and in consultation with the Administrator of the
United States Agency for International Develop-
ment, provide support for the stabilization activities
of the Department of State, the United States Agen-
cy for International Development, and any other
Federal agency on a reimbursable or
nonreimbursable basis.

“(2) Types of Support.—The support pro-
vided under paragraph (1) may consist of—

“(A) logistic support, supplies, and serv-
ices; or

“(B) equipment.”.

(e) Per Project and Aggregate Cost Limita-
tions for Construction and Repair Projects.—
Subsection (l) of such section, as added by section 1223(d)
of the National Defense Authorization Act for Fiscal Year
2018 (Public Law 115–91; 131 Stat. 1653), is amended
to read as follows:

“(l) Limitation on Cost of Construction and
Repair Projects.—

“(1) In General.—The cost of construction
and repair projects carried out under this section
may not exceed, in any fiscal year—

“(A) $4,000,000 per project; or

“(B) $12,000,000 in the aggregate.

“(2) Foreign Contributions.—The limita-
tion under paragraph (1) shall not apply to the ex-
penditure of foreign contributions in excess of the
per-project or aggregate limitation set forth in that paragraph.”.

(f) INCLUSION OF LIMITATION PENDING REPORT.—

Such section is further amended by adding at the end the following new subsection:

“(n) LIMITATION PENDING REPORT.—None of the funds authorized to be appropriated for fiscal year 2020 for the Department of Defense may be obligated or expended for activities under this section until 30 days after the date on which the Secretary of Defense submits an unclassified report, with a classified annex if necessary, to the congressional defense committees setting forth the following:

“(1) A description of the efforts the United States will undertake to train and equip appropriately vetted Syrian groups and individuals for the purposes described in subsection (a).

“(2) A detailed description of the appropriately vetted Syrian groups and individuals to be trained and equipped under this section, including a description of their geographical locations, demographic profiles, political affiliations, and current capabilities.

“(3) A detailed description of planned capabilities, including categories of training, equipment, fi-
nancial support, sustainment, and supplies, intended
to be provided to appropriately vetted Syrian groups
and individuals under this section, and timelines for
delivery.

“(4) A description of the planned posture of
United States forces and the planned level of en-
gagement by such forces with appropriately vetted
Syrian groups and individuals, including the over-
sight of equipment provided under this section and
the activities conducted by such appropriately vetted
Syrian groups and individuals.

“(5) An explanation of the processes and mech-
anisms for local commanders of such forces to exer-
cise command and control of the elements of the ap-
propriately vetted Syrian groups and individuals
after such elements have been trained and equipped
under this section.

“(6) A detailed explanation of the relationship
between appropriately vetted recipients and civilian
governance authorities and a description of efforts to
ensure appropriately vetted recipients are subject to
the control of competent civilian authorities.”.
SEC. 1222. EXTENSION OF AUTHORITY AND LIMITATION ON USE OF FUNDS TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.


(b) Funding.—Subsection (g) of such section, as most recently amended by section 1233(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, is further amended—

(1) by striking “fiscal year 2019” and inserting “fiscal year 2020”; and

(2) by striking “$850,000,000” and inserting “$645,000,000”.

(c) Limitation on Use of Funds.—Of the amounts authorized to be appropriated for fiscal year 2020 by this Act for activities under such section 1236, as amended by subsection (a), not more than $375,000,000 may be obligated or expended for such activities until the date on which the Secretary of Defense
submits to the congressional defense committees a report setting forth the following:

(1) An identification of the specific units of the Iraqi Security Forces to receive training and equipment or other support in fiscal year 2020.

(2) A plan for ensuring that any vehicles or equipment provided to the Iraqi Security Forces pursuant to such authority are maintained in subsequent fiscal years using funds of Iraq.

(3) An estimate, by fiscal year, of the funding anticipated to be required for support of the Iraqi Security Forces during the five fiscal years beginning in fiscal year 2020.


(5) A detailed plan for the obligation and expenditure of the funds requested for fiscal year 2020 for the Department of Defense for stipends.

(6) A plan for the transition to the Government of Iraq the responsibility for funding for stipends for any fiscal year after fiscal year 2020.
SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY
TO SUPPORT OPERATIONS AND ACTIVITIES
OF THE OFFICE OF SECURITY COOPERATION
IN IRAQ.

(a) Authority.—Section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

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

“(a) Authority.—The Secretary of Defense may support United States Government security cooperation activities in Iraq by providing funds for operations and activities of the Office of Security Cooperation in Iraq.”;

(2) by striking subsection (f);

(3) in subsection (g)(2), by striking subparagraph (F); and

(4) by redesignating subsection (g) as subsection (f).

(b) Types of Support.—Subsection (b) of such section is amended by striking “life support, transportation and personal security, and construction and renovation of facilities” and inserting “life support, transportation, and personal security”.

(c) Amount Available.—Such section is further amended—

(1) in subsection (c)—
(A) by striking “fiscal year 2019” and inserting “fiscal year 2020”; and

(B) by striking “$45,300,000” and inserting “$30,000,000”; and

(2) in subsection (d), by striking “fiscal year 2019” and inserting “fiscal year 2020”.

(d) COVERAGE OF COSTS OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.—Subsection (e) of such section is amended by striking “activities of security assistance teams in Iraq in connection with such sale” and inserting “activities of the Office of Security Cooperation in Iraq in excess of the amount set forth in subsection (c)”.

SEC. 1224. COORDINATOR OF UNITED STATES GOVERNMENT ACTIVITIES AND MATTERS IN CONNECTION WITH DETAINES WHO ARE MEMBERS OF THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) In general.—Not later than 90 days after the date of the enactment of this Act, the President shall, in consultation with the Secretary of Defense, the Secretary of State, the Director of National Intelligence, and the Attorney General, designate an existing official within the Executive Branch to serve as senior-level coordinator to coordinate, in conjunction with the lead and other relevant agencies, all matters for the United States Government
relating to the long-term disposition of members of the
Islamic State of Iraq and Syria (ISIS) and associated
forces (in this section referred to as “ISIS detainees”),
including all matters in connection with—

(1) repatriation, transfer, prosecution, and in-
telligence-gathering; and

(2) all multilateral and international engage-
ments led by the Department of State and other
agencies that are related to the current and future
handling, detention, and prosecution of ISIS detain-
ees.

(b) RETENTION OF AUTHORITY.—The appointment
of a senior-level coordinator pursuant to subsection (a)
shall not deprive any agency of any authority to independ-
ently perform functions of that agency.

(e) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 180 days
after the date of the enactment of this Act, and not
less frequently than once each year thereafter
through December 31, 2024, the individual des-
ignated under subsection (a) shall submit to the ap-
propriate committees of Congress a detailed report
regarding the following ISIS detainees:

(A) Alexandra Kotey.

(B) El Shafee Elsheikh.
(C) Aine Lesley Davis.

(D) Umm Sayyaf.

(E) Any other high-value ISIS detainee that the coordinator reasonably determines to be subject to criminal prosecution in the United States.

(2) ELEMENTS.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A detailed description of the facilities where ISIS detainees described in paragraph (1) are being held.

(B) An analysis of all United States efforts to prosecute ISIS detainees described in paragraph (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 unin-
tended 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 forces, and any legal obstacles that may hinder such efforts.

(G) An analysis of the manner in which the United States Government communicates on such proposals and efforts to the families of United States citizens believed to be a victim of a criminal act by an ISIS detainee.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.
(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

SEC. 1225. REPORT ON LESSONS LEARNED FROM EFFORTS TO LIBERATE MOSUL AND RAQQAH FROM CONTROL OF THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on lessons learned from coalition operations to liberate Mosul, Iraq, and Raqqah, Syria, from control of the Islamic State of Iraq and Syria (ISIS).
(b) Elements.—The report required by subsection (a) shall include a description of lessons learned in connection with each of the following:

1. Combat in densely populated urban environments.
2. Enablement of partner forces, including unique aspects of conducting combined operations with regular and irregular forces.
3. Advise, assist, and accompany efforts, including such efforts conducted remotely.
4. Integration of United States general purpose and special operations forces.
5. Integration of United States and international forces.
6. Irregular and unconventional warfare approaches, including the application of training and doctrine by special operations and general purpose forces.
7. Use of command, control, communications, computer, intelligence, surveillance, and reconnaissance systems and techniques.
8. Logistics.
9. Information operations.
(10) Targeting and weaponeering, including efforts to avoid civilian casualties and other collateral damage.

(11) Facilitation of flows of internally displaced people and humanitarian assistance.

(12) Such other matters as the Secretary considers appropriate and could benefit training, doctrine, and resourcing of future operations.

(e) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

Subtitle D—Matters Relating to Europe and the Russian Federation

SEC. 1231. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of the Russian Federation over Crimea.
(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the prohibition under subsection (a) if the Secretary of Defense—

(1) determines that a waiver is in the national security interest of the United States; and

(2) on the date on which the waiver is invoked, submits a notification of the waiver and a justification of the reason for seeking the waiver to—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1232. PROHIBITION ON USE OF FUNDS FOR WITHDRAWAL OF ARMED FORCES FROM EUROPE IN THE EVENT OF UNITED STATES WITHDRAWAL FROM THE NORTH ATLANTIC TREATY.

Notwithstanding any other provision of law, if the President provides notice of withdrawal of the United States from the North Atlantic Treaty, done at Washington D.C. April 4, 1949, pursuant to Article 13 of the Treaty, during the one-year period beginning on the date of such notice, no funds authorized to be appropriated by
this Act may be obligated, expended, or reprogrammed for
the withdrawal of the United States Armed Forces from
Europe.

SEC. 1233. EXTENSION OF LIMITATION ON MILITARY CO-
OPERATION BETWEEN THE UNITED STATES
AND THE RUSSIAN FEDERATION.

Subsection (a) of the National Defense Authorization
Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
2488), as most recently amended by section 1247 of the
Fiscal Year 2019 (Public Law 115–232), is further
amended in the matter preceding paragraph (1) by strik-
ing “fiscal year 2017, 2018, or 2019” and inserting “fis-
cal year 2017, 2018, 2019, or 2020”.

SEC. 1234. MODIFICATION AND EXTENSION OF UKRAINE SE-
CURITY ASSISTANCE INITIATIVE.

Section 1250 of the National Defense Authorization
Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.
1068), as most recently amended by section 1246 of the
Fiscal Year 2019 (Public Law 115–232), is further
amended—

(1) in subsection (a), in the matter preceding
paragraph (1), by striking “in coordination with the
Secretary of State” and inserting “with the concur-
rence of the Secretary of State”;

(2) in subsection (b)—

(A) by amending paragraph (11) to read
as follows:

“(11) Air defense and coastal defense radars,
and systems to support effective command and con-
trol and integration of air defense and coastal de-
fense capabilities.”;

(B) by redesignating paragraphs (14) and
(15) as paragraphs (15) and (16), respectively;

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

“(14) Coastal defense and anti-ship missile sys-
tems.”; and

(D) in paragraph (15), as so redesignated,
by striking “paragraphs (1) through (13)” and
inserting “paragraphs (1) through (14)”;

(3) in subsection (c), by amending paragraph
(5) to read as follows:

“(5) LETHAL ASSISTANCE.—Of the funds avail-
able for fiscal year 2020 pursuant to subsection
(f)(5), $100,000,000 shall be available only for le-
thal assistance described in paragraphs (2), (3),
(11), (12), and (14) of subsection (b).”;}
(4) in subsection (f), by adding at the end the following new paragraph:

“(5) For fiscal year 2020, $300,000,000.”; and

(5) in subsection (h), by striking “December 31, 2021” and inserting “December 31, 2022”.

SEC. 1235. EXTENSION OF AUTHORITY FOR TRAINING FOR EASTERN EUROPEAN NATIONAL SECURITY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

Subsection (h) of section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amended—

(1) in the first sentence, by striking “December 31, 2020” and inserting “December 31, 2022”; and

(2) in the second sentence, by striking “for the period beginning on October 1, 2015, and ending on December 31, 2020” and inserting “for the period beginning on October 1, 2015, and ending on December 31, 2022”.

SEC. 1236. LIMITATION ON TRANSFER OF F–35 AIRCRAFT TO THE REPUBLIC OF TURKEY.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense may be used to do the following:
(1) Transfer, or facilitate the transfer of, F–35 aircraft to the territory of the Republic of Turkey.

(2) Transfer equipment, intellectual property, or technical data necessary for or related to the maintenance or support of the F–35 aircraft in the territory of the Republic of Turkey.

(3) Construct facilities for or otherwise associated with the storage of F–35 aircraft in the territory of the Republic of Turkey.

(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the limitation under subsection (a) if the Secretary of Defense and the Secretary of State submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a certification that the Government of Turkey—

(1) has not accepted delivery of the S–400 air and missile defense system from the Russian Federation; and

(2) has provided reliable assurances that the Government of Turkey will not accept delivery of the S–400 air and missile defense system from the Russian Federation in the future.
SEC. 1237. MODIFICATIONS OF BRIEFING, NOTIFICATION, AND REPORTING REQUIREMENTS RELATING TO NON-COMPLIANCE BY THE RUSSIAN FEDERATION WITH ITS OBLIGATIONS UNDER THE INF TREATY.


(1) by striking “At the time” and inserting the following:

“(A) IN GENERAL.—At the time”;

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

“(B) SUNSET.—The briefing requirement under subparagraph (A) shall be in effect so long as the INF Treaty remains in force.”.

(b) Notification Requirement Relating to Coordination With Allies.—Section 1243(c) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1601) is amended by adding at the end the following new paragraph:

“(3) SUNSET.—The notification requirement under paragraph (1) shall be in effect so long as the INF Treaty remains in force.”.
(c) Notification Requirement Relating to Development, Deployment, or Test of a System Inconsistent With INF Treaty.—Section 1244(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1673; 22 U.S.C. 2593a note) is amended by adding at the end the following new paragraph:

“(3) Sunset.—The notification requirement under paragraph (1) shall be in effect so long as the INF Treaty remains in force.”.

(d) Reporting Requirement Under Ukraine Freedom Support Act of 2014.—Section 10(c) of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8929) is amended by adding at the end the following new paragraph:

“(3) Sunset.—The reporting requirement under paragraph (1) shall be in effect so long as the INF Treaty remains in force.”.

SEC. 1238. Extension and Modification of Security Assistance for Baltic Nations for Joint Program for Interoperability and Deterrence Against Aggression.

(a) Additional Defense Articles and Services.—Subsection (c) of section 1279D of the National Defense Authorization Act for Fiscal Year 2018 (Public
Law 115–91; 131 Stat. 1702; 22 U.S.C. 2753 note) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph (5):

“(5) Command, control, communications, computers, intelligence, surveillance, and reconnaissance (C4ISR) equipment.”.

(b) FUNDING.—Subsection (f) of such section is amended—

(1) in paragraph (2), by striking “$100,000,000” and inserting “$125,000,000”; and

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

“(3) MATCHING AMOUNT.—The amount of assistance provided under subsection (a) for procurement described in subsection (b) may not exceed the aggregate amount contributed to such procurement by the Baltic nations.”.

(c) EXTENSION.—Subsection (g) of such section is amended by striking “December 31, 2020” and inserting “December 31, 2022”.
SEC. 1239. REPORT ON NORTH ATLANTIC TREATY ORGANIZATION READINESS INITIATIVE.

(a) Report.—Not later than October 1, 2020, the Secretary of Defense shall submit to the congressional defense committees a report on the North Atlantic Treaty Organization (NATO) Readiness Initiative, which shall include assessments of the following:

(1) The number of units North Atlantic Treaty Organization allies have pledged against the benchmark to provide an additional 30 air attack squadrons, 30 naval combat vessels, and 30 mechanized battalions ready to fight in not more than 30 days.

(2) The procedure by which the North Atlantic Treaty Organization certifies, reports, and ensures that the Supreme Allied Commander Europe (SACEUR) maintains a detailed understanding of the readiness of the forces described in paragraph (1).

(3) The North Atlantic Treaty Organization plan to maintain the readiness of such forces in future years.

(b) Form.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.
SEC. 1240. REPORTS ON CONTRIBUTIONS TO THE NORTH ATLANTIC TREATY ORGANIZATION.

(a) In General.—Beginning in 2020, and annually thereafter through 2025, not later than 30 days after the date on which the annual report of the Secretary General of the North Atlantic Treaty Organization for the preceding calendar year is published, the Secretary of Defense, in consultation with the Commander of United States European Command, shall submit to the appropriate committees of Congress a report that includes the following:

(1) A link to an electronic version of such annual report of the Secretary General of the North Atlantic Treaty Organization.

(2) A summary of the key findings of such annual report.

(3) A description of the significant financial contributions by member countries of the North Atlantic Treaty Organization that support the presence or operations of the United States Armed Forces in Europe.

(4) An assessment of the progress of each member country of the North Atlantic Treaty Organization toward meeting the North Atlantic Treaty Organization capability targets for such member country.
(5) An assessment of North Atlantic Treaty Organization capability and capacity shortfalls that may be addressed through investment by North Atlantic Treaty Organization member countries that have not met the Defense Investment Pledge made at the 2014 summit of the North Atlantic Treaty Organization in Wales.

(6) A description of the contribution of each member country of the North Atlantic Treaty Organization to the NATO Readiness Initiative.

(7) A description of—

(A) the personnel and financial contributions of each member country of the North Atlantic Treaty Organization to military or stability operations in which the United States Armed Forces are a participant; and

(B) any limitation placed by such member country on the use of such contributions.

(8) An assessment of the compatibility and alignment of United States and North Atlantic Treaty Organization contingency plans, including recommendations to reduce the risk of executing such plans.

(9) An assessment of current North Atlantic Treaty Organization initiatives, and any rec-
ommendations for future reforms or initiatives, to accelerate the speed of decision and deployability of North Atlantic Treaty Organization forces.

(b) Form.—Each report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) Appropriate Committees of Congress Defined.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1241. FUTURE YEARS PLANS FOR EUROPEAN DETERRENCE INITIATIVE.

(a) Plan Required.—

(1) Initial Plan.—

(A) In General.—Not later than December 31, 2019, the Secretary of Defense, in consultation with the Commander of the United States European Command, shall submit to the congressional defense committees a future years plan on activities and resources of the European Deterrence Initiative (EDI) for fiscal year
2020 and not fewer than the four succeeding fiscal years.

(B) MATTERS TO BE INCLUDED.—The plan required under subparagraph (A) shall include the following:

(i) A description of the objectives of the European Deterrence Initiative, including a description of—

(I) the intended force structure and posture of the assigned and allocated forces within the area of responsibility of the United States European Command for the last fiscal year of the plan; and

(II) the manner in which such force structure and posture support the implementation of the National Defense Strategy.

(ii) An assessment of capabilities requirements to achieve the objectives of the European Deterrence Initiative.

(iii) An assessment of logistics requirements, including personnel, equipment, supplies, storage, and maintenance
needs, to achieve the objectives of the European Deterrence Initiative.

(iv) An identification of required infrastructure and military construction investments to achieve the objectives of the European Deterrence Initiative, including potential infrastructure investments by host nations.

(v) An assessment of security cooperation investments required to achieve the objectives of the European Deterrence Initiative.

(vi) A plan to fully resource United States force posture and capabilities, including—

(I) a detailed assessment of the resources necessary to address the requirements described in clauses (i) through (v), including specific cost estimates for each project in the European Deterrence Initiative to support increased presence, exercises and training, enhanced prepositioning, improved infrastructure, and building partnership capacity; and
(II) a detailed timeline to achieve
the intended force structure and pos-
ture described in clause (i)(I).

(2) SUBSEQUENT PLAN.—

(A) IN GENERAL.—Not later than the date
on which the Secretary submits to Congress the
budget request for the Department of Defense
for fiscal year 2021, the Secretary, in consulta-
tion with the Commander of the United States
European Command, shall submit to the con-
gressional defense committees a future years
plan on activities and resources of the Euro-
pean Deterrence Initiative for fiscal year 2021
and not fewer than the four succeeding fiscal
years.

(B) MATTERS TO BE INCLUDED.—The
plan required under subparagraph (A) shall in-
clude—

(i) the matters described in subpara-
graph (B) of paragraph (1); and

(ii) a detailed explanation of any sig-
nificant modifications in requirements or
resources, as compared to the plan sub-
mitted under that paragraph.
(b) FORM.—The plans required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1242. MODIFICATION OF REPORTING REQUIREMENTS RELATING TO THE OPEN SKIES TREATY.

(a) PLAN FOR IMPLEMENTATION FLIGHTS.—Section 1235(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1660) is amended—

(1) in paragraph (1)—

(A) by striking “the President” and inserting “the Secretary of Defense”; and

(B) by striking “with respect to such fiscal year” and inserting “with respect to the calendar year in which the flight is to be conducted”;

(2) in paragraph (2), by striking “during such fiscal year” and inserting “during such calendar year”; and

(3) in paragraph (3), by striking “with respect to a fiscal year” and inserting “with respect to a calendar year”.

(b) QUARTERLY REPORTS ON OBSERVATION FLIGHTS BY THE RUSSIAN FEDERATION.—
(1) IN GENERAL.—Paragraph (1) of subsection (e) of section 1236 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2491) is amended by striking “on a quarterly basis” and inserting “on an annual basis”.

(2) CONFORMING AMENDMENT.—Such subsection is further amended, in the subsection heading, by striking “QUARTERLY” and inserting “ANNUAL”.

SEC. 1243. REPORT ON NUCLEAR WEAPONS OF THE RUSSIAN FEDERATION AND NUCLEAR MODERNIZATION OF THE PEOPLE’S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than February 15, 2020, the Secretary of Defense, in coordination with the Director of National Intelligence and the Secretary of State, shall submit to the appropriate committees of Congress a report that includes the following:

(1) An assessment of the deployed nuclear weapons of the Russian Federation not covered by the New START Treaty.

(2) An assessment of the nuclear weapons of the Russian Federation in development that would not be covered by the New START Treaty.
(3) An assessment of the strategic nuclear weapons of the Russian Federation that are not deployed.

(4) An assessment of the efforts of the People’s Republic of China with respect to nuclear modernization.

(5) The implications of such assessments with respect to the limitations on strategic weapons of the United States and the Russian Federation under the New START Treaty.

(b) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1244. SENSE OF SENATE ON THE 70TH ANNIVERSARY OF THE NORTH ATLANTIC TREATY ORGANIZATION.

Commemorating the 70th anniversary of the North Atlantic Treaty Organization (NATO), the Senate—

(1) recognizes the North Atlantic Treaty Organization as the most successful military alliance in history, founded on the principles of democracy, individual liberty, and the rule of law;

(2) commends the singular contributions of the North Atlantic Treaty Organization to the security, prosperity, and freedom of its members;

(3) upholds membership in the North Atlantic Treaty Organization as a cornerstone of the security and national defense of the United States;

(4) affirms the ironclad commitment of the United States to uphold its obligations under the
North Atlantic Treaty, including under Article 5 of such treaty;

(5) honors the contributions of North Atlantic Treaty Organization allies to the security of the United States, including the invocation of Article 5 of the North Atlantic Treaty after the September 11, 2001, terrorist attacks against the United States;

(6) urges North Atlantic Treaty Organization allies to uphold their obligations under Article 3 of the North Atlantic Treaty to “maintain and develop their individual and collective capacity to resist armed attack” by honoring the Defense Investment Pledge made at the Wales Summit in 2014;

(7) notes the commitment of North Atlantic Treaty Organization allies to contribute to strengthening their free institutions, bringing about a better understanding of the principles on which such institutions are founded and promoting conditions of stability and well-being; and

(8) welcomes efforts to reform and modernize the North Atlantic Treaty Organization to meet current and future threats, including though accelerated modernization, improved readiness, command struc-
ture adaptation, and increased speed of alliance decision-making.

SEC. 1245. SENSE OF SENATE ON UNITED STATES FORCE POSTURE IN EUROPE AND THE REPUBLIC OF POLAND.

It is the sense of the Senate that—

(1) the 2018 National Defense Strategy identifies long-term strategic competition with the Russian Federation as a principal priority for the Department of Defense that requires increased and sustained investment;

(2) despite significant progress through the European Deterrence Initiative, the current force posture of the United States is not yet sufficient to support the National Defense Strategy;

(3) due to the geostrategic location and capabilities of the armed forces of the Republic of Poland, the Republic of Poland is critical to deterring, defending against, and defeating Russian aggression against North Atlantic Treaty Organization allies in Central and Eastern Europe; and

(4) the United States should increase the persistent presence of United States forces in the Republic of Poland, including key combat enabler units such as warfighting headquarters elements—
(A) to enhance deterrence against Russian
aggression; and

(B) to reduce the risk of executing Depart-
ment of Defense contingency plans.

SEC. 1246. SENSE OF SENATE ON UNITED STATES PART-
NERSHIP WITH THE REPUBLIC OF GEORGIA.

It is the sense of the Senate that the United States
should—

(1) promote the enduring strategic partnership
of the United States with the Republic of Georgia;

(2) support robust security sector assistance for
the Republic of Georgia, including defensive lethal
assistance—

(A) to strengthen the defense capabilities
and readiness of the Republic of Georgia;

(B) to improve interoperability with North
Atlantic Treaty Organization (NATO) forces;

and

(C) to bolster deterrence against aggres-
sion by the Russian Federation;

(3) enhance security in the Black Sea region by
increasing engagement and security cooperation with
Black Sea countries, including by increasing the fre-
quency, scale, and scope of North Atlantic Treaty
Organization and other multilateral exercises in the
Black Sea region with the participation of the Republic of Georgia and Ukraine; and

(4) affirm support for the North Atlantic Treaty Organization open door policy, including the eventual membership of the Republic of Georgia in the North Atlantic Treaty Organization.

Subtitle E—Matters Relating to the Indo-Pacific Region

SEC. 1251. LIMITATION ON USE OF FUNDS TO REDUCE THE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES IN THE TERRITORY OF THE REPUBLIC OF KOREA.

None of the funds authorized to be appropriated by this Act may be used to reduce the total number of members of the Armed Forces in the territory of the Republic of Korea below 28,500 until 90 days after the date on which the Secretary of Defense certifies to the congressional defense committees the following:

(1) Such a reduction is in the national security interest of the United States and will not significantly undermine the security of United States allies in the region.

(2) Such a reduction is commensurate with a reduction in the threat posed to the security of the United States and its allies in the region by the con-
ventional military forces of the Democratic People’s
Republic of Korea.

(3) The Secretary has appropriately consulted
with allies of the United States, including the Re-
public of Korea and Japan, regarding such a reduc-
tion.

SEC. 1252. EXPANSION OF INDO-PACIFIC MARITIME SECU-
RITY INITIATIVE.

Section 1263(b) of the National Defense Authoriza-
tion Act for Fiscal Year 2016 (10 U.S.C. 333 note) is
amended by adding at the end the following new para-
graphs:

“(8) The Federated States of Micronesia.
“(9) The Kingdom of Tonga.
“(10) Papua New Guinea.
“(14) The Republic of Vanuatu.
“(15) The Solomon Islands.”.
SEC. 1253. MODIFICATION OF ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE’S REPUBLIC OF CHINA.

Paragraph (26) of section 1202(b) of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended to read as follows:

“(26) The relationship between Chinese overseas investment, including the Belt and Road Initiative and the Digital Silk Road, and Chinese security and military strategy objectives, including—

“(A) an assessment of Chinese investments or projects likely, or with significant potential, to be converted into military assets of the People’s Republic of China;

“(B) an assessment of Chinese investments or projects of greatest concern with respect to United States national security interests;

“(C) a description of any Chinese investment or project linked to military cooperation with the country in which the investment or project is located, such as cooperation on satellite navigation or arms production; and

“(D) an assessment of any Chinese investment or project, and any associated agreement, that—
“(i) presents significant financial risk for the country in which the investment or project is located; or
“(ii) may undermine the sovereignty of such country.”.

SEC. 1254. REPORT ON RESOURCING UNITED STATES DEFENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION.

(a) Report Required.—

(1) In general.—Not later than January 31, 2020, the Commander of United States Indo-Pacific Command shall submit to the congressional defense committees a report containing the independent assessment of the Commander with respect to the activities and resources required, for fiscal years 2022 through 2026, to achieve the following objectives:

(A) The implementation of the National Defense Strategy with respect to the Indo-Pacific region.

(B) The maintenance or restoration of the comparative military advantage of the United States with respect to the People’s Republic of China.
(C) The reduction of the risk of executing contingency plans of the Department of Defense.

(2) MATTERS TO BE INCLUDED.—The report required under paragraph (1) shall include the following:

(A) A description of the intended force structure and posture of assigned and allocated forces within the area of responsibility of United States Indo-Pacific Command for fiscal year 2026 to achieve the objectives described in paragraph (1).

(B) An assessment of capabilities requirements to achieve such objectives.

(C) An assessment of logistics requirements, including personnel, equipment, supplies, storage, and maintenance needs to achieve such objectives.

(D) An identification of required infrastructure and military construction investments to achieve such objectives.

(E) An assessment of security cooperation activities or resources required to achieve such objectives.
(F) A plan to fully resource United States force posture and capabilities, including—

(i) a detailed assessment of the resources necessary to address the elements described in subparagraphs (A) through (E), including specific cost estimates for priority investments or projects—

(I) to increase joint force lethality;

(II) to enhance force design and posture;

(III) to support a robust exercise, experimentation, and innovation program; and

(IV) to strengthen cooperation with allies and partners; and

(ii) a detailed timeline to achieve the intended force structure and posture described in subparagraph (A).

(3) FORM.—The report required under paragraph (1) may be submitted in classified form, but shall include an unclassified summary.

(4) AVAILABILITY.—On submittal of the report to the congressional defense committees, the Commander of United States Indo-Pacific Command
shall make the report available to the Secretary of Defense, the Director of Cost Assessment and Program Evaluation, the Chairman of the Joint Chiefs of Staff, the Secretaries of the military departments, and the chiefs of staff of each military service.

(b) Briefings Required.—

(1) Initial Briefing.—Not later than March 15, 2020, the Secretary of Defense, the Director of Cost Assessment and Program Evaluation, and the Chairman of the Joint Chiefs of Staff shall provide to the congressional defense committees a joint briefing, and documents as appropriate, with respect to their assessments of the report submitted under subsection (a), including their assessments of the feasibility and advisability of the plan required by paragraph (2)(F) of that subsection.

(2) Subsequent Briefing.—Not later than March 31, 2020, the Secretary of the Air Force, the Secretary of the Army, and the Secretary of the Navy shall provide to the congressional defense committees a joint briefing, and documents as appropriate, with respect to their assessments of the report submitted under subsection (a), including their assessments of the feasibility and advisability of the
plan required by paragraph (2)(F) of that subsection.

SEC. 1255. REPORT ON DISTRIBUTED LAY-DOWN OF UNITED STATES FORCES IN THE INDO-PACIFIC REGION.

(a) Review.—Acknowledging the pressing need to reduce the presence of the United States Marine Corps on Okinawa, Japan, and to accelerate adjustments to United States force posture in the Indo-Pacific region, the Secretary of Defense, in consultation with the Government of Japan and other foreign governments as necessary, shall conduct a review of the planned distribution of members of the United States Armed Forces in Okinawa, Guam, Hawaii, Australia, and elsewhere that is contemplated in support of the joint statement of the United States-Japan Security Consultative Committee issued April 26, 2012, in the District of Columbia (April 27, 2012, in Tokyo, Japan) and revised on October 3, 2013, in Tokyo, hereafter referred to as the “distributed lay-down”.

(b) Elements.—The review required by subsection (a) shall include an updated analysis of the distributed lay-down, including—

(1) an assessment of the impact of the distributed lay-down on the ability of the Armed Forces to
respond to current and future contingencies in the area of responsibility of United States Indo-Pacific Command that reflects contingency plans of the Department of the Defense;

(2) the projected total cost, including any past or projected changes in cost;

(3) a description of the adequacy of current and expected training resources at each location associated with the distributed lay-down, including the ability to train against the full spectrum of threats from near-peer or peer threats any projected limitations due to political, environmental, or other limiting factors;

(4) an assessment of political support for United States force presence from host countries and local communities and populations;

(5) an analysis of growth potential for increased force size or training; and

(6) an updated and detailed description of any military construction projects required to execute the distributed lay-down.

(c) CERTIFICATION.—Not later than 15 days after the completion of the review required by subsection (a), the Secretary of Defense shall submit to the congressional defense committees—
(1) a certification that the Department of Defense will continue implementation of the distributed lay-down; or

(2) a notification that the Department of Defense intends to seek revisions to the distributed lay-down in consultation with the Government of Japan.

(d) REPORT.—Not later than 120 days after the completion of the review required by subsection (a), the Secretary of Defense shall provide the congressional defense committees a report on the results of the review, including—

(1) a detailed description of any recommendations for revisions to the distributed lay-down such as alternative locations for basing in Alaska, Hawaii, the continental United States, Japan, and Oceania; and

(2) an assessment of the results of the review and recommendations described in paragraph (1) by the Chairman of the Joint Chiefs of Staff.

(e) COMPTROLLER GENERAL REPORT.—Not later than 120 days after the submission of the report required by subsection (d), the Comptroller General of the United States shall submit to the congressional defense committees a report containing an analysis of the current status
of the distributed lay-down, the review described in sub-
section (a), and the report described in subsection (d).

SEC. 1256. SENSE OF SENATE ON THE UNITED STATES-
JAPAN ALLIANCE AND DEFENSE COOPERA-
TION.

It is the sense of the Senate that—

(1) the United States-Japan alliance remains
the cornerstone of peace and security for a free and
open Indo-Pacific region;

(2) although the United States Government
does not take a position on sovereignty of the
Senkaku Islands, the United States acknowledges
that the islands are under the administration of
Japan and opposes any unilateral actions that would
seek to undermine their administration by Japan;

(3) the unilateral actions of a third party will
not affect United States acknowledgment of the ad-
ministration of Japan over the Senkaku Islands, and
the United States remains committed under the
Treaty of Mutual Cooperation and Security with
Japan to respond to any armed attack in the terri-
tories under the administration of Japan;

(4) Japan continues to make contributions to
regional security and prosperity that make the
United States safer and more prosperous;
(5) the Government of Japan has played a critical leadership role in promoting a free and open Indo-Pacific, which is a primary objective of United States national security policy, including through its efforts concerning trade, investment, energy, rule of law, and good governance;

(6) the Government of Japan has been instrumental improving cooperation between the United States, Japan, Australia, and India as well as improving relations with countries in the Association of Southeast Asian Nations;

(7) the Government of Japan has been a strong supporter of United States efforts to achieve the complete and verifiable denuclearization of North Korea, and has played a leading role in enforcing United Nations Security Council Resolution sanctions against North Korea;

(8) the Government of Japan has taken significant steps to enhance military capabilities for its own defense while increasing its contributions to collective security, including through passage of legislation concerning collective self-defense, the publication of the National Defense Program Guidelines and the Mid-Term Defense Program, and record in-
vestments in advanced defense capabilities in the maritime, air, space, and cyber domains;

(9) while it should continue to increase its defense spending in order to make a greater contribution to allied defense capabilities, the Government of Japan has made among the most significant “burden sharing” contributions of any United States ally, including through direct cost sharing, paying for the realignment of United States forces currently stationed in Okinawa, community support, and other 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” inci-
dents, 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 forces necessary for Taiwan to maintain a sufficient self-defense capability;

(3) the United States should strongly support the acquisition by Taiwan of defense articles and services through foreign military sales, direct commercial sales, and industrial cooperation, with an emphasis on anti-ship, coastal defense, anti-armor, air defense, undersea warfare, advanced command, control, communications, computer, intelligence, surveillance, and reconnaissance (C4ISR), and resilient command and control capabilities that support the asymmetric defense strategy of Taiwan;
(4) the President and Congress should determine the nature and quantity of such defense articles and services based solely upon their judgment of the needs of Taiwan as required by the Taiwan Relations Act;

(5) the United States should continue efforts to improve the predictability of United States arms sales to Taiwan by ensuring timely review of and response to requests of Taiwan for defense articles and services;

(6) the Secretary of Defense should promote policies concerning exchanges that enhance the security of Taiwan including—

(A) opportunities with Taiwan for practical training and military exercises that—

(i) enable Taiwan to maintain a sufficient self-defense capability, as described in section 3(a) of the Taiwan Relations Act (22 U.S.C. 3302(a)); and

(ii) emphasize capabilities consistent with the asymmetric defense strategy of Taiwan;

(B) exchanges between senior defense officials and general officers of the United States and Taiwan, consistent with the Taiwan Travel
Act (Public Law 115–135), especially for the purpose of enhancing cooperation on defense planning and improving the interoperability of United States and Taiwan forces; and

(C) opportunities for exchanges between junior officers and senior enlisted personnel of the United States and Taiwan;

(7) the United States and Taiwan should expand cooperation in humanitarian assistance and disaster relief;

(8) the Secretary of Defense should consider supporting the visit of a United States hospital ship to Taiwan as part of the annual “Pacific Partnership” mission, as well as the participation of Taiwan medical vessels in appropriate exercises with the United States, in order to improve disaster response planning and preparedness; and

(9) the Secretary of Defense should continue regular transits of United States Navy vessels through the Taiwan Strait, commend the armed forces of France for their April 6, 2019, legal transit of the Taiwan Strait, and encourage allies and partners to follow suit in conducting such transits, in order to demonstrate the commitment of the United
States and its allies and partners to fly, sail, and operate anywhere international law allows.

SEC. 1258. SENSE OF SENATE ON UNITED STATES-INDIA DEFENSE RELATIONSHIP.

It is the sense of the Senate that the United States should strengthen and enhance its major defense partnership with India and work toward the following mutual security objectives:

(1) Expanding engagement in multilateral frameworks, including the quadrilateral dialogue among the United States, India, Japan, and Australia, to promote regional security and defend shared values and common interests in the rules-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—

(A) the cornerstones of peace and stability in the Indo-Pacific region; and

(B) based on the shared values of democracy, the rule of law, free and open markets, and respect for human rights;

(2) cooperation among the United States, Japan, and the Republic of Korea is essential for confronting global challenges, including—

(A) preventing the proliferation of weapons of mass destruction;

(B) combating piracy;
(C) assisting victims of conflict and disaster worldwide;

(D) protecting maritime security; and

(E) ensuring freedom of navigation, commerce, and overflight in the Indo-Pacific region;

(3) the United States, Japan, and the Republic of Korea share deep concern that the nuclear and ballistic missile programs, the conventional military capabilities, and the chemical and biological weapons programs of the Democratic People’s Republic of Korea, together with the long history of aggression and provocation by the Democratic People’s Republic of Korea, pose grave threats to peace and stability on the Korean Peninsula and in the Indo-Pacific region;

(4) the United States welcomes greater security cooperation with and between Japan and the Republic of Korea to promote mutual interests and address shared concerns, including—

(A) the bilateral military intelligence-sharing pact between Japan and the Republic of Korea, signed on November 23, 2016; and

(B) the trilateral intelligence sharing agreement among the United States, Japan,
and the Republic of Korea, signed on December 29, 2015; and

(5) recognizing that the security of the United States, Japan, and the Republic of Korea are intertwined because they face common threats, including from the Democratic People’s Republic of Korea, the United States welcomes and encourages deeper tri-lateral defense coordination and cooperation, including through expanded exercises, training, senior-level exchanges, and information sharing.

SEC. 1260. SENSE OF SENATE ON ENHANCED COOPERATION WITH PACIFIC ISLAND COUNTRIES TO ESTABLISH OPEN-SOURCE INTELLIGENCE FUSION CENTERS IN THE INDO-PACIFIC REGION.

It is the sense of the Senate that—

(1) the Pacific Island countries in the Indo-Pacific region are critical partners of the United States;

(2) the United States should take steps to enhance collaboration with Pacific Island countries; and

(3) United States Indo-Pacific Command should pursue the establishment of one or more open-source intelligence fusion centers in the Indo-Pacific region to enhance cooperation with Pacific
Island countries, which may include participation in
an existing fusion center of a partner or ally in lieu
of establishing an entirely new fusion center.

SEC. 1261. SENSE OF SENATE ON ENHANCING DEFENSE
AND SECURITY COOPERATION WITH THE REP-
UBLIC OF SINGAPORE.

It is the sense of the Senate that—

(1) the United States and the Republic of
Singapore have built a strong, enduring, and for-
ward-looking strategic partnership based on long-
standing and mutually beneficial cooperation, includ-
ing through security, defense, economic, and people-
to-people ties;

(2) robust security cooperation between the
United States and the Republic of Singapore is cru-
cial to promoting peace and stability in the Indo-Pa-
cific region;

(3) the status of the Republic of Singapore as
a major security cooperation partner of the United
States, as recognized in the 2005 Strategic Frame-
work Agreement between the United States and the
Republic of Singapore for a Closer Partnership in
Defense and Security, plays an important role in the
global network of strategic partnerships, especially
in promoting maritime security and countering ter-
rorism;

(4) the United States highly values the Repub-
lic of Singapore’s provision of access to its military
facilities, which supports the continued security
presence of the United States in Southeast Asia and
across the Indo-Pacific region;

(5) the United States should continue to wel-
come the presence of the Singapore Armed Forces in
the United States for exercises and training, and
should consider opportunities to expand such activi-
ties at additional locations in the United States, as
appropriate; and

(6) as the United States and the Republic of
Singapore negotiate the renewal of the 1990 Memo-
randum of Understanding Regarding the United
States Use of Facilities in Singapore, the United
States should—

(A) continue to enhance defense and secu-
ritry cooperation with the Republic of Singapore
to promote peace and stability in the Indo-Pa-
cific region based on common interests and
shared values;
(B) reinforce the status of the Republic of Singapore as a major security cooperation partner of the United States;

(C) enhance defense cooperation in the military, policy, strategic, and technological spheres, especially concerning maritime security and counterterrorism, counterpiracy, humanitarian assistance and disaster relief, cybersecurity, and biosecurity; and

(D) explore additional steps to better facilitate military interoperability and information sharing through appropriate technology transfers.

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 oper-
national 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”; and

(2) by striking subsection (c); and
(3) by redesignating subsection (d) as subsection (e).

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 government or organization to elements of the armed forces; or

“(B) cash reimbursement for the fully burdened cost of the logistic support, supplies, and services provided by the United States.”; and

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

“(3) A reciprocal transaction for logistic support, supplies, and services shall be reconciled not later than one year after the date on which the transaction occurs, at which time the Secretary of Defense shall seek cash reimbursement for the fully
burdened cost of the logistic support, supplies, and services provided by the United States that has not been offset by the value of the logistic support, supplies, and services provided by the recipient government or organization.

“(4) An agreement entered into under this section shall require any accrued credits or liabilities resulting from an unequal exchange of logistic support, supplies, and services to be liquidated not less frequently than once every five years.”.

(b) Designation and Notice of Intent to Enter Into Agreement With Non-NATO Country.—Subsection (b) of such section is amended to read as follows:

“(b)(1) The Secretary of Defense may not designate a country for an agreement under this section unless—

“(A) the Secretary, after consultation with the Secretary of State, determines that the designation of such country for such purpose is in the interest of the national security of the United States; and

“(B) in the case of a country that is not a member of the North Atlantic Treaty Organization, the Secretary submits to the appropriate committees of Congress notice of the intended designation not less than 30 days before the date on which such
country is designated by the Secretary under subsection (a).

“(2) In the case of a country that is not a member of the North Atlantic Treaty Organization, the Secretary of Defense may not enter into an agreement under this section unless the Secretary submits to the appropriate committees of Congress a notice of intent to enter into such an agreement not less than 30 days before the date on which the Secretary enters into the agreement.”.

(c) OVERSIGHT AND MONITORING RESPONSIBILITIES.—Such section is further amended—

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

(2) by inserting after subsection (e) the following new subsection (f):

“(f)(1) The Under Secretary of Defense for Policy shall have primary responsibility within the Office of the Secretary of Defense for oversight of agreements entered into and activities carried out under the authority of this subchapter.

“(2) The Director of the Defense Security Cooperation Agency shall have primary responsibility for—

“(A) monitoring the implementation of such agreements; and
“(B) accounting for logistic support, supplies, and services received or provided under such authority.”.

(d) REGULATIONS.—Subsection (g) of such section, as redesignated by subsection (c)(1), is amended to read as follows:

“(g)(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to ensure that—

“(A) contracts entered into under this subchapter are free from self-dealing, bribery, and conflict of interests;

“(B) adequate processes and controls are in place to provide for the accurate accounting of logistic support, supplies, and services received or provided under the authority of this subchapter; and

“(C) personnel responsible for accounting for logistic support, supplies, and services received or provided under such authority are fully trained and aware of such responsibilities.

“(2)(A) Not later than 270 days after the issuance of the regulations under paragraph (1), the Comptroller General of the United States shall conduct a review of the implementation by the Secretary of such regulations.
“(B) The review conducted under subparagraph (A) shall—

“(i) assess the effectiveness of such regulations and the implementation of such regulations to ensure the effective management and oversight of an agreement under subsection (a)(1); and

“(ii) include any other matter the Comptroller General considers relevant.”.

(e) REPORTS.—Subsection (h) of such section, as redesignated by subsection (c)(1), is amended—

(1) in paragraph (1), by inserting “in effect” and inserting “that have entered into force or were applied provisionally”;

(2) in paragraph (2)—

(A) by striking “date on which the Secretary” and all that follows through the period at the end and inserting “dates on which the Secretary notified Congress—

“(A) pursuant to subsection (b)(1)(B) of the designation of such country under subsection (a); and

“(B) pursuant to subsection (b)(2) of the intent of the Secretary to enter into the agreement.”;
(3) by amending paragraph (3) to read as follows:

“(3) With respect to each such agreement, the dollar amounts of—

“(A) each class or type of logistic support, supplies, and services provided in the preceding fiscal year; and

“(B) reciprocal provisions of logistic support, supplies, and services, or cash reimbursements, received in such fiscal year.”;

(4) by amending paragraph (4) to read as follows:

“(4) With respect to each such agreement, the dollar amounts of—

“(A) each class or type of logistic support, supplies, and services received; and

“(B) reciprocal provisions of logistic support, supplies, and services, or cash reimbursements provided.”;

(5) by striking paragraph (5); and

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

“(5) With respect to any transaction for logistic support, supplies, and services that has not been reconciled more than one year after the date on which
the transaction occurred, a description of the trans-
action that includes the following:

“(A) The date on which the transaction oc-
curred.

“(B) The country or organization to which
logistic support, supplies, and services were pro-
vided.

“(C) The value of the transaction.

“(6) An explanation of any waiver granted
under section 2347(c) during the preceding fiscal
year, including an identification of the relevant con-
tingency operation or non-combat operation.”.

SEC. 1283. MODIFICATION OF AUTHORITY FOR UNITED
STATES-ISRAEL ANTI-TUNNEL COOPERATION

ACTIVITIES.

(a) In General.—Subsection (a) of section 1279 of
the National Defense Authorization Act for Fiscal Year
2016 (22 U.S.C. 8606 note) is amended, in the first sen-
tence, by striking “and to establish capabilities for coun-
tering unmanned aerial systems”.

(b) Exception to Matching Contribution Re-
quirement.—Subsection (b)(3) of such section is amend-
ed—

(1) by striking “Support” and inserting the fol-
lowing:
“(A) IN GENERAL.—Except as provided in subparagraph (B), support”; and

(2) by adding at the end the following:

“(B) EXCEPTION.—Subject to paragraph (4), the Secretary may use amounts available to the Secretary in excess of the amount contributed by the Government of Israel to provide support under this subsection for costs associated with any unique national requirement identified by the United States with respect to anti-tunnel capabilities.”.

SEC. 1284. UNITED STATES-ISRAEL COOPERATION TO COUNTER UNMANNED AERIAL SYSTEMS.

(a) AUTHORITY TO ESTABLISH CAPABILITIES TO COUNTER UNMANNED AERIAL SYSTEMS.—

(1) IN GENERAL.—The Secretary of Defense, upon request of the Ministry of Defense of Israel and in consultation with the Secretary of State and the Director of National Intelligence, is authorized to carry out research, development, test, and evaluation, on a joint basis with Israel, to establish capabilities for countering unmanned aerial systems that threaten the United States or Israel. Any activities carried out pursuant to such authority shall be conducted in a manner that appropriately protects sen-
sensitive technology and information and the national security interests of the United States and Israel.

(2) REPORT.—The activities described in paragraph (1) and subsection (b) may not be carried out until after the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the following:

(A) A memorandum of agreement between the United States and Israel regarding sharing of research and development costs for the capabilities described in paragraph (1), and any supporting documents.

(B) A certification that the memorandum of agreement—

(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel;

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

(iii) requires the United States Government to receive semiannual reports on expenditure of funds, if any, by the Government of Israel, including a description
of what the funds have been used for,
when funds were expended, and an identi-
fication of entities that expended the
funds.

(b) SUPPORT IN CONNECTION WITH THE PRO-
GRAM.—

(1) IN GENERAL.—The Secretary of Defense is
authorized to provide maintenance and sustainment
support to Israel for the research, development, test,
and evaluation activities authorized in subsection
(a)(1). Such authority includes authority to install
equipment necessary to carry out such research, de-
development, test, and evaluation.

(2) REPORT.—Support may not be provided
under paragraph (1) until 15 days after the Sec-
retary submits to the appropriate committees of
Congress a report setting forth a detailed description
of the support to be provided.

(3) MATCHING CONTRIBUTION.—

(A) IN GENERAL.—Except as provided in
subparagraph (B), support may not be provided
under this subsection unless the Government of
Israel contributes an amount not less than the
amount of support to be so provided to the pro-
gram, project, or activity for which the support
is to be so provided in the calendar year in which the support is provided.

(B) Exception.—Subject to paragraph (4), the Secretary may use amounts available to the Secretary in excess of the amount contributed by the Government of Israel to provide support under this subsection for costs associated with any unique national requirement identified by the United States with respect to countering unmanned aerial systems.

(4) Annual Limitation on Amount.—The amount of support provided under this subsection in any year may not exceed $25,000,000.

(5) Use of Certain Amounts for RDT&E Activities in the United States.—Of the amount provided by the United States in support under paragraph (1), not less than 50 percent of such amount shall be used for research, development, test, and evaluation activities in the United States in connection with such support.

(c) Lead Agency.—The Secretary of Defense shall designate an appropriate research and development entity of a military department as the lead agency of the Department of Defense in carrying out this section.
(d) **SEMIANNUAL REPORTS.**—The Secretary of Defense shall submit to the appropriate committees of Congress on a semiannual basis a report that contains a copy of the most recent semiannual report provided by the Government of Israel to the Department of Defense pursuant to subsection (a)(2)(B)(iii).

(e) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(f) **SUNSET.**—The authority in this section to carry out activities described in subsection (a), and to provide support described in subsection (b), shall expire on December 31, 2024.
SEC. 1285. MODIFICATION OF INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

Section 1286(e) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended by adding at the end the following new paragraph:

“(8) A list, developed in consultation with the Bureau of Industry and Security of the Department of Commerce, the Director of National Intelligence, and United States academic institutions that conduct significant Department of Defense research or engineering activities, of academic institutions of the People’s Republic of China and the Russian Federation that—

“(A) are associated with a defense program of the People’s Republic of China or the Russian Federation, including any university heavily engaged in military research;

“(B) are known—

“(i) to recruit individuals for the purpose of advancing the talent and capabilities of such a defense program; or

“(ii) to provide misleading transcripts or otherwise attempt to conceal the connec-
tions of an individual or institution to such
a defense program; or
“(C) pose a serious risk of intangible
transfers of defense or engineering technology
and research.”.

SEC. 1286. INDEPENDENT ASSESSMENT OF HUMAN RIGHTS
SITUATION IN HONDURAS.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after
the date of the enactment of this Act, the Secretary
of Defense shall select and enter into an agreement
with an independent think tank or a federally fund-
ed research and development center to conduct an
analysis and assessment of the compliance of the
military and security forces of Honduras with inter-
national human rights laws and standards.

(2) MATTERS TO BE INCLUDED.—The assess-
ment under paragraph (1) shall include the fol-
lowing:

(A) A description of the military-to-mili-
tary activities between the United States and
Honduras, including the manner in which De-
partment of Defense engagement with the mili-
tary and security forces of Honduras supports
the National Defense Strategy.
(B) An analysis and assessment of the activities of the military and security forces of Honduras with respect to human rights activists.

(C) With respect to United States national security interests, an analysis and assessment of the challenges posed by corruption within the military and security forces of Honduras.

(D) An analysis of—

(i) the security assistance provided to Honduras by the Department of Defense during the 7-year period preceding the date of the enactment of this Act; and

(ii) the extent to which such assistance has improved accountability, transparency, and compliance to international human rights laws and standards in the security and military operations of the Government of Honduras.

(E) Recommendations on the development of future security assistance to Honduras that prioritizes—

(i) compliance of the military and security forces of Honduras with human rights laws and standards;
(ii) citizen security; and

(iii) the advancement of United States national security interests with respect to countering the proliferation of illegal narcotics flows through Honduras.

(F) Any other matters the Secretary considers necessary and relevant to United States national security interests.

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the entity selected under subsection (a) shall submit to the appropriate committees of Congress a report on the results of the assessment conducted under that subsection.

(e) DEPARTMENT OF DEFENSE SUPPORT.—The Secretary shall provide the entity selected under subsection (a) with timely access to appropriate information, data, and analyses necessary to carry out the assessment in a thorough and independent manner.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and
(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1287. UNITED STATES CENTRAL COMMAND POSTURE REVIEW.

(a) COMPREHENSIVE REVIEW REQUIRED.—

(1) IN GENERAL.—To clarify the near-term policy and strategy of the United States under the National Defense Strategy with respect to United States Central Command, the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence, as appropriate, shall conduct a comprehensive review of United States military force posture and capabilities in the United States Central Command area of responsibility during the posture review period.

(2) ELEMENTS.—The review conducted under paragraph (1) shall include, for the posture review period, the following elements:

(A) An assessment of the threats and challenges in the United States Central Command area of responsibility, including threats and challenges posed to United States interests by near-peer competitors.
(B) An explanation of the policy and strategic frameworks for addressing the threats and challenges identified under subparagraph (A).

(C) An identification of current and future United States military force posture and capabilities necessary to counter threats, deter conflict, and defend United States national security interests in the United States Central Command area of responsibility.

(D) An assessment of the basing, cooperative security locations, and other infrastructure necessary to support steady state operations in support of the theater campaign plan and potential contingencies that may arise in or affect the United States Central Command area of responsibility, including any potential efficiencies and risk mitigation measures to be taken.

(E) A description of methods to mitigate risk that may result from adjustments to United States military force posture and capabilities deployed in the United States Central Command area of responsibility.

(F) An explanation of the manner in which a modernized global operating model or dynamic force employment approach may yield ef-
iciencies and increase strategic flexibility while achieving United States military objectives in the United States Central Command area of responsibility.

(G) An articulation of the United States nonmilitary efforts and activities necessary to enable the achievement of United States national security interests in the United States Central Command area of responsibility.

(H) Any other matter the Secretary considers relevant.

(b) REPORT.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the results of the review conducted under subsection (a).

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

(c) POSTURE REVIEW PERIOD DEFINED.—In this section, the term “posture review period” means the period beginning on the date that is five years after the date of the enactment of this Act and ending on the date that is 15 years after such date of enactment.
SEC. 1288. REPORTS ON EXPENSES INCURRED FOR IN-FLIGHT REFUELING OF SAUDI COALITION AIRCRAFT CONDUCTING MISSIONS RELATING TO CIVIL WAR IN YEMEN.

(a) Reports Required.—

(1) In general.—Not later than 30 days after the date of the enactment of this Act, and every 30 days thereafter, the Secretary of Defense shall submit a report to the appropriate committees of Congress detailing the expenses incurred by the United States in providing in-flight refueling services for Saudi or Saudi-led coalition non-United States aircraft conducting missions as part of the civil war in Yemen during the period of March 1, 2015, through November 11, 2018, and the extent to which such expenses have been reimbursed by members of the Saudi-led coalition.

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

(A) The total expenses incurred by the United States in providing in-flight refueling services, including fuel, flight hours, and other applicable expenses, to Saudi or Saudi-led coalition, non-United States aircraft conducting missions as part of the civil war in Yemen.
(B) The amount of the expenses described in subparagraph (A) that has been reimbursed by each member of the Saudi-led coalition.

(C) Any action taken by the United States to recoup the remaining expenses described in subparagraph (A), including any commitments by members of the Saudi-led coalition to reimburse the United States for such expenses.

(3) SUNSET.—The reporting requirement under paragraph (1) shall cease to be effective on the date on which the Secretary certifies to the appropriate committees of Congress that all expenses incurred by the United States in providing in-flight refueling services for Saudi or Saudi-led coalition non-United States aircraft conducting missions as part of the civil war in Yemen during the period of March 1, 2015, through November 11, 2018, have been reimbursed.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Armed Services of the House of Representatives;
(3) the Committee on Foreign Relations of the Senate; and

(4) the Committee on Foreign Affairs of the House of Representatives.

SEC. 1289. SENSE OF SENATE ON SECURITY CONCERNS WITH RESPECT TO LEASING ARRANGEMENTS FOR THE PORT OF HAIFA IN ISRAEL.

It is the sense of the Senate that the United States—

(1) has an interest in the future forward presence of United States naval vessels at the Port of Haifa in Israel but has serious security concerns with respect to the leasing arrangements of the Port of Haifa as of the date of the enactment of this Act; and

(2) should urge the Government of Israel to consider the security implications of foreign investment in Israel.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. FUNDING ALLOCATIONS FOR DEPARTMENT OF DEFENSE COOPERATIVE THREAT REDUCTION PROGRAM.

(a) In General.—Of the $338,700,000 authorized to be appropriated to the Department of Defense for fiscal year 2020 in section 301 and made available by the fund-
ing table in division D for the Department of Defense Co-

operative Threat Reduction Program established under
section 1321 of the Department of Defense Cooperative
Threat Reduction Act (50 U.S.C. 3711), the following
amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination,
$492,000.

(2) For chemical weapons destruction,
$12,856,000.

(3) For global nuclear security, $33,919,000.

(4) For biological threat reduction,
$183,642,000.

(5) For proliferation prevention, $79,869,000.

(6) For activities designated as Other Assess-
ments/Administrative Costs, $27,922,000.

(b) AVAILABILITY OF FUNDS.—Funds appropriated
pursuant to the authorization of appropriations in section
301 and made available by the funding table in division
D for the Department of Defense Cooperative Threat Re-
duction Program shall be available for obligation for fiscal
TITLE XIV—OTHER
AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) Use.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and
(2) the destruction of chemical warfare materiel
of the United States that is not covered by section
1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACT-
IVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for
the Department of Defense for fiscal year 2020 for ex-
penses, not otherwise provided for, for Drug Interdiction
and Counter-Drug Activities, Defense-wide, as specified in
the funding table in section 4501.

SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for
the Department of Defense for fiscal year 2020 for ex-
penses, not otherwise provided for, for the Office of the
Inspector General of the Department of Defense, as speci-
fied in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for
fiscal year 2020 for the Defense Health Program, as spec-
ified in the funding table in section 4501, for use of the
Armed Forces and other activities and agencies of the De-
partment of Defense in providing for the health of eligible
beneficiaries.
Subtitle B—National Defense
Stockpile

SEC. 1411. MODIFICATION OF PROHIBITION ON ACQUISITION OF SENSITIVE MATERIALS FROM NON-ALLIED FOREIGN NATIONS.

(a) Expansion of Materials Covered by Prohibition on Sale From National Defense Stockpile.—Subsection (a)(2) of section 2533c of title 10, United States Code, is amended, in the matter preceding subparagraph (A), by striking “covered material” and inserting “material”.

(b) Inclusion of Tantalum in Definition of Covered Materials.—Subsection (d)(1) of such section is amended—

(1) in subparagraph (C), by striking “; and” and inserting a semicolon;

(2) in subparagraph (D), by striking the period and inserting “; and”; and

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

“(E) tantalum.”.
Subtitle C—Armed Forces Retirement Home

SEC. 1421. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2020 from the Armed Forces Retirement Home Trust Fund the sum of $64,300,000 for the operation of the Armed Forces Retirement Home.

SEC. 1422. EXPANSION OF ELIGIBILITY FOR RESIDENCE AT THE ARMED FORCES RETIREMENT HOME.

(a) Expansion of Eligibility to Certain Members With Non-regular Service.—Section 1512(a) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 412(a)) is amended—

(1) in the first sentence, by striking “active”;

(2) in paragraph (1), by striking “are 60 years of age or over and” and

(3) by adding the following new paragraph:

“(5) Persons who are eligible for retired pay under chapter 1223 of title 10, United States Code, and—

“(A) are eligible for care under section 1710 of title 38, United States Code;

“(B) are enrolled in coverage under chapter 55 of title 10, United States Code; or
“(C) are enrolled in a qualified health plan acceptable to the Chief Operating Officer.”.

(b) PARITY OF MONTHLY FEES.—Paragraph (2) of section 1514(c) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 414(c)) is amended to read as follows:

“(2)(A) The fee shall be fixed as a percentage of the monthly income and monthly payments (including Federal payments) received by a resident. The percentage shall be the same for each facility of the Retirement Home. The Secretary of Defense may make any adjustment in the percentage that the Secretary determines appropriate.

“(B) The amount of the monthly income and monthly payments calculated under subparagraph (A) for a resident accepted under section 1512(a)(5) may not be less than the current monthly retirement pay for equivalent active duty service as determined by the Chief Operating Officer, except as the Chief Operating Officer may otherwise provide due to compelling personal circumstances of the resident.”.

(c) PAY DEDUCTIONS.—Section 1007(i) of title 37, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting “or compensation, as applicable,” after “pay”; and
(B) by striking “on active duty”;

(2) in paragraph (3), by striking “Board” and inserting “Chief Operating Officer”; and

(3) by striking paragraph (4).

(d) Admission Fees for Residents Based on Non-regular Service.—Section 1514 of the Armed Forces Retirement Home Act of 1991, as amended by subsection (b), is further amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(2) by inserting after subsection (a) the following new subsection (b):

“(b) Admission Fees for Certain Residents.—The Administrator of each facility of the Retirement Home may also collect a fee upon admission from a resident accepted under section 412(a)(5) equal to the deductions then in effect under section 1007(i)(1) of title 37, United States Code, for each year of non-regular service of the resident before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020.”; and

(3) in subsection (c), as redesignated by paragraph (1), by striking “subsection (a)” and inserting “subsections (a) and (b)”.

S 1790 RS
Subtitle D—Other Matters

SEC. 1431. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) Authority for Transfer of Funds.—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, $127,000,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) Use of Transferred Funds.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Additional Appropriations

SEC. 1501. PURPOSE.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2020 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. OVERSEAS CONTINGENCY OPERATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the Department of Defense for overseas contingency operations in such amounts as may be designated as provided in section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(ii)).
SEC. 1503. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1504. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1505. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1506. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.
SEC. 1507. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1510. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.
Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) Authority To Transfer Authorizations.—

(1) Authority.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2020 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) Limitation.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $2,500,000,000.

(b) Terms and Conditions.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.
(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

PART I—UNITED STATES SPACE FORCE

SEC. 1601. ASSISTANT SECRETARY OF DEFENSE FOR SPACE POLICY.

Section 138(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) One of the Assistant Secretaries is the Assistant Secretary of Defense for Space Policy. The principal duty of the Assistant Secretary shall be the overall supervision of policy of the Department of Defense for space warfighting.”.

SEC. 1602. PRINCIPAL ASSISTANT TO THE SECRETARY OF THE AIR FORCE FOR SPACE ACQUISITION AND INTEGRATION.

(a) Redesignation of Principal Assistant for Space as Principal Assistant for Space Acquisition and Integration.—
• S 1790 RS

(1) IN GENERAL.—The Principal Assistant to the Secretary of the Air Force for Space is hereby redesignated as the Principal Assistant to the Secretary of the Air Force for Space Acquisition and Integration.

(2) REFERENCES.—Any reference to the Principal Assistant to the Secretary of the Air Force for Space in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Principal Assistant to the Secretary of the Air Force for Space Acquisition and Integration.

(b) CODIFICATION OF POSITION AND RESPONSIBILITIES.—

(1) IN GENERAL.—Chapter 903 of title 10, United States Code, is amended—

(A) by redesignating section 9018 as section 9018a; and

(B) by inserting after section 9017 the following new section 9018:

§ 9018. Principal Assistant to the Secretary of the Air Force for Space Acquisition and Integration

“(a)(1) There is within the Office of the Secretary of the Air Force a Principal Assistant to the Secretary
of the Air Force for Space Acquisition and Integration, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate.

“(2) The individual serving as Principal Assistant shall have the protocol equivalent in the Department of Defense of an officer in the armed forces serving in a general or admiral grade.

“(b) Subject to the authority, direction, and control of the Secretary of the Air Force, the Principal Assistant to the Secretary of the Air Force for Space Acquisition and Integration shall do as follows:

“(1) Be responsible for all acquisition and integration of the Air Force for space systems and programs, including in support of the Commander of the United States Space Force under section 9064 of this title.

“(2) Serve as the senior acquisition executive under section 1704 of this title for the Air Force for acquisition for space systems and programs, including for all major defense acquisition programs under chapter 144 of this title for space.

“(3) Oversee and direct each of the following:

“(A) The Space Rapid Capabilities Office under section 2273a of this title.
“(B) The Space and Missile Systems Center.

“(C) The Space Development Agency.

“(4) Oversee and direct acquisition projects for all space systems and programs of the Air Force, including projects for space systems and programs transferred to the Principal Assistant pursuant to section 1602(b)(4) of the National Defense Authorization Act for Fiscal Year 2020.

“(5) Act as the chair of the Space Force Acquisition Council under section 1602(c) of the National Defense Authorization Act for Fiscal Year 2020.

“(c) In addition to the responsibilities provided for in subsection (b), the Principal Assistant shall have such other responsibilities and perform such other duties as the Secretary may prescribe.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 903 of such title is amended by striking the item relating to section 9018 and inserting the following new items:

“9018. Principal Assistant to the Secretary of the Air Force for Space Acquisition and Integration.

“9018a. Administrative Assistant.”.

(3) EXECUTIVE SCHEDULE LEVEL V.—Section 5416 of title 10, United States Code, is amended by adding at the end the following new item:
“Principal Assistant to the Secretary of the Air Force for Space Acquisition and Integration.”.

(4) **Transfer of Acquisition Projects for Space Systems and Programs.**—The Secretary of the Air Force shall transfer to the Principal Assistant to the Secretary of the Air Force for Space Acquisition and Integration under section 9018 of title 10, United States Code (as added by this subsection), responsibility for oversight, direction, and integration of any acquisition projects for space systems and programs of the Air Force that are under the oversight or direction of the Assistant Secretary of the Air Force for Acquisition as of the date of the enactment of this Act.

(c) **Space Force Acquisition Council.**—

(1) **In General.**—There is in the Department of the Air Force a council to be known as the “Space Force Acquisition Council” (in this subsection referred to as the “Council”).

(2) **Membership.**—The members of the Council are as follows:

(A) The Under Secretary of the Air Force.

(B) The Principal Assistant to the Secretary of the Air Force for Space Acquisition
and Integration, who shall act as chair of the
Council.

(C) The Assistant Secretary of Defense for
Space Policy.

(D) The Director of the National Recon-
naissance Office.

(E) The Commander of the United States
Space Command.

(F) The Commander of the United States
Space Force.

(3) FUNCTIONS.—The Council shall oversee, di-
rect, and manage acquisition and integration of the
Air Force for space systems and programs in order
to ensure integration across the national security
space enterprise.

(4) MEETINGS.—The Council shall meet not
less frequently than monthly.

(5) REPORTS.—Not later than 30 days after
the end of each calendar year quarter through the
first calendar year quarter of 2025, the Council shall
submit to the congressional defense committees a re-
port on the activities of the Council during the cal-
endar year quarter preceding the calendar year
quarter in which such report is submitted.
(d) Briefings.—On or about March 31, 2020, and during every calendar year quarter thereafter through March 31, 2022, the Secretary of the Air Force shall provide to the congressional defense committees a briefing on the current status of efforts to implement this section and the amendments made by this section. Each briefing may include such recommendations for legislative and administrative action as the Secretary considers appropriate to facilitate and enhance such efforts.

SEC. 1603. MILITARY SPACE FORCES WITHIN THE AIR FORCE.

(a) In General.—Section 9062(c) of title 10, United States Code, is amended—

(1) by striking the first sentence and inserting the following:

“(1) The Air Force includes the following:

“(A) Aviation forces both combat and service not otherwise assigned.

“(B) Space forces.”; and

(2) by striking “It shall be organized” and inserting the following:

“(2) The Air Force shall be organized”.

(b) Territorial Organizations.—
(1) **IN GENERAL.**—Subsection (b) of section 9074 of title 10, United States Code, is amended by inserting “, including space,” after “other places”.

(2) **HEADING AMENDMENT.**—The heading of such section is amended to read as follows:

“§ 9074. Commands: territorial and other organization”.

(3) **TABLE OF SECTIONS AMENDMENT.**—The table of sections at the beginning of chapter 907 of such title is amended by striking the item relating to section 9074 and inserting the following new item:

“9074. Commands: territorial and other organization.”.

**SEC. 1604. REDESIGNATION OF AIR FORCE SPACE COMMAND AS UNITED STATES SPACE FORCE.**

(a) **REDESIGNATION.**—The Air Force Space Command is hereby redesignated as the United States Space Force (USSF).

(b) **COMMANDER AND AUTHORITIES.**—

(1) **IN GENERAL.**—Section 2279c of title 10, United States Code, is—

(A) transferred to chapter 907 of such title;

(B) inserted after section 9062; and

(C) as so transferred and inserted, amended to read as follows:
§ 9063. United States Space Force

(a) UNITED STATES SPACE FORCE.—There is in the Air Force the United States Space Force.

(b) COMMANDER.—(1) The head of the United States Space Force shall be the Commander of the United States Space Force, who shall be appointed in accordance with section 601 of this title. The officer serving as Commander, while so serving, has the grade of general or admiral without vacating the permanent grade of the officer.

(2) The Commander shall be appointed to serve a term of four years.

(c) TEMPORARY CONCURRENT SERVICE AS COMMANDER OF USSF AND COMMANDER OF UNITED STATES SPACE COMMAND.—During the one-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020, the Secretary of Defense may authorize an officer serving as the Commander of the United States Space Force to serve concurrently as the Commander of the United States Space Command under section 169 of this title, without further appointment as otherwise provided for in subsection (c) of such section.

(d) VICE COMMANDER.—The deputy head of the United States Space Force shall be the Vice Commander of the United States Space Force, who shall be appointed in accordance with section 601 of this title. The officer
serving as Vice Commander, while so serving, has the
grade of general or admiral without vacating the perma-
nent grade of the officer.

“(e) DUTIES.—(1) Subject to the authority, direc-
tion, and control of the Secretary of the Air Force, the
Commander of the United States Space Force shall do the
following:

“(A) Exercise authority, direction, and control
of all space operations-peculiar administrative mat-
ters relating to the organization, training, and
equipping of the space forces of the Air Force.

“(B) Exercise the authorities and responsibil-
ities assigned to the Commander as Commander of
the Air Force Space Command before December 12,
2017.

“(C) Carry out such other duties as the Sec-
retary may specify.

“(2) In carrying out duties under paragraph (1), the
Commander of the United States Space Force shall report
as follows:

“(A) During the one-year period beginning on
the date of the enactment of the National Defense
Authorization Act for Fiscal Year 2020, to the Sec-
retary of the Air Force through the Chief of Staff
of the Air Force.
“(B) After the period described in subparagraph (A), directly to the Secretary of the Air Force.

“(3)(A) During the one-year period beginning on the date of the enactment of the National Defense Authorization Act of 2020, upon the request of the Chairman of the Joint Chiefs of Staff, the Commander of the United States Space Force may participate in any meeting of the Joint Chiefs of Staff in consideration by the Joint Chiefs of Staff of an issue in connection with a duty or responsibility of the Commander.

“(B) Commencing as of the end of the period described in subparagraph (A), the Commander of the United States Space Force shall be a member of the Joint Chiefs of Staff.

“(f) ELEMENTS.—(1) In addition to the elements of the Air Force Space Command as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020, the United States Space Force shall include other military and civilian personnel of the Air Force (including appropriate elements of the Air National Guard and the Air Force Reserve), and other infrastructure, assets, and resources of the Air Force, assigned to the Space Force by the Secretary of the Air Force.

“(2) The Secretary shall provide for the Space Force a cadre of military and civilian personnel within the Air
Force who shall assist the Space Force in establishing and maintaining an ethos and culture for space warfighting.”.

(2) Service of incumbent commander of Air Force Space Command as commander of United States Space Force.—The individual serving as Commander of the Air Force Space Command as of the date of the enactment of this Act may serve as the Commander of the United States Space Force under subsection (b) of section 9063 of title 10, United States Code (as added by paragraph (1)), after that date without further appointment as otherwise provided for by that subsection.

(3) Secretary of defense report on concurrency of command.—

(A) In general.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of the advisability of permitting the Commander of the United States Space Force to serve concurrently as Commander of the United States Space Command as authorized by subsection (e) of section 9063 of title 10, United States Code (as so added).
(B) Comptroller General briefing.—
Not later than 30 days after the submittal of
the report required by subparagraph (A), the
Comptroller General of the United States shall
provide the congressional defense committees a
briefing on the assessment of the Comptroller
General of the matters contained in the report.

(4) Secretary of the Air Force briefings
on USSF.—On or about March 31, 2020, and during
every calendar year quarter thereafter through
March 31, 2022, the Secretary of the Air Force
shall provide the congressional defense committees a
briefing on the following:

(A) The current status of the missions and
manpower of the United States Space Force
under section 9063 of title 10, United States
Code (as so added), including the current status
of the assumption by the United States Space
Force of the elements to constitute the United
States Space Force, including the elements of
the Air Force Space Command and the ele-
ments assigned pursuant to subsection (f)(1) of
such section.

(B) The current status of activities of the
cadre of personnel required by subsection (f)(2)
of such section 9063 (as so added), including
an assessment of the progress of the cadre in
establishing and maintaining the ethos and cul-
ture described in that subsection.

(5) NO AUTHORIZATION OF ADDITIONAL MILI-
TARY BILLETS OR CIVILIAN PERSONNEL.—The Sec-
retary of the Air Force shall carry out this sub-
section and the amendments made by this subsection
within military and civilian personnel of the Air
Force otherwise authorized by this Act. Nothing in
this subsection or the amendments made by this
subsection shall be construed to authorize additional
military billets or the employment of additional civil-
ian personnel for the purposes of, or in connection
with, the establishment of the United States Space
Force.

(c) CONFORMING AMENDMENT TO US SPACE COM-
MAND COMMANDER AUTHORITY.—Section 169(c) of title
10, United States Code, is amended by striking paragraph
(2) and inserting the following new paragraph (2):

“(2) If authorized by the Secretary of Defense pursu-
ant to section 9063(c) of this title, the officer serving as
Commander of the United States Space Force also serves
concurrently as Commander of the United States Space
Command, but only during the one-year period beginning
on the date of the enactment of the National Defense Au-
uthorization Act for Fiscal Year 2020.”.

(d) JOINT CHIEFS OF STAFF MATTERS.—Effective
on the date that is one year after the date of the enact-
ment of this Act, section 151(a) of title 10, United States
Code, is amended by adding at the end the following new
paragraph:

“(8) The Commander of the United States
Space Force.”.

(e) CLERICAL AMENDMENTS.—

(1) CHAPTER 135.—The table of sections at the
beginning of chapter 135 of title 10, United States
Code, is amended by striking the item relating to
section 2279c.

(2) CHAPTER 907.—The table of sections at the
beginning of chapter 907 of such title is amended by
inserting after the item relating to section 9062 the
following new item:

“9063. United States Space Force.”.

(f) REFERENCES.—Any reference to the Air Force
Space Command in any law, regulation, map, document,
record, or other paper of the United States shall be
deemed to be a reference to the United States Space
Force.
SEC. 1605. ASSIGNMENT OF PERSONNEL TO THE NATIONAL RECONNAISSANCE OFFICE FOR MISSION NEEDS.

(a) USSR AS PRIMARY SOURCE OF PERSONNEL.—Effective as of the date of the enactment of this Act, military and civilian personnel of the United States Space Force under section 9063 of title 10, United States Code (as added by section 1604(b) of this Act), shall be the primary source of military and civilian personnel of the Department of the Air Force who may be assigned to the National Reconnaissance Office.

(b) ASSIGNMENT BY COMMANDER, USSR.—Subject to the authority, direction, and control of the Secretary of the Air Force, the Commander of the United States Space Force shall be responsible for the assignment of military and civilian personnel of the United States Space Force to the National Reconnaissance Office.

SEC. 1606. REPORT ON ESTABLISHMENT OF POSITION OF UNDER SECRETARY OF THE AIR FORCE FOR SPACE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the advisability of establishing within the Department of the Air Force a position of Under Secretary of the Air Force for Space with the responsibility
of providing civilian oversight to the United States Space
Force (as provided for by section 1604 of this Act).

(b) CONSIDERATIONS.—In preparing the report re-
quired by subsection (a), the Secretary shall take into con-
sideration the tasks and operations of the staff of the Air
Force in support of the space warfighting mission of the
Air Force and such other matters as the Secretary con-
siders appropriate.

SEC. 1607. REPORT ON ENHANCED INTEGRATION OF CAPA-
BILITIES OF THE NATIONAL SECURITY AGEN-
CY, THE NATIONAL GEOSPATIAL-INTEL-
LIGENCE AGENCY, AND THE UNITED STATES
SPACE COMMAND FOR JOINT OPERATIONS.

Not later than 180 days after the date of the enact-
ment of this Act, the Secretary of Defense shall, in coordi-
nation with the Director of National Intelligence, submit
to the congressional defense committees a report setting
forth the results of a review, conducted for purposes of
the report, on processes designed to achieve more effective
integration of capabilities among the National Security
Agency, the National Geospatial-Intelligence Agency, and
the United States Space Command for joint operations in
a manner that does not result in the impairment of the
authorities or responsibilities of the Director.
SEC. 1608. LIMITATION ON AVAILABILITY OF FUNDS.

None of the amounts authorized to be appropriated for fiscal year 2020 by this Act and available for the Air Force for programs, projects, or activities for space, including acquisition programs, projects, or activities, may be obligated or expended until the date on which the Secretary of the Air Force completes briefings of the congressional defense committees on the plans of the Air Force to implement this part and the amendments made by this part, including the following:

(1) The establishment of the office of the Principal Assistant to the Secretary of the Air Force for Space Acquisition and Integration under section 9018 of title 10, United States Code (as added by section 1602 of this Act).

(2) The establishment of the United States Space Force required by section 9063 of title 10, United States Code (as added by section 1604 of this Act).

PART II—OTHER SPACE MATTERS

SEC. 1611. REPEAL OF REQUIREMENT TO ESTABLISH SPACE COMMAND AS A SUBORDINATE UNIFIED COMMAND OF THE UNITED STATES STRATEGIC COMMAND.

(a) In General.—Section 169 of title 10, United States Code, is repealed.
(b) Technical and Conforming Amendment.—

The table of sections for chapter 6 of title 10, United States Code, is amended by striking the item relating to section 169.

SEC. 1612. PROGRAM TO ENHANCE AND IMPROVE LAUNCH SUPPORT AND INFRASTRUCTURE.

(a) In General.—In support of the policy described in section 2273(a) of title 10, United States Code, the Secretary of Defense may carry out a program to enhance infrastructure and improve support activities for the processing and launch of Department of Defense small-class and medium-class payloads.

(b) Program.—The program under subsection (a) shall include improvements to operations at launch ranges and Federal Aviation Administration-licensed spaceports that are consistent with, and necessary to permit, the use of such launch ranges and spaceports by the Department.

(c) Consultation.—In carrying out the program under subsection (a), the Secretary may consult with current and anticipated users of launch ranges and Federal Aviation Administration-licensed spaceports, including the Space Rapid Capabilities Office.

(d) Cooperation.—In carrying out the program under subsection (a), the Secretary may enter into a con-
tract or agreement under section 2276 of title 10, United States Code.

(e) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report describing a plan for the program under subsection (a).

SEC. 1613. MODIFICATION OF ENHANCEMENT OF POSITIONING, NAVIGATION, AND TIMING CAPACITY.

(a) Capability for Trusted Signals.—

(1) Subsection heading.—Subsection (a) of section 1609 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended, in the subsection heading, by striking “TRUSTED SIGNALS” and inserting “ALTERNATIVE GLOBAL NAVIGATION SATELLITE SYSTEM SIGNALS”.

(2) Requirement.—Paragraph (1) of such subsection is amended to read as follows:

“(1) Requirement.—The Secretary of the Air Force shall ensure that military Global Positioning System (GPS) user equipment terminals have the capability, as appropriate to user needs and constraints, to incorporate signals from the Galileo satellites of the European Union and the QZSS sat-
ellites of Japan, beginning with the implementation of open-system architecture solutions, such as the Resilient-Embedded GPS/Inertial Navigation System (R-EGI), to accompany other alternative and complementary navigation sources for robust positioning, navigation, and timing.”.

(3) **WAIVER.**—Paragraph (2) of such subsection is amended—

(A) in subparagraph (A), by striking “could not integrate such capability beginning with increment 2 of the acquisition of such terminals” and inserting “should not integrate such capability into the Resilient-Embedded GPS/Inertial Navigation System architecture”; and

(B) in subparagraph (B), by inserting “that considers the addition of multi-Global Navigation Satellite System (GNSS) signals to provide substantive military utility” after “such terminals”.

(b) **CAPABILITY FOR OTHER SIGNALS.**—Subsection (b) of such section is amended, in the matter preceding paragraph (1)—
(1) by inserting “other allied and” before “non-allied positioning, navigation, and timing signals”; and

(2) by striking “increment 2 of the acquisition of such terminals” and inserting “the Resilient-Embedded GPS/Inertial Navigation System architecture”.

SEC. 1614. MODIFICATION OF TERM OF COMMANDER OF AIR FORCE SPACE COMMAND.

Section 2279c(a)(2) of title 10, United States Code, is amended, in the first sentence, by striking “six years” and inserting “four years”.

SEC. 1615. ANNUAL REPORT ON SPACE COMMAND AND CONTROL PROGRAM.

(a) In general.—For each of fiscal years 2021 through 2025, concurrent with the submittal to Congress of the budget of the Department of Defense with the budget of the President for the subsequent fiscal year under section 1105(a) of title 31, United States Code, the Secretary of the Air Force shall submit to the Under Secretary of Defense for Acquisition and Sustainment, the congressional defense committees, and the Comptroller General of the United States, an annual report on the Space Command and Control program.
(b) Matters to Be Included.—Each report required by subsection (a) shall include the following:

(1) A description of any modification to the metrics established by the Secretary in the acquisition strategy for the program.

(2) The short-term objectives for the subsequent fiscal year.

(3) For the preceding fiscal year, a description of—

   (A) the ongoing, achieved, and deferred objectives;

   (B) the challenges encountered and the lessons learned;

   (C) the modifications made or planned so as to incorporate such lessons learned into subsequent efforts to address challenges; and

   (D) the cost, schedule, and performance effects of such modifications.

(c) Review of Reports and Briefing by Comptroller General.—With respect to each report submitted under this section, the Comptroller General shall review and provide to the congressional defense committees a briefing on a date mutually agreed on by the Comptroller General and the congressional defense committees.
SEC. 1616. REQUIREMENTS FOR PHASE 2 OF ACQUISITION STRATEGY FOR NATIONAL SECURITY SPACE LAUNCH PROGRAM.

In carrying out phase 2 of the acquisition strategy for the national security space launch program, the Secretary of the Air Force—

(1) may not—

(A) modify the acquisition schedule or mission performance requirements; or

(B) award missions to more than two launch service providers; and

(2) shall ensure that launch services are procured only from launch service providers that use launch vehicles meeting each Government requirement with respect to required payloads to reference orbits.

Subtitle B—Defense Intelligence and Intelligence-related Activities

SEC. 1621. REDESIGNATION OF UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE AS UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE AND SECURITY.

(a) Redesignation of Under Secretary.—

(1) In general.—The Under Secretary of Defense for Intelligence is hereby redesignated as the
Under Secretary of Defense for Intelligence and Security.

(2) Service of Incumbent in Position.—The individual serving as Under Secretary of Defense for Intelligence as of the date of the enactment of this Act may serve as Under Secretary of Defense for Intelligence and Security commencing as of that date without further appointment under section 137 of title 10, United States Code (as amended by subsection (c)(1)(A)(ii)).

(3) Reference.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the Under Secretary of Defense for Intelligence shall be deemed to be a reference to the Under Secretary of Defense for Intelligence and Security.

(b) Redesignation of Related Deputy Under Secretary.—

(1) In General.—The Deputy Under Secretary of Defense for Intelligence is hereby redesignated as the Deputy Under Secretary of Defense for Intelligence and Security.

(2) Service of Incumbent in Position.—The individual serving as Deputy Under Secretary of Defense for Intelligence as of the date of the enact-
ment of this Act may serve as Deputy Under Sec-
retary of Defense for Intelligence and Security com-
mencing 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 ref-
ERENCE 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 strik-
ing “Under Secretary of Defense for Intel-
ligence” and inserting “Under Secretary of De-
fense 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).
(vii) Section 426, each place it appears.

(viii) Section 430(a).

(B) In section 137a(c)(6), by striking “Deputy Under Secretary of Defense for Intelligence” and inserting “Deputy Under Secretary of Defense for Intelligence and Security”.

(C) The heading of section 137 is amended to read as follows:

“§137. Under Secretary of Defense for Intelligence and Security”.

(D) The table of sections at the beginning of chapter 4 is amended by striking the item relating to section 137 and inserting the following new item:

“137. Under Secretary of Defense for Intelligence and Security.”.

(2) Title 5.—Title 5, United States Code, is amended as follows:

(A) In section 5314, by striking “Under Secretary of Defense for Intelligence” and inserting “Under Secretary of Defense for Intelligence and Security”.

(B) In section 5315, by striking “Deputy Under Secretary of Defense for Intelligence”
and inserting “Deputy Under Secretary of Defense for Intelligence and Security”.

SEC. 1622. REPEAL OF CERTAIN REQUIREMENTS RELATING TO INTEGRATION OF DEPARTMENT OF DEFENSE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES.

(a) REPEAL.—Section 426 of title 10, United States Code, is hereby repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 21 of such title is amended by striking the item relating to section 426.

SEC. 1623. IMPROVING THE ONBOARDING METHODOLOGY FOR CERTAIN INTELLIGENCE PERSONNEL.

(a) IN GENERAL.—The Secretary of Defense and the Director of National Intelligence shall, consistent with Department of Defense Instruction 1400.25, as in effect on the day before the date of the enactment of this Act—

(1) not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report that outlines a common methodology for measuring onboarding in covered elements of the intelligence community, including human resources and security processes;

(2) not later than one year after the date of the enactment of this Act, issue metrics for assessing
key phases in the onboarding described in paragraph (1) for which results will be reported by the date that is 90 days after the date of such issuance;

(3) not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report on collaboration among covered elements of the intelligence community on their onboarding processes;

(4) not later than 180 days after the date of the enactment of this Act, submit to the appropriate committees of Congress a report on employment of automated mechanisms in covered elements of the intelligence community, including for tracking personnel as they pass through each phase of the onboarding process; and

(5) not later than December 31, 2020, distribute surveys to human resources offices and applicants about their experiences with the onboarding process in covered elements of the intelligence community.

(b) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—
(A) the Select Committee on Intelligence and the Committee on Armed Services of the Senate; and

(B) the Permanent Select Committee on Intelligence and the Committee on Armed Services of the House of Representatives.

(2) The term “covered elements of the intelligence community” means the elements of the intelligence community that are within the following:

(A) The Department of Energy.

(B) The Department of Homeland Security.

(C) The Department of Justice.

(D) The Department of State.

(E) The Department of the Treasury.

SEC. 1624. DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY ACTIVITIES ON FACILITATING ACCESS TO LOCAL CRIMINAL RECORDS HISTORICAL DATA.

(a) Activity Authorized.—The Director of the Defense Counterintelligence and Security Agency may carry out a set of activities relating to facilitating access by the Agency to local criminal records historical data.
(b) Activities Characterized.—The activities carried out under subsection (a) shall include only the following:

(1) Training and education.

(2) Outreach to State, local, and tribal authorities.

(3) Direct assistance.

(c) Reports.—

(1) Initial report.—Not later than 90 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a report that details a concept of operation for the set of activities authorized by subsection (a).

(2) Annual reports.—Not later than one year after the date on which the Director submits a report pursuant to paragraph (1) and not less frequently than once each year thereafter, the Director shall submit to the congressional defense committees a detailed report on the activities carried out by the Director under this section.

Subtitle C—Cyberspace-related Matters

SEC. 1631. REORIENTATION OF BIG DATA PLATFORM PROGRAM.

(a) Reorientation of Program.—
(1) IN GENERAL.—Not later than January 1, 2021, the Secretary of Defense shall—

(A) reorient the Big Data Platform program as specified in this section; and

(B) align the reorientation effort under an existing line of effort of the Cyber Strategy of the Department of Defense.

(2) OVERSIGHT OF IMPLEMENTATION.—The Secretary shall act through the Principal Cyber Advisor and the supporting Cross Functional Team in the oversight of the implementation of paragraph (1).

(b) COMMON BASELINE AND SECURITY CLASSIFICATION SCHEME.—

(1) IN GENERAL.—Not later than January 1, 2021, the Secretary shall establish a common baseline and security classification scheme for the collection, storage, processing, querying, analysis, and accessibility of a common and comprehensive set of metadata from sensors, applications, appliances, products, and systems deployed across the Department of Defense Information Network (DODIN) to enable the discovery, tracking, and remediation of cybersecurity threats.
(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall—

(A) take such actions as the Secretary considers necessary to standardize deployed infrastructure, including the Department of Defense’s perimeter capabilities at the Internet Access Points and the Joint Regional Security Stacks, and the routing of data laterally and vertically from Department of Defense Information Network segments and tiers, to enable standard and comprehensive metadata collection;

(B) take such actions as the Secretary considers necessary to standardize deployed cybersecurity applications, products, and sensors and the routing of data laterally and vertically from Department of Defense Information Network segments and tiers, to enable standard and comprehensive metadata collection;

(C) develop an enterprise-wide architecture and strategy for—

(i) where to place sensors or extract data from network information technology, operational technology, and cybersecurity
appliances, applications, products, and sys-
tems for cybersecurity purposes;

(ii) which metadata data records
should be universally sent to Big Data
Platform instances and which metadata
data records, if any, should be locally re-
tained; and

(iii) expeditiously and efficiently
transmitting metadata records to the Big
Data Platform instances, including the ac-
quision and installation of further data
bandwidth;

(D) determine the appropriate number, or-
organization, and functions of separate Big Data
Platform instances, and whether the Big Data
Platform instances that are currently managed
by Department of Defense components, including the military services, should instead be
jointly and regionally organized;

(E) determine the appropriate roles of the
Defense Information Systems Agency’s Acrop-
olis and United States Cyber Command’s Scarif
Big Data Platforms as enterprise-wide real-time
cybersecurity situational awareness capabilities,
as complements or replacements for component-
level Big Data Platform instances;

(F) ensure that all Big Data Platform in-
stances are engineered and approved to enable
standard access and query capabilities by the
Unified Platform, the network defense service
providers, and the Cyber Mission Forces, with
centrally managed authentication and author-
ization services;

(G) prohibit barriers to information shar-
ing, distributed query, data analysis, and col-
laboration across Big Data Platform instances,
such as incompatible interfaces, interconnection
service agreements, and the imposition of ac-
creditation boundaries;

(H) transition all Big Data Platform in-
stances to a cloud computing environment in
alignment with the cloud strategy of the Chief
Information Officer of the Department of De-
fense;

(I) consider whether packet capture data-
bases should continue to be maintained sepa-
rately from the Big Data Platform instances,
managed at the secret level of classification,
and treated as malware-infected when the pack-
et data are copies of packets extant in the Department of Defense Information Network;

(J) in the case that the Secretary decides to sustain the status quo on packet capture databases, ensure that analysts operating on or from the Unified Platform, the Big Data Platform instances, the network defense services providers, and the Cyber Mission Force units can directly access packets and query the database; and

(K) consider whether the Joint Artificial Intelligence Center’s cybersecurity artificial intelligence national mission initiative should include an application for the metadata residing in the Big Data Platform instances.

(e) LIMIT ON DATA AND DATA INDEXING SCHEMA.—The Secretary shall ensure that the Unified Platform program utilizes the data and the data indexing schema that is native to the Big Data Platform rather than creating a duplicate index or data tagger.

(d) ANALYTICS AND APPLICATION SOURCING AND COLLABORATION.—The Secretary shall ensure that the Services and office of the Big Data Platform program—

(1) seek advanced analytics and applications from Government and commercial sources that can
be executed on the deployed Big Data Platform architecture; and

(2) collaborate with vendors offering commercial analytics and applications, including support to refactoring commercial capabilities to the Government platform where industry can still own the intellectual property embedded in the analytics and applications.

(e) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 180 days thereafter until the activities required by subsection (a)(1) are completed, the Secretary shall provide the congressional defense committees a briefing on the activities of the Secretary in carrying out subsection (b).

SEC. 1632. ZERO-BASED REVIEW OF DEPARTMENT OF DEFENSE CYBER AND INFORMATION TECHNOLOGY PERSONNEL.

(a) REVIEW REQUIRED.—Not later than January 1, 2021, each head of a covered department, component, or agency shall—

(1) complete a zero-based review of the cyber and information technology personnel of the head’s covered department, component, or agency; and
(2) provide the Principal Cyber Advisor, the Chief Information Officer of the Department of Defense, and the Under Secretary of Defense for Personnel and Readiness the findings of the head with respect to the head's covered department, component, or agency.

(b) COVERED DEPARTMENTS, COMPONENTS, AND AGENCIES.—For purposes of this section, a covered department, component, or agency is—

(1) an independent Department of Defense component or agency;

(2) the Office of the Secretary of Defense;

(3) a component of the Joint Staff;

(4) a military department or an armed force; or

(5) a reserve component of the Armed Forces.

(e) SCOPE OF REVIEW.—As part of a review conducted pursuant to subsection (a)(1), the head of a covered department, component, or agency shall, with respect to the covered department, component, or agency of the head—

(1) assess military, civilian, and contractor positions and personnel performing cyber and information technology missions;

(2) determine the roles and functions assigned by reviewing existing position descriptions and con-
ducting interviews to quantify the current workload
performed by military, civilian, and contractor work-
force;

(3) compare the Department’s manning with
the manning of comparable industry organizations;

(4) include evaluation of the utility of cyber-
and information technology-focused missions, posi-
tions, and personnel within such components—

(A) to assess the effectiveness and effi-
ciency of current activities;

(B) to assess the necessity of increasing,
reducing, or eliminating resources; and

(C) to guide prioritization of investment
and funding;

(5) develop recommendations and objectives for
organizational, manning, and equipping change, tak-
ing into account anticipated developments in infor-
mation technologies, workload projections, automa-
tion and process enhancements, and Department re-
quirements;

(6) develop a gap analysis, contrasting the cur-
rent organization and the objectives developed pur-
suant to paragraph (5); and
(7) develop roadmaps of prioritized activities and a timeline for implementing the activities to close the gaps identified pursuant to paragraph (6).

(d) ELEMENTS.—In carrying out a review pursuant to subsection (a)(1), the head of a covered department, component, or agency shall consider the following:

(1) Whether position descriptions and coding designators for given cybersecurity and information technology roles are accurate indicators of the work being performed.

(2) Whether the function of any cybersecurity or information technology position or personnel can be replaced by acquisition of cybersecurity or information technology products or automation.

(3) Whether a given component or subcomponent is over- or under-resourced in terms of personnel, using industry standards as a benchmark where applicable.

(4) Whether cybersecurity service provider positions and personnel fit coherently into the enterprise-wide cybersecurity architecture and with the Department’s cyber protection teams.

(5) Whether the function of any cybersecurity or information technology position or personnel could be conducted more efficiently or effectively by
enterprise-level cyber or information technology personnel.

(c) **FURNISHING DATA AND ANALYSIS.**—

(1) **DATA AND ANALYSIS.**—In carrying out subsection (a)(2), each head of a covered department, component, or agency, shall furnish to the Principal Cyber Advisor, the Chief Information Officer, and the Under Secretary a description of the analysis that led to the findings submitted under such subsection and the data used in such analysis.

(2) **CERTIFICATION.**—The Principal Cyber Advisor, the Chief Information Officer, and the Under Secretary of Defense shall jointly review each submittal under subsection (a)(2) and certify whether the findings and analysis are in compliance with the requirements of this section.

(f) **RECOMMENDATIONS.**—After receiving findings submitted by a head of a covered department, component, or agency pursuant to paragraph (2) of subsection (a) with respect to a review conducted by the head pursuant to paragraph (1) of such subsection, the Principal Cyber Advisor, the Chief Information Officer, and the Under Secretary shall jointly provide to such head such recommendations as the Principal Cyber Advisor, the Chief Information Officer, and the Under Secretary may have.
for changes in manning or acquisition that proceed from such review.

(g) IMPLEMENTATION.—The Principal Cyber Advisor, the Chief Information Officer, and the Under Secretary shall jointly oversee and assist in the implementation of the roadmaps developed pursuant to subsection (c)(7) and the recommendations developed pursuant to subsection (f).

(h) IN-PROGRESS REVIEWS.—Not later than six months after the date of the enactment of this Act and not less frequently than once every six months thereafter until the Principal Cyber Advisor, the Chief Information Officer, and the Under Secretary give the briefing required by subsection (i), the Principal Cyber Advisor, the Chief Information Officer, and the Under Secretary shall jointly—

(1) conduct in-progress reviews of the status of the reviews required by subsection (a)(1); and

(2) provide the congressional defense committees with a briefing on such in-progress reviews.

(i) FINAL BRIEFING.—After all of the reviews have been completed under paragraph (1) of subsection (a), after receiving all of the findings pursuant to paragraph (2) of such subsection, and not later than June 1, 2021, 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 find-
ings of the Principal Cyber Advisor, the Chief Information
Officer, and the Under Secretary with respect to such re-
views, 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 commit-
tees a report on the findings of the Secretary and
Chief with respect to the study completed pursuant
to paragraph (1) and submit such report with all of
the data used in such study.

(b) ELEMENTS.—The report submitted pursuant to
subsection (a)(2) shall include the following:

(1) A plan for implementing career paths for ci-
vilian and military personnel tailored to develop ex-
pertise in cyber skill sets, including skills sets appro-
priate for offensive and defensive military cyber op-
erations.

(2) Suggested changes to the processes that
govern the identification of talent and career pro-
gression of the civilian and military workforce.

(3) A methodology for a cyber workforce assign-
ment policy that deliberately builds depth and
breadth of knowledge regarding the conduct of cyber
operations throughout an entire career.

(4) Possible enhancements to identifying, re-
cruiting, training, and retaining the cyber workforce,
both civilian and military, especially for Interactive
On-Net operators and tool developers.

(5) Recommendations for legislative and admin-
istrative actions to address the findings and rec-
ommendations of the Secretary and the Chief with
respect to the study completed pursuant to sub-
section (a)(1).
(c) CONSULTATION.—In conducting the study required by subsection (a)(1), the Secretary and the Chief shall consult with the following:

1. The Principal Cyber Advisor of the Department of Defense.
2. The Secretary of the Air Force.
3. The Air Force Chief of Staff.
4. The Secretary of the Army.
5. The Army Chief of Staff.
6. The Commandant of the Marine Corps.
7. The Under Secretary of Defense for Personnel and Readiness.
8. The Chief Information Officer of the Department of Defense.

SEC. 1634. FRAMEWORK TO ENHANCE CYBERSECURITY OF THE UNITED STATES DEFENSE INDUSTRIAL BASE.

(a) FRAMEWORK REQUIRED.—Not later than February 1, 2020, the Secretary of Defense shall develop a consistent, comprehensive framework to enhance cybersecurity for the United States defense industrial base.

(b) ELEMENTS.—The framework developed pursuant to subsection (a) shall include the following:
(1) Identification of unified cybersecurity standards, regulations, metrics, ratings, third-party certifications, or requirements to be imposed on the defense industrial base for the purpose of assessing the cybersecurity of individual contractors.

(2) The roles and responsibilities of various activities within the Department of Defense, across the entire acquisition process, beginning with market research, including responsibility determination, solicitation, and award, and continuing with contractor management and oversight on matters relating to cybersecurity.

(3) The responsibilities of the prime contractors, and all subcontractors in the supply chain, for implementing the required cybersecurity standards, regulations, metrics, ratings, third-party certifications, and requirements identified under paragraph (1).

(4) A plan to provide implementation guidance, education, manuals, and, as necessary, direct technical support or assistance to such contractors on matters relating to cybersecurity.

(5) Methods and programs for defining and managing controlled unclassified information, and
for limiting the presence of unnecessary sensitive information on contractor networks.

(6) Quantitative metrics for assessing the effectiveness of the overall framework over time, with respect to the exfiltration of controlled unclassified information from the defense industrial base.

(c) MATTERS FOR CONSIDERATION.—In developing the framework required by subsection (a), the Secretary shall consider the following:

(1) Designating an official to be responsible for the cybersecurity of the defense industrial base.

(2) Evaluating methods, standards, metrics, and third-party certifications for assessing the cybersecurity of individual contractors.

(3) Ensuring a consistent approach across the Department to matters relating to the cybersecurity of the defense industrial base.

(4) Tailoring cybersecurity requirements for small- and medium-sized contractors based on a risk-based approach.

(5) Ensuring the Department’s traceability and visibility of cybersecurity compliance of suppliers to all levels of the supply chain.

(6) Evaluating incentives and penalties for cybersecurity performance of suppliers.
(7) Integrating cybersecurity and traditional counterintelligence measures, requirements, and programs.

(8) Establishing a secure software development environment (DevSecOps) in a cloud environment inside the perimeter of the Department for contractors to do their development work.

(9) Establishing a secure cloud environment where contractors could access the data of the Department needed for their contract work.

(10) Establishing a Cybersecurity Maturity Model Certification for defense industrial base companies, scoring companies on a rating scale, and requiring certain ratings for contract awards.

(11) Providing additional assistance to small companies in the form of training, mentoring, approved security product lists, and approved lists of security-as-a-service providers.

(12) Technological means, operational concepts, reference architectures, offensive counterintelligence operation concepts, and plans for operationalization to complicate adversary espionage, including honeypotting and data obfuscation.

(13) Implementing enhanced security vulnerability assessments for contractors working on crit-
ical acquisition programs, technologies, manufacturing capabilities, and research areas.

(14) Identifying ways to better leverage technology and employ machine learning or artificial intelligence capabilities, such as Internet Protocol monitoring and data integrity capabilities to be applied to contractor information systems that host, receive, or transmit controlled unclassified information.

(15) Developing tools to easily segregate program data to only allow subcontractors access to their specific information.

(16) Appropriate communications of threat assessments of the defense industrial base to the acquisition workforce at all classification levels.

(17) Appropriate communications with industry on the impact of cybersecurity considerations in contracting and procurement decisions.

(d) CONSULTATION.—In developing the framework required by subsection (a), the Secretary shall consult with the following:

(1) Industry groups representing the defense industrial base.

(2) Contractors in the defense industrial base.
(3) The Director of the National Institute of Standards and Technology.

(4) The Secretary of Energy and the Nuclear Regulatory Commission.

(5) The Director of National Intelligence.

(e) BRIEFING.—

(1) IN GENERAL.—Not later than March 11, 2020, the Secretary of Defense shall provide the congressional defense committees with a briefing on the framework developed pursuant to subsection (a).

(2) CONTENTS.—The briefing required by paragraph (1) shall include the following:

(A) An overview of the framework developed in subsection (a).

(B) Identification of such pilot programs as the Secretary considers may be required to improve the cybersecurity of the defense industrial base.

(C) Implementation timelines and identification of costs.

(D) Such recommendations as the Secretary may have for legislative action to improve the cybersecurity of the defense industrial base.

(f) QUARTERLY BRIEFINGS.—
(1) In General.—Not less frequently than once each quarter until February 1, 2022, the Secretary of Defense shall brief the congressional defense committees on the status of development and implementation of the framework required by subsection (a).

(2) Coordination with Other Briefings.—Each briefing under paragraph (1) shall be conducted in conjunction with a quarterly briefing under section 484(a) of title 10, United States Code.

(3) Elements.—Each briefing under paragraph (1) shall include the following:

(A) The current status of the development and implementation of the framework required by subsection (a).

(B) A description of the efforts undertaken by the Secretary to evaluate the matters for consideration set forth in subsection (c).

(C) The current status of any pilot programs the Secretary is carrying out to develop the framework.
SEC. 1635. ROLE OF CHIEF INFORMATION OFFICER IN IMPROVING ENTERPRISE-WIDE CYBERSECURITY.

(a) In general.—In carrying out the responsibilities established in section 142 of title 10, United States Code, the Chief Information Officer of the Department of Defense shall, to the maximum extent practicable, ensure that the cybersecurity programs and capabilities of the Department—

(1) fit into an enterprise-wide cybersecurity architecture;

(2) are maximally interoperable with each other, including those deployed by the components of the Department;

(3) enhance enterprise-level visibility and responsiveness to threats; and

(4) are developed, procured, instituted, and managed in a cost-efficient manner, exploiting economies of scale and enterprise-wide services and discouraging unnecessary customization and piece-meal acquisition.

(b) Requirements.—In carrying out subsection (a), the Chief Information Officer shall—

(1) manage and modernize the cybersecurity architecture of the Department, including—
(A) ensuring the cybersecurity architecture of the Department maximizes cybersecurity capability, network, and endpoint activity data-sharing across Department components;

(B) ensuring the cybersecurity architecture of the Department supports improved automation of cybersecurity detection and response; and

(C) modernizing and configuring the Department’s standardized deployed perimeter, network-level, and endpoint capabilities to improve interoperability, meet pressing capability needs, and negate common adversary tactics, techniques, and procedures;

(2) establish mechanisms to enable and mandate, as necessary, cybersecurity capability, and network and endpoint activity data-sharing across Department components;

(3) make mission data, through data tagging, automatic transmission, and other means, accessible and discoverable by Department components other than owners of those mission data;

(4) incorporate emerging cybersecurity technologies from the Defense Advanced Research Projects Agency, the Strategic Capabilities Office,
the Defense Innovation Unit, the laboratories of the military departments, and the commercial sector into the cybersecurity architecture of the Department; and

(5) ensure that the Department possesses the necessary computing infrastructure, through technology refresh, installation or acquisition of bandwidth, and the use of cloud computing power, to host and enable necessary cybersecurity capabilities.

SEC. 1636. QUARTERLY ASSESSMENTS OF THE READINESS OF CYBER FORCES.

(a) IN GENERAL.—Section 484(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

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

“(4) An assessment of the readiness of the Cyber Mission Forces that—

“(A) addresses all of the abilities of the Department to conduct cyberspace operations based on capability and capacity of personnel, equipment, training, and equipment condition—

“(i) using both quantitative and qualitative metrics; and
“(ii) in a way that is common to all
military departments; and
“(B) is consistent with readiness reporting
pursuant to section 482 of this title.”.

(b) METRICS.—

(1) ESTABLISHMENT REQUIRED.—The Sec-
retary of Defense shall establish metrics for the as-
essment of the readiness of the Cyber Mission
Forces of the Department of Defense.

(2) BRIEFING REQUIRED.—Not later than 90
days after the date of the enactment of this Act, the
Secretary will provide a briefing to the congressional
defense committees on the metrics established pursu-
ant to paragraph (1).

(c) MODIFICATION OF READINESS REPORTING SYS-
TEM.—Not later than 180 days after the date of the enact-
ment of this Act, the Secretary shall take such actions
as the Secretary considers appropriate to ensure that the
comprehensive readiness reporting system established pur-
suant to section 117(a) of title 10, United States Code,
covers matters relating to the readiness of the Cyber Mis-

(1) using the metrics established pursuant to
subsection (b)(1); and
(2) in a manner that is consistent with sections 117 and 482 of such title.

(d) First Quarterly Briefing Assessing Cyber Readiness.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act.

SEC. 1637. CONTROL AND ANALYSIS OF DEPARTMENT OF DEFENSE DATA STOLEN THROUGH CYBERSPACE.

(a) Requirements.—When the Secretary of Defense determines that significant Department of Defense information may have been stolen through cyberspace and evidence of theft of the data in question—

(1) is in the possession of a component of the Department, the Secretary shall—

(A) either transfer or replicate and transfer such Department data in a prompt and secure manner to a secure repository with access by Department personnel appropriately limited on a need-to-know basis;

(B) ensure the Department applies such automated analytic tools and capabilities to the repository of potentially compromised data as are necessary to rapidly understand the scope and effect of the potential compromise;
(C) for high priority Department systems, develop analytic products that characterize the scope of data compromised;

(D) ensure that all mission-affected entities in the Department are made aware of the theft or possible theft and, as damage assessment and mitigation proceeds, are kept apprised of the extent of the data stolen; and

(E) ensure that the Department counterintelligence organizations are—

(i) fully integrated with any damage assessment team assigned to the breach;

(ii) fully informed of the data that have or potentially have been stolen and the effect of such theft; and

(iii) provided resources and tasked, in conjunction with subject matter experts and responsible authorities, to immediately develop and execute countermeasures in response to a breach involving espionage and data theft; or

(2) is in the possession of or under controls or restrictions imposed by the Federal Bureau of Investigation, or a national counterintelligence or intelligence organization, the Secretary shall determine,
jointly with the Director of the Federal Bureau of Investigation or the Director of National Intelligence, as appropriate, the most expeditious process, means, and conditions for carrying out the activities otherwise required by paragraph (1).

(b) RECOMMENDATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees such recommendations as the Secretary may have for legislative or administrative action to address such barriers as may be inhibiting the implementation of this section.

SEC. 1638. ACCREDITATION STANDARDS AND PROCESSES FOR CYBERSECURITY AND INFORMATION TECHNOLOGY PRODUCTS AND SERVICES.

(a) ASSESSMENT.—The Chief Information Officer of the Department of Defense shall conduct an enterprise assessment of accreditation of standards and processes for cybersecurity and information technology products and services.

(b) REPORT.—

(1) IN GENERAL.—Not later than April 1, 2020, the Chief Information Officer shall submit to the congressional defense committees a report on the 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
the Senate, and the Committee on Homeland Secu-

rity of the House of Representatives’.

SEC. 1640. MODIFICATION OF ELEMENTS OF ASSESSMENT

REQUIRED FOR TERMINATION OF DUAL-HAT

ARRANGEMENT FOR COMMANDER OF THE

UNITED STATES CYBER COMMAND.

Section 1642(b)(2)(C) of the National Defense Au-

thorization Act for Fiscal Year 2017 (130 Stat. 2601;

Public Law 114–328) is amended—

(1) in clause (ii), by inserting “and national in-
telligence operations” after “operations”; 
(2) by amending clause (iii) to read as follows:

“(iii) The tools, weapons, and accesses
used in and available for military cyber op-
erations are sufficient for achieving re-
quired effects and United States Cyber
Command is capable of acquiring or devel-
oping these tools, weapons, and accesses.”;

and

(3) by amending clause (vi) to read as follows:

“(vi) The cyber mission force has
achieved full operational capability and has
demonstrated the capacity to execute the
cyber missions of the Department, includ-
ing—
“(I) execution of national-level missions through cyberspace, including deterrence and disruption of adversary cyber activity;

“(II) defense of the Department of Defense Information Network; and

“(III) support for other combatant commands, including targeting of adversary military assets.”.

SEC. 1641. USE OF NATIONAL SECURITY AGENCY CYBERSECURITY EXPERTISE TO SUPPORT ACQUISITION OF COMMERCIAL CYBERSECURITY PRODUCTS.

(a) ADVISORY MISSION.—The National Security Agency shall, as a mission in its role in securing the information systems of the Department of Defense, advise and assist the Department of Defense in its acquisition and adaptation of cybersecurity products and services from industry, especially the commercial cybersecurity sector.

(b) PROGRAM TO IMPROVE ACQUISITION OF CYBERSECURITY PRODUCTS AND SERVICES.—

(1) ESTABLISHMENT.—Consistent with paragraph (1), the Director of the National Security Agency shall establish a permanent program consisting of market research, testing, and expertise
transmission, or augments to existing programs, to
improve the acquisition by the Department of cyber-
security products and services.

(2) REQUIREMENTS.—Under the program es-
established pursuant to paragraph (1), the Director
shall, independently and at the request of compo-
nents of the Department—

(A) test and evaluate commercially-available cybersecurity products and services
using—

(i) generally known cyber operations
techniques; and

(ii) tools and cyber operations tech-
niques and advanced tools and techniques
available to the National Security Agency;

(B) develop and establish standard proce-
dures, techniques, and threat-informed metrics
to perform the testing and evaluation required
by subparagraph (A); and

(C) advise the Secretary of Defense on the
merits and disadvantages of evaluated cyberse-
curity products, including with respect to—

(i) any synergies between products;

(ii) value;
(iii) matters relating to operation and
maintenance; and

(iv) matters relating to customization
requirements.

(3) LIMITATIONS.—The program established
under paragraph (1) shall not—

(A) by used to accredit cybersecurity prod-
ucts and services for use by the Department;

(B) create approved products lists; or

(C) be used for acquisition contracts for
the procurement and fielding of cybersecurity
products on behalf of the Department.

SEC. 1642. STUDY ON FUTURE CYBER WARFIGHTING CAPA-
BILITIES OF DEPARTMENT OF DEFENSE.

(a) Study Required.—Not later than 30 days after
the date of the enactment of this Act, the Secretary of
Defense shall direct the Defense Science Board to carry
out a study on the future cyber warfighting capabilities
of the Department of Defense.

(b) Participation.—Participants in the study shall
include the following:

(1) Such members of the Board, including
members of the Task Force on Cyber Deterrence of
the Board, as the Chairman of the Board considers
appropriate for the study.
(2) Such additional temporary members or contracted support as the Secretary—

(A) selects from those recommended by the Chairman for purposes of the study; and

(B) considers to have significant technical, policy, or military expertise.

(c) ELEMENTS.—The study conducted pursuant to subsection (a) shall include the following:

(1) A technical evaluation of the Joint Cyber Warfighting Architecture of the Department, especially the Unified Platform, Joint Cyber Command and Control, and Persistent Cyber Training Environment, including with respect to the following:

(A) The suitability of the requirements and, as relevant, the delivered capability of such architecture to modern cyber warfighting.

(B) Such requirements or capabilities as may be absent or underemphasized in such architecture.

(C) The speed of development and acquisition as compared to mission need.

(D) Identification of potential duplication of efforts among the programs and concepts evaluated.
(E) The coherence of such architecture with the National Mission Teams and Combat Mission Teams of the Cyber Mission Force, as constituted and organized on the day before the date of the enactment of this Act.

(F) The coherence of such architecture with the Cyber Protection Teams of the Cyber Mission Force and the cybersecurity service providers of the Department, as constituted and organized on the day before the date of the enactment of this Act.

(G) The coherence of such architecture with the concepts of persistent engagement and defending forward as incorporated in the 2018 Department of Defense Cyber Strategy, including with respect to operational concepts such as consistent spy-on-spy deterrence, securing adversary operating pictures, and preemptively feeding indicators and warning to defensive operators.

(2) A technical evaluation of the tool development and acquisition programs of the Department, including with respect to the following:

(A) The suitability of planned tool suite and cyber armory constructs of the United
States Cyber Command to modern cyber warfighting.

(B) The speed of development and acquisition as compared to mission need.

(C) The resourcing and effectiveness of the internal tool development of the United States Cyber Command as compared to the tool development of the National Security Agency.

(D) The resourcing and effectiveness of the internal tool development of the United States Cyber Command as compared to its acquisition.

(E) The coherence of such programs with the concepts of persistent engagement and defending forward as incorporated in the 2018 Department of Defense Cyber Strategy, including with respect to operational concepts such as consistent spy-on-spy deterrence, securing adversary operating pictures, and preemptively feeding indicators and warning to defensive operators.

(3) An evaluation of the operational planning and targeting of the United States Cyber Command, including support for regional combatant commands, and suitability for modern cyber warfighting.
(4) Development of such recommendations as the Board may have for legislative or administrative action relating to the future cyber warfighting capabilities of the Department.

(d) Access to Information.—The Secretary shall provide the Board with timely access to appropriate information, data, resources, and analysis so that the Board may conduct a thorough and independent analysis as required under this section.

(e) Report.—

(1) Transmittal to Secretary.—Not later than November 1, 2021, the Board shall transmit to the Secretary a final report on the study conducted pursuant to subsection (a).

(2) Transmittal to Congress.—Not later than 30 days after the date on which the Secretary receives the final report under paragraph (1), the Secretary shall submit to the congressional defense committees such report and such comments as the Secretary considers appropriate.
SEC. 1643. AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CYBER OPERATIONS-PECULIAR CAPABILITY DEVELOPMENT PROJECTS.

(a) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by inserting after section 2243 the following new section:

§ 2243a. Authority to use operation and maintenance funds for cyber operations-peculiar capability development projects

“(a) IN GENERAL.—Subject to subsection (c), the covered officials may each use amounts authorized to be appropriated or otherwise made available for the Department of Defense for operation and maintenance, to carry out cyber operations-peculiar capability development projects.

“(b) COVERED OFFICIALS.—For purposes of this section, the covered officials are as follows:

“(1) The Secretary of the Army.

“(2) The Secretary of the Navy.

“(3) The Secretary of the Air Force.

“(4) The Commandant of the Marine Corps.

“(e) LIMITATION.—In a fiscal year, the aggregate amount that may be used by a single covered official under subsection (a) may not exceed $3,000,000.
“(d) RELATIONSHIP TO OTHER LAWS.—The authority in subsection (a) may be used without regard to any provision of law establishing a limit on the unit cost of an investment item that may be purchased with funds made available for operation and maintenance.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2243 the following new item:

“2243a. Authority to use operation and maintenance funds for cyber operations-peculiar capability development projects.”.

(c) REPORTS.—

(1) IN GENERAL.—In each of fiscal years 2021, 2022, and 2023, the Secretary of Defense shall submit to the congressional defense committees a report on the use of the authority provided under section 2243a(a) of title 10, United States Code, as added by subsection (a), during the previous fiscal year.

(2) TIMING.—Each report submitted pursuant to paragraph (1) shall be submitted concurrently with the annual budget request of the President submitted pursuant to section 1105 of title 31, United States Code.
SEC. 1644. EXPANSION OF AUTHORITY FOR ACCESS AND INFORMATION RELATING TO CYBERATTACKS ON DEPARTMENT OF DEFENSE OPERATIONALLY CRITICAL CONTRACTORS.

Section 391(c) of title 10, United States Code, is amended—

(1) in paragraph (3)—

(A) by amending subparagraph (A) to read as follows:

“(A) include mechanisms for Department personnel—

“(i) if requested by an operationally critical contractor, to assist the contractor in detecting and mitigating penetrations; or

“(ii) at the request of the Department, to obtain access to equipment or information of an operationally critical contractor necessary to conduct a forensic analysis, in addition to any analysis conducted by the contractor; and”;

and

(B) in subparagraph (B)—

(i) by striking “to determine whether information” and inserting the following: “to determine whether—

“(i) information”;
(ii) in clause (i), as so designated—

(I) by inserting “or compromised on” after “exfiltrated from”; and

(II) by striking the period at the end and inserting “or compromised; or”; and

(iii) by adding at the end the following new clause:

“(ii) the ability of the contractor to provide operationally critical support has been affected and, if so, how and to what extent it has been affected.”;

(2) in paragraph (4), by inserting “, so as to minimize delays in or any curtailing of the Department’s cyber response and defensive actions” after “specific person”; and

(3) in paragraph (5)(C), by inserting “ or counterintelligence activities” after “investigations”.

SEC. 1645. BRIEFING ON MEMORANDUM OF UNDERSTANDING RELATING TO JOINT OPERATIONAL PLANNING AND CONTROL OF CYBER ATTACKS OF NATIONAL SCALE.

(a) BRIEFING REQUIRED.—Not later than March 1, 2020, the Secretary of Defense shall provide the appropriate committees of Congress a briefing on the Joint De-
(b) ELEMENTS.—The briefing required by subsection (a) shall include the following:

(1) The number of planners assigned by the Department of Defense to line of effort three and line of effort four and the areas of expertise of those planners.

(2) Whether the planners described in paragraph (1) are physically co-located with their counterparts in the Department of Homeland Security and are assigned full-time or part-time to line of effort three and line of effort four.

(3) Whether the planners described in paragraph (1) are developing operational plans and playbooks that will be implemented in response to actual cyber attacks of national scale or whether the planning activities are limited to planning and exercise scenarios.

(4) Whether the official in charge of the planners assigned to line of effort three and line of effort four has or will have operational control of a Federal response to a cyber attack of national scale.
(5) Whether the National Cyber Strategy, published in September 2018, provides for a standing joint multi-agency organization and staff to plan and direct operational responses to cyber attacks of national scale.

(6) The charter and implementation plan of the Joint Department of Defense and Department of Homeland Security Cyber Protection and Defense Steering Group required by the memorandum of understanding described in subsection (a).

(c) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

(1) the congressional defense committees;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) the Committee on Homeland Security of the House of Representatives.
SEC. 1646. STUDY TO DETERMINE THE OPTIMAL STRATEGY FOR STRUCTURING AND MANNING ELEMENTS OF THE JOINT FORCE HEADQUARTERS–CYBER ORGANIZATIONS, JOINT MISSION OPERATIONS CENTERS, AND CYBER OPERATIONS–INTEGRATED PLANNING ELEMENTS.

(a) Study.—

(1) In general.—The Principal Cyber Advisor of the Department of Defense shall conduct a study to determine the optimal strategy for structuring and manning elements of the following:

(A) Joint Force Headquarters–Cyber organizations.

(B) Joint Mission Operations Centers.


(2) Elements.—The study conducted under subsection (a) shall include assessment of the following:

(A) Operational effects on the military services if the entities listed in subparagraphs (A) through (C) of paragraph (1) are restructured from organizations that are service component 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.
(D) Such other matters as the Principal Cyber Advisor considers appropriate.

SEC. 1647. CYBER GOVERNANCE STRUCTURES AND PRINCIPAL CYBER ADVISORS ON MILITARY CYBER FORCE MATTERS.

(a) Designation.—

(1) In general.—Not later than one year after the date of the enactment of this Act, each Secretary of a military department shall designate a Principal Cyber Advisor to act as the principal advisor to the Secretary of the military department on the cyber forces, cyber programs, and cybersecurity matters of the military department, including matters relating to weapons systems, enabling infrastructure, and the defense industrial base.

(2) Nature of position.—Each Principal Cyber Advisor position under paragraph (1) shall be a senior civilian leadership position.

(b) Responsibilities Principal Cyber Advisors.—Each Principal Cyber Advisor of a military department shall be responsible for advising the Secretary of the military department and coordinating and overseeing the implementation of policy, strategies, sustainment, and plans on the following:
(1) The resourcing and training of the military cyber forces of the military department and ensuring that such resourcing and training meets the needs of United States Cyber Command.

(2) Acquisition of offensive and defensive cyber capabilities for the military cyber forces of the military department.

(3) Cybersecurity management and operations of the military department.

(4) Acquisition of cybersecurity tools and capabilities for the cybersecurity service providers of the military department.

(5) Improving and enforcing a culture of cybersecurity warfighting and responsibility throughout the military department.

(c) ADMINISTRATIVE MATTERS.—

(1) DESIGNATION OF INDIVIDUALS.—In designating a Principal Cyber Adviser under subsection (a), the Secretary of a military department may designate an individual in an existing position in the military department.

(2) COORDINATION.—The Principal Cyber Advisor of a military department shall work in close coordination with the Principal Cyber Advisor of the Department of Defense, the Chief Information Offi-
cer of the Department, relevant military service chief
information officers, and other relevant military
service officers to ensure service compliance with the
Department of Defense Cyber Strategy.

(d) **Responsibility to the Senior Acquisition Executives.**—In addition to the responsibilities set forth in subsection (b), the Principal Cyber Advisor of a military department shall be responsible for advising the senior acquisi-
tion executive of the military department and, as de-
termined by the Secretary of the military department, for
advising and coordinating and overseeing the implementa-
tion of policy, strategies, sustainment, and plans for—

(1) cybersecurity of the industrial base; and

(2) cybersecurity of Department of Defense in-
formation systems and information technology serv-
ices, including how cybersecurity threat information
is incorporated and the development of cyber prac-
tices, cyber testing, and mitigation of cybersecurity
risks.

(e) **Review of Current Responsibilities.**—

(1) **In general.**—Not later than January 1,
2021, each Secretary of a military department shall
review the military department’s current governance
model for cybersecurity with respect to current au-
thorities and responsibilities.
(2) ELEMENTS.—Each review under paragraph (1) shall include the following:

(A) An assessment of whether additional changes beyond the designation of a Principal Cyber Advisor pursuant to subsection (a) are required.

(B) Consideration of whether the current governance structure and assignment of authorities—

(i) enable effective top-down governance;

(ii) enable effective Chief Information Officer and Chief Information Security Officer action;

(iii) are adequately consolidated so that the authority and responsibility for cybersecurity risk management is clear and at an appropriate level of seniority;

(iv) provides authority to a single individual to certify compliance of Department information systems and information technology services with all current cybersecurity standards; and

(v) support efficient coordination across the military departments and serv-
ices, the Office of the Secretary of Defense, the Defense Information Systems Agency, and United States Cyber Command.

(f) BRIEFING.—Not later than February 1, 2021, each Secretary of a military department shall brief the congressional defense committees on the findings of the Secretary with respect to the review conducted by the Secretary under subsection (e).

SEC. 1648. DESIGNATION OF TEST NETWORKS FOR TESTING AND ACCREDITATION OF CYBERSECURITY PRODUCTS AND SERVICES.

(a) DESIGNATION.—Not later than April 1, 2020, the Secretary of Defense shall designate, for use by the Defense Information Systems Agency and such other components of the Department of Defense as the Secretary considers appropriate, three test networks for the testing and accreditation of cybersecurity products and services.

(b) REQUIREMENTS.—The networks designated under subsection (a) shall—

(1) be of sufficient scale to realistically test cybersecurity products and services;

(2) feature substantially different architectures and configurations;

(3) be live, operational networks; and
(4) feature cybersecurity processes, tools, and technologies that are appropriate for test purposes and representative of the processes, tools, and technologies that are widely used throughout the Department.

SEC. 1649. CONSORTIA OF UNIVERSITIES TO ADVISE SECRETARY OF DEFENSE ON CYBERSECURITY MATTERS.

(a) Establishment.—The Secretary of Defense shall establish one or more consortia to advise and assist the Secretary on matters relating to cybersecurity.

(b) Membership.—The consortium or consortia established under subsection (a) shall consist of universities that have been designated as centers of academic excellence by the Director of the National Security Agency or the Secretary of Homeland Security.

(c) Organization.—

(1) Designation of Administrative Chair and Terms.—For each consortium established under subsection (a), the Secretary, based on recommendations from the members of the consortium, shall designate one member of the consortium to function as an administrative chair of the consortium for a term with a specific duration specified by the Secretary.
(2) Subsequent terms.—No member of a consortium designated under paragraph (1) may serve as the administrative chair of that consortium for two consecutive terms.

(3) Duties of administrative chair.—Each administrative chair designated under paragraph (1) for a consortium shall—

(A) act as the leader of the consortium for the term specified by the Secretary under paragraph (1);

(B) be the liaison between the consortium and the Secretary;

(C) distribute requests from the Secretary for advice and assistance to appropriate members of the consortium and coordinate responses back to the Secretary; and

(D) act as a clearinghouse for Department of Defense requests relating to advice and assistance on matters relating to cybersecurity and to provide feedback to the Secretary from members of the consortium.

(d) Functions.—The functions of a consortium established under subsection (a) are as follows:
(1) To provide to the Secretary access to the expertise of the members of the consortium on matters relating to cybersecurity.

(2) To align the efforts of such members in support of the Department.

(3) To act as a facilitator in responding to Department requests relating to advice and assistance on matters relating to cybersecurity and to provide feedback to the Secretary from members of the consortium.

(e) PROCEDURES.—The Secretary shall establish procedures for organizations within the Department to access the work product produced by and the research, capabilities, and expertise of a consortium established under subsection (a) and the universities that constitute the consortium.

Subtitle D—Nuclear Forces

SEC. 1661. MODIFICATION OF AUTHORITIES RELATING TO NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

(a) DUTIES AND POWERS OF UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT.—Section 133b(b) of title 10, United States Code, is amended—
(1) by redesignating paragraphs (4), (5), (6),
and (7) as paragraphs (5), (6), (7), and (8), respec-
tively;
(2) by inserting after paragraph (3) the fol-
lowing new paragraph (4):
“(4) establishing policies for, and providing
oversight, guidance, and coordination with respect
to, the nuclear command, control, and communica-
tions system;”; and
(3) in paragraph (6), as redesignated by para-
graph (1), by inserting after “overseeing the mod-
erization of nuclear forces” the following: “, includ-
ing the nuclear command, control, and communica-
tions system,”.
(b) DUTIES AND RESPONSIBILITIES OF CHIEF IN-
FORMATION OFFICER.—Section 142(b)(1) of such title is
amended—
(1) by striking subparagraph (G); and
(2) by redesignating subparagraphs (H) and (I)
as subparagraphs (G) and (H), respectively.
SEC. 1662. EXPANSION OF OFFICIALS REQUIRED TO CONDUCT BIENNIAL ASSESSMENTS OF DELIVERY PLATFORMS FOR NUCLEAR WEAPONS AND NUCLEAR COMMAND AND CONTROL SYSTEM.

Section 492(d) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking “; and” and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(4) the Commander of the United States Air Forces in Europe.”.

SEC. 1663. CONFORMING AMENDMENT TO COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

Section 171a of title 10, United States Code, is amended by striking “, Technology, and Logistics” each place it appears and inserting “and Sustainment”.

SEC. 1664. PROHIBITION ON REDUCTION OF THE INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES.

(a) Prohibition.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020
for the Department of Defense shall be obligated or expended for—

(1) reducing, or preparing to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States; or

(2) reducing, or preparing to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) The maintenance or sustainment of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

SEC. 1665. BRIEFING ON LONG-RANGE STANDOFF WEAPON AND SEA-LAUNCHED CRUISE MISSILE.

Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Administrator for Nuclear Security, shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on opportunities—

(1) to increase commonality between the long-range standoff weapon and the sea-launched cruise missile; and
(2) to leverage, in the development of the sea-launched cruise missile, technologies developed, or under development as of the date of the briefing, as part of the long-range standoff weapon program.

SEC. 1666. SENSE OF THE SENATE ON INDUSTRIAL BASE FOR GROUND-BASED STRATEGIC DETERRENT PROGRAM.

It is the sense of the Senate that—

(1) ensuring the viability of an industrial base of at least two domestic producers of large solid rocket motors for the ground-based strategic deterrent program is an important national security interest; and

(2) in continuing to carry out that program, the Secretary of Defense should—

(A) strive to maintain competition and proper vendor capabilities in order to maintain the best value for the Government;

(B) consider the long-term health and viability of the industrial base when structuring and awarding major procurement or development contracts; and

(C) when appropriate, structure programs to provide stability to the industrial base by
maintaining continued production for an extended period.

SEC. 1667. SENSE OF THE SENATE ON NUCLEAR DETERRENCE COMMITMENTS OF THE UNITED STATES.

It is the sense of the Senate that—

(1) credible extended deterrence commitments make key contributions to the security of the United States, international stability, and the nonproliferation objectives of the United States;

(2) the nuclear forces of the United States, as well as the independent nuclear forces of other members of the North Atlantic Treaty Organization (in this section referred to as “NATO”), continue to play a critical role in national security strategy of the United States and the security of the NATO alliance;

(3) the forward-deployment of dual-capable aircraft operated by the United States, and the participation of certain NATO members in the nuclear deterrence mission, are vitally important to the deterrence and defense posture of NATO;

(4) such aircraft provide a credible and flexible nuclear capability that plays a fundamental role in regional deterrence and effectively assuring allies
and partners of the commitment of the United States to their security; and

(5) nuclear-certified F–35A aircraft provide the most advanced nuclear fighter capability in the current and future anti-access area denial environments.

Subtitle E—Missile Defense Programs

SEC. 1671. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.

(a) IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.—

(1) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $95,000,000 may be provided to the Government of Israel to procure components for the Iron Dome short-range rocket defense system through co-production of such components in the United States by industry of the United States.

(2) CONDITIONS.—
(A) Agreement.—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, as amended to include co-production for Tamir interceptors.

(B) Certification.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition and Sustainment shall jointly submit to the appropriate congressional committees—

(i) a certification that the amended bilateral international agreement specified in subparagraph (A) is being implemented as provided in such agreement; and

(ii) an assessment detailing any risks relating to the implementation of such agreement.
(b) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, DAVID’S SLING WEAPON SYSTEM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (3), of the funds authorized to be appropriated for fiscal year 2020 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $50,000,000 may be provided to the Government of Israel to procure the David’s Sling Weapon System, including for co-production of parts and components in the United States by United States industry.

(2) AGREEMENT.—(A) Provision of funds specified in paragraph (1) shall be subject to the terms and conditions in the bilateral co-production agreement, including—

(i) a one-for-one cash match is made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel); and

(ii) co-production of parts, components, and all-up rounds (if appropriate) in the United States by United States industry for the David’s Sling Weapon System is not less than 50 percent.
(3) Certification and Assessment.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(A) a certification that the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreement and the bilateral co-production agreement for the David’s Sling Weapon System; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

(c) Israeli Cooperative Missile Defense Program, Arrow 3 Upper Tier Interceptor Program Co-Production.—

(1) In General.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2020 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $55,000,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for co-production of parts and com-
ponents in the United States by United States industry.

(2) CERTIFICATION.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees a certification that—

(A) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreement for the Arrow 3 Upper Tier Interceptor Program;

(B) funds specified in paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(C) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(i) in accordance with subparagraph (D), the terms of co-production of parts
and components on the basis of the greatest practicable co-production of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses to the costs needed for co-production;

(ii) complete transparency on the requirement of Israel for the number of interceptors and batteries that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(iii) technical milestones for co-production of parts and components and procurement;

(iv) a joint affordability working group to consider cost reduction initiatives; and

(v) joint approval processes for third-party sales; and

(D) the level of co-production described in subparagraph (C)(i) for the Arrow 3 Upper Tier Interceptor Program is not less than 50 percent.
(d) NUMBER.—In carrying out paragraph (2) of subsection (b) and paragraph (2) of subsection (e), the Under Secretary may submit—

(1) one certification covering both the David’s Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(2) separate certifications for each respective system.

(e) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification and assessment under subsection (b)(3) and the certification under subsection (e)(2) by not later than 30 days before the funds specified in paragraph (1) of subsections (b) and (c) for the respective system covered by the certification are provided to the Government of Israel.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.
SEC. 1672. EXPANSION OF NATIONAL MISSILE DEFENSE POLICY AND PROGRAM REDESIGNATION.

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

(1) the United States must continue to pursue a comprehensive missile defense strategy that will deliver integrated and effective capabilities to counter ballistic, cruise, and hypersonic missile threats;

(2) adversaries are quickly expanding the capabilities of their existing missile systems, adding new and unprecedented types of missile capabilities to their arsenals, and further integrating offensive missiles into their coercive threats, military exercises, and war planning;

(3) both Russia and China are rapidly enhancing their existing offensive missile systems and developing advanced sea-, ground-, and air-launched cruise missiles as well as hypersonic capabilities;

(4) due to the proliferation of offensive ballistic and cruise missiles and the emergence of game-changing hypersonic weapons technologies, all of which threaten regional balances, our allies and partners, United States deployed armed forces, and the United States homeland, missile defenses become
an even more critical element of United States strategy; and

(5) the United States must outpace adversary offensive missile capabilities.

(b) EXPANSION OF POLICY.—Section 1681(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2431 note) is amended by striking “ballistic missile threat” and inserting “ballistic, cruise, and hypersonic missile threats”.

(c) REDESIGNATION REQUIREMENT.—Not later than the date on which the President submits to Congress pursuant to section 1105 of title 31, United States Code, the annual budget request of the President for fiscal year 2021, the Secretary of Defense shall, as the Secretary considers appropriate, redesignate all strategies, policies, programs, and systems under the jurisdiction of the Secretary to reflect that missile defense programs of the United States defend against ballistic, cruise, and hypersonic missiles in all phases of flight.

SEC. 1673. ACCELERATION OF THE DEPLOYMENT OF PER-SISTENT SPACE-BASED SENSOR ARCHITEC-TURE.

(a) SENSE OF THE SENATE.—It is the Sense of the Senate that—
(1) Congress has expressed support for a space-based missile defense sensor program, in the two most recent enacted National Defense Authorization Acts;

(2) the Secretary of Defense should rapidly develop and deploy a persistent, space-based sensor architecture to ensure missile defenses of the United States are more effective against ballistic missile threats and more responsive to emergent threats from hypersonic and cruise missiles;

(3) the responsibility for developing and deploying a hypersonic and ballistic tracking space sensor should remain within the Director of the Missile Defense Agency; and

(4) the Director of the Missile Defense Agency should deploy a hypersonic and ballistic tracking space sensor constellation as soon as technically feasible.

(b) Assignment of Primary Responsibility for Development and Deployment of Hypersonic and Ballistic Tracking Space Sensor.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall—

(1) assign the Director of the Missile Defense Agency with the principal responsibility for the de-
development and deployment of a hypersonic and ballistic tracking space sensor; and

(2) submit to the congressional defense committees certification of such assignment.

(c) Certification Regarding Funding of Hypersonic and Ballistic Tracking Space Sensor Program.—At the same time that the President submits to Congress pursuant to section 1105 of title 31, United States Code, the annual budget request of the President for fiscal year 2021, the Under Secretary of Defense Comptroller and the Director for Cost Assessment and Program Evaluation shall jointly certify to the congressional defense committees whether the hypersonic and ballistic tracking space sensor program is sufficiently funded in the future-years defense program for the Missile Defense Agency.

(d) Deployment Deadline.—Section 1683(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note) is amended—

(1) by striking “(a) In General.—” and inserting the following:

“(a) Development, Testing, and Deployment.—

“(1) Development.—”; and
(2) by adding at the end the following new paragraphs:

“(2) TESTING AND DEPLOYMENT.—The Director shall begin on-orbit testing of a hypersonic and ballistic tracking space sensor no later than December 31, 2021, with full operational deployment as soon as technically feasible thereafter.

“(3) WAIVER.—The Secretary of Defense may waive the deadline for testing specified in paragraph (2) if the Secretary submits to the congressional defense committees a report containing—

“(A) the explanation why the Secretary cannot meet such deadline;

“(B) the technical risks and estimated cost of accelerating the program to attempt to meet such deadline;

“(C) an assessment of threat systems that could not be detected or tracked persistently due to waiving such deadline; and

“(D) a plan, including a timeline, for beginning the required testing.”.

(e) REPORT ON PROGRESS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense
committees a report on the progress of all efforts
being made by the Missile Defense Agency, the De-
fense Advanced Research Projects Agency, the Air
Force, and the Space Development Agency relating
to space-based sensing and tracking capabilities for
missile defense and how each of such organizations
will work together to avoid duplication of efforts.

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

SEC. 1674. NONSTANDARD ACQUISITION PROCESSES OF
MISSILE DEFENSE AGENCY.

(a) Sense of the Senate.—It is the sense of the
Senate that—

(1) the Department of Defense needs to provide
capabilities at the speed of relevance that are more
lethal, and to ensure acquisition processes fulfill the
needs of members of the Armed Forces now and in
the future;

(2) significant defense acquisition reforms en-
acted over the past three National Defense Author-
ization Acts have improved access to nontraditional
and commercial innovation and to expanded flexible
acquisition authorities in the development of alter-
native acquisition pathways to acquire critical national security capabilities;

(3) the Department appropriately recently recognized the Missile Defense Agency for its acquisition success by presenting it with the 2018 David Packard Excellence in Acquisition Award for the development of the Space-Based Kill Assessment (SKA) program and the Missile Defense Agency should be commended for its numerous and rapid acquisition successes;

(4) the recently completed Missile Defense Review explicitly highlights, in stark terms, the threat posed to the United States by ballistic and hypersonic missile threats; and

(5) the Missile Defense Agency should maintain its nonstandard acquisition authorities in order to continue to rapidly design, test, and deliver critically needed defensive capabilities to the warfighter.

(b) CHANGES TO NONSTANDARD ACQUISITION PROCESSES AND RESPONSIBILITIES.—

(1) LIMITATION.—None of the funds authorized to be appropriated by this Act may be obligated or expended to change the nonstandard acquisition processes and responsibilities described in paragraph

(2) until the Secretary—
(A) has consulted with the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Policy, the secretaries of the military departments, the Chairman of the Joint Chiefs of Staff, the Commander of United States Strategic Command (USSTRATCOM), the Commander of United States Northern Command (USNORTHCOM), and the Director of the Missile Defense Agency;

(B) certifies to the congressional defense committees that the Secretary has coordinated the changes with and received the views of the individuals referred to in subparagraph (A);

(C) submits to the congressional defense committees a report describing the changes, the rationale for the changes, and the views of the individuals referred to in subparagraph (A) with respect to such changes; and

(D) a period of 270 days has elapsed since submittal of the report under subparagraph (C).

(2) NONSTANDARD ACQUISITION PROCESSES AND RESPONSIBILITIES DESCRIBED.—The non-standard acquisition processes and responsibilities
described in this paragraph are such processes and responsibilities described in—

(A) the memorandum of the Secretary of Defense titled “Missile Defense Program Direction” signed on January 2, 2002; and

(B) Department of Defense Directive 5134.09, as in effect on the date of the enactment of this Act.

**SEC. 1675. PLAN FOR THE REDESIGNED KILL VEHICLE.**

(a) **REPORT REQUIRED.**—The Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the delay in the Redesigned Kill Vehicle Program.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) A description of the reason for the delay.

(2) An overview of the revised program schedule including a revised test plan and revised acquisition strategy.

(3) A detailed description of any recommendations that could be utilized to accelerate the scheduled fielding including modifications to the acquisition strategy or the procurement and assembly of long-lead materials unaffected by the reason for the delay.
(4) A timeline associated with such recommendations.

(5) Additional funding required to carry out such recommendations.

(6) An assessment of risk associated with such recommendations.

(7) A description of any recommendations that were submitted to the Director by contractors that the Director considers reasonable but were not adopted.

(8) An explanation as to why the recommendations described in paragraph (7) were not adopted.

(c) FORM OF REPORT.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1676. REPORT ON IMPROVING GROUND-BASED MID-COURSE DEFENSE ELEMENT OF BALLISTIC MISSILE DEFENSE SYSTEM.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on—

(1) options to increase the capability, capacity, and reliability of the ground-based midcourse de-
fense element of the United States ballistic missile
defense system; and

(2) the infrastructure requirements for increasing
the number of ground-based interceptors as part
of such element.

(b) CONTENTS.—The report required by subsection
(a) shall include the following:

(1) An assessment of the requirements of the
ground-based midcourse defense element of the
United States ballistic missile defense system to
meet threats outlined in the 2018 National Defense
Strategy and the 2019 Missile Defense Review.

(2) An assessment of the feasibility of fielding
up to 104 ground-based interceptors as part of such
element, including a description of the additional in-
frastructure and components needed to further out-
fit missile fields at Fort Greely, Alaska.

(3) A cost estimate of such infrastructure and
components.

(4) An estimated schedule for completing such
construction as may be required for such infrastruc-
ture and components.

(5) An identification of any environmental as-
sessments or impact studies that would need to be
conducted to expand missile fields at Fort Greely beyond current capacity.

(6) A determination of the appropriate fleet mix of ground-based interceptor kill vehicles and boosters to maximize overall system effectiveness and increase its capacity and capability, including the costs and benefits of continued inclusion of capability enhancement II block 1 interceptors after the fielding of the redesigned kill vehicle.

(7) The modernization requirements for the ground-based midcourse system, including all command and control, ground systems, sensors and sensor interfaces, boosters and kill vehicles, and integration of known future systems and components.

(8) A discussion of the obsolescence of such systems and components.

(9) The industrial base requirements relating to the ground-based midcourse system, as determined by the Director of the Missile Defense Agency.

(10) Such other matters as the Director considers appropriate.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.
SEC. 1677. SENSE OF THE SENATE ON RECENT MISSILE DEFENSE AGENCY TESTS.

It is the Sense of the Senate that the Office of the Under Secretary of Defense for Research and Engineering, the Missile Defense Agency, the Office of the Director for Operational Test and Evaluation, the operational test agencies, the military departments, and warfighters should—

(1) be strongly commended for a highly successful 2018 flight test campaign, which consisted of 13 total flight test events including—

(A) FTX–35, which successfully proved interoperability between Terminal High Altitude Area Defense (THAAD) and the Phased Array Tracking Radar to Intercept on Target (Patriot) to detect and track a simulated engagement with a short-range ballistic missile;

(B) Pacific Dragon 2018, which successfully demonstrated joint ballistic missile defense interoperability with Japan and Korea to engage a short-range ballistic missile with a Standard Missile 3 (SM–3) Block IB by a Japanese ship and an Aegis Ashore site;

(C) JFTM–5, which successfully demonstrated the intercept of an short-range bal-
listic missile with a Standard Missile 3 Block
IB threat upgrade from a Japanese ship;

(D) FTM–45, which successfully dem-
onstrated the intercept of a medium-range bal-
listic missile with a Standard Missile 3 Block
IIA from a United States ship; and

(E) FTI–03, which as a part of the oper-
ational test of the European Phased Adaptive
Approach (EPAA) Phase 3 architecture, suc-
cessfully demonstrated the intercept of an inter-
mediate-range ballistic missile using the Aegis
Weapon System’s Engage-on-Remote capability;
and

(2) be especially recognized for the success of
FTG-11, the first salvo test of the United States of
the Ground-based Midcourse Defense system, during
which two ground-based interceptors were launched
nearly simultaneously from the same location and
successfully intercepted the kill vehicle of a threat-
representative intercontinental ballistic missile tar-
get, and then the next most lethal object.

SEC. 1678. SENSE OF THE SENATE ON MISSILE DEFENSE
TECHNOLOGY DEVELOPMENT PRIORITIES.

It is the sense of the Senate that—
(1) the 2019 Missile Defense Review articulates a comprehensive approach to preventing and defeating the rapidly expanding offensive missile threat through a combination of deterrence, active and passive missile defense, and attack operations;

(2) to counter the expanding offense missile capabilities of potential adversaries and hedge against unanticipated missile threats, the Secretary of Defense should aggressively pursue new missile defense capabilities and examine concepts and technologies for advanced missile defense systems;

(3) the Secretary should fully implement the 2019 Missile Defense Review’s focus on increasing investments in and deploying new technologies and concepts; and

(4) the Secretary should work to ensure that all missile defense systems are more survivable, including through—

(A) more distributed air and missile defense operations; and

(B) improved camouflage, concealment, and deception, including emission control.
SEC. 1679. PUBLICATION OF ENVIRONMENTAL IMPACT STATEMENT PREPARED FOR CERTAIN POTENTIAL FUTURE MISSILE DEFENSE SITES.

The Secretary of Defense shall make available to the public the environmental impact statement prepared pursuant to section 227(b) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1679; Public Law 112–239).

Subtitle F—Other Matters

SEC. 1681. MATTERS RELATING TO MILITARY OPERATIONS IN THE INFORMATION ENVIRONMENT.

(a) Affirming the Authority of the Secretary of Defense to Conduct Military Operations in the Information Environment.—

(1) In general.—Chapter 19 of title 10, United States Code, is amended by adding at the end the following new section:

“§397. Military operations in the information environment

“(a) Affirmation of Authority.—(1) Congress affirms that the Secretary of Defense is authorized to conduct military operations, including clandestine operations, in the information environment to defend the United States, allies of the United States, and interests of the United States, including in response to malicious influence
activities carried out against the United States or a United States person by a foreign power.

“(2) The military operations referred to in paragraph (1), when appropriately authorized include the conduct of military operations short of hostilities and in areas outside of areas of active hostilities for the purpose of preparation of the environment, influence, force protection, and deterrence of hostilities.

“(b) Treatment of Clandestine Military Operations in the Information Environment as Traditional Military Activities.—A clandestine military operation in the information environment shall be considered a traditional military activity for the purposes of section 503(e)(2) of the National Security Act of 1947 (50 U.S.C. 3093(e)(2)).

“(c) Quarterly Information Operations Briefings.—(1) Not less frequently than once each quarter, the Secretary of Defense shall provide the congressional defense committees a briefing on significant military operations, including all clandestine operations in the information environment, carried out by the Department of Defense during the immediately preceding quarter.

“(2) Each briefing under subsection (1) shall include, with respect to the military operations in the information environment described in such paragraph, the following:
“(A) An update, disaggregated by geographic
and functional command, that describes the oper-
ations carried out by the commands.

“(B) An overview of authorities and legal issues
applicable to the operations, including any relevant
legal limitations.

“(C) An outline of any interagency activities
and initiatives relating to the operations.

“(D) Such other matters as the Secretary con-
siders appropriate.

“(d) RULE OF CONSTRUCTION.—Nothing in this sec-
tion shall be construed to limit, expand, or otherwise alter
the authority of the Secretary to conduct military oper-
ations, including clandestine operations, in the informa-
tion environment, to authorize specific military operations,
or to limit, expand, or otherwise alter or otherwise affect
the War Powers Resolution (50 U.S.C. 1541 et seq.) or
an authorization for use of military force that was in effect
on the day before the date of the enactment of this Act.

“(e) DEFINITIONS.—In this section:

“(1) The terms ‘foreign person’ and ‘United
States person’ have the meanings given such terms
in section 101 of the Foreign Intelligence Surveil-
“(2) The term ‘hostilities’ has the same meaning as such term is used in the War Powers Resolution (50 U.S.C. 1541 et seq.).

“(3) The term ‘clandestine military operation in the information environment’ means an operation or activity, or associated preparatory actions, authorized by the President or the Secretary of Defense, that—

“(A) is marked by, held in, or conducted with secrecy, where the intent is that the operation or activity will not be apparent or acknowledged publicly; and

“(B) is to be carried out—

“(i) as part of a military operation plan approved by the President or the Secretary of Defense;

“(ii) to deter, safeguard, or defend against attacks or malicious influence activities against the United States, allies of the United States, and interests of the United States; or

“(iii) in support of hostilities or military operations involving the United States armed forces; or
“(iv) in support of military operations
short of hostilities and in areas where hos-
tilities are not occurring for the purpose of
preparation of the environment, influence,
force protection, and deterrence.”.

(2) CLERICAL AMENDMENTS.—

(A) CHAPTER 19.—

(i) CHAPTER HEADING.—The heading
of chapter 19 of such title is amended to
read as follows:

“CHAPTER 19—CYBER AND INFORMATION
OPERATIONS MATTERS”.

(ii) TABLE OF SECTIONS.—The table
of sections at the beginning of chapter 19
of such title is amended by inserting at the
end the following new item:

“397. Military operations in the information environment.”.

(B) TABLE OF CHAPTERS.—The table of
chapters for part I of subtitle A of such title is
amended by striking the item relating to chap-
ter 19 and inserting the following new item:

“19. Cyber and Information Operations Matters .............. 391”.

(b) PRINCIPAL INFORMATION OPERATIONS ADVI-
SOR.—

(1) DESIGNATION.—The Secretary of Defense
shall designate, from among officials appointed to a
position in the Department of Defense by and with
the advice and consent of the Senate, a Principal In-
formation Operations Advisor to act as the principal
advisor to the Secretary on all aspects of informa-
tion operations conducted by the Department.

(2) RESPONSIBILITIES.—The Principal Infor-
mation Operations Advisor shall have the following
responsibilities:

(A) Oversight of policy, strategy, planning,
resource management, operational consider-
ations, personnel, and technology development
across all the elements of information oper-
ations of the Department.

(B) Overall integration and supervision of
the deterrence of, conduct of, and defense
against information operations.

(C) Promulgation of policies to ensure ade-
quate coordination and deconfliction with the
Department of State, the intelligence commu-
nity (as defined in section 3 of the National Se-
curity Act of 1947 (50 U.S.C. 3003)), and
other relevant agencies and departments of the
Federal Government.

(D) Coordination with the head of the
Global Engagement Center to support the pur-
pose of the Center (as set forth by section 1287(a)(2) of the National Defense Authoriza-
tion 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 rigor-
ous risk management process to mitigate the risk of potential exposure of United States Per-
sons to information intended exclusively for for-
eign audiences.

(F) Development of guidance for, and pro-
motion 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 infor-
mation operations as the Secretary shall specify for purposes of this subsection.

(c) CROSS-FUNCTIONAL TEAM.—

(1) ESTABLISHMENT.—The Principal Informa-
tion Operations Advisor shall integrate the expertise in all elements of information operations and pers-
vectives of appropriate organizations within the Of-
face of the Secretary of Defense, Joint Staff, military
departments, Defense Agencies, and combatant commands by establishing and maintaining a full-time cross-functional team composed of subject-matter experts selected from those organizations.

(2) **Selection and Organization.**—The cross-functional team established under paragraph (1) shall be selected, organized, and managed in a manner consistent with section 911 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note).

(d) **Designation of Coordinating Authority.**—

(1) **Designation.**—The Secretary of Defense shall designate United States Special Operations Command as the coordinating authority for information operations of the Department.

(2) **Responsibilities.**—The combatant command designated under paragraph (1) shall be responsible for the following:

(A) Synchronizing the Department’s information operations plans and operations across combatant commands.

(B) Acting as the joint proponent for information operations capabilities.

(e) **Strategy and Posture Review.**—
(1) Strategy and posture review required.—The Secretary of Defense, acting through the Principal Information Operations Advisor and the cross-functional team established under subsection (c)(1), shall—

(A) develop or update, as appropriate, a strategy for operations in the information environment; and

(B) conduct an information operations posture review, including an analysis of capability gaps that inhibit the Department’s ability to successfully execute the strategy developed or updated pursuant to subparagraph (A).

(2) Elements.—At a minimum, the strategy developed or updated pursuant to paragraph (1)(A) shall include the following:

(A) The establishment of lines of effort, objectives, and tasks that are necessary to implement the strategy and eliminate the gaps identified under paragraph (1)(B).

(B) Designation of offices of primary responsibility for implementing and achieving the tasks as set forth in the strategy.
SEC. 1682. EXTENSION OF AUTHORIZATION FOR PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

Section 130i(i) of title 10, United States Code, is amended by striking “2020” both places it appears and inserting “2024”.

SEC. 1683. HARD AND DEEPLY BURIED TARGETS.

(a) Report Required.—

(1) In general.—Not later than December 1, 2019, the Chairman of the Joint Chiefs of Staff shall, in consultation with the Commander of the United States Strategic Command, submit to the congressional defense committees a classified report on hard and deeply buried targets.

(2) Elements.—The report required by paragraph (1) shall include the following:

(A) An estimate of the total number of high-value hard and deeply buried targets associated with United States military operations plans.

(B) A description of the contents, functions, and hardening characteristics of the targets described in subparagraph (A), as well as their level of protection by anti-access and area denial capabilities.
(C) An assessment of the current ability of the United States to hold such targets at risk using existing conventional and nuclear capabilities.

(D) An assessment of the potential ability of the United States to hold such targets at risk using projected conventional and nuclear capabilities as of 2030.

(b) PLAN.—Not later than February 15, 2020, the Secretary of Defense shall develop a plan to ensure that the United States possesses by 2025 the capabilities to pose a credible deterrent threat against targets described in the report required by subsection (a).

(e) CERTIFICATION.—Not later than March 1, 2020, and annually thereafter, the Secretary shall certify to the congressional defense committees that the plan required by subsection (b) is being implemented in accordance with the 2025 deadline specified in that subsection.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2020”.
SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND 
AMOUNTS REQUIRED TO BE SPECIFIED BY 
LAW.

(a) Expiration of Authorizations After Five 
Years.—Except as provided in subsection (b), all author-
izations contained in titles XXI through XXVII and title 
XXIX for military construction projects, land acquisition, 
family housing projects and facilities, and contributions to 
the North Atlantic Treaty Organization Security Invest-
ment Program (and authorizations of appropriations 
therefor) shall expire on the later of—

(1) October 1, 2024; or

(2) the date of the enactment of an Act author-
izing funds for military construction for fiscal year 
2025.

(b) Exception.—Subsection (a) shall not apply to 
authorizations for military construction projects, land ac-
quisition, family housing projects and facilities, and con-
tributions to the North Atlantic Treaty Organization Se-
curity Investment Program (and authorizations of appro-
priations therefor), for which appropriated funds have 
been obligated before the later of—

(1) October 1, 2024; or

(2) the date of the enactment of an Act author-
izing funds for fiscal year 2025 for military con-
struction projects, land acquisition, family housing
projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII and title XXIX shall take effect on the later of—

1. October 1, 2019; or
2. the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Redstone Arsenal</td>
<td>$38,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$71,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>$107,000,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Campbell</td>
<td>$61,300,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Soldier Systems Center Natick</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>Michigan</td>
<td>Detroit Arsenal</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Fort Drum</td>
<td>$44,000,000</td>
</tr>
</tbody>
</table>
Army: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>$12,500,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Fort Sill</td>
<td>$73,000,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Carlisle Barracks</td>
<td>$88,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Fort Jackson</td>
<td>$98,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Corpus Christi Army Depot</td>
<td>$86,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>$60,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$55,000,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Honduras</td>
<td>Soto Cano Air Base</td>
<td>$34,000,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Kadena Air Base</td>
<td>$80,000,000</td>
</tr>
</tbody>
</table>

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations,
in the number of units, and in the amounts set forth in
the following table:

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pennsylvania</td>
<td>Tobyhanna Army Depot .........</td>
<td>Family Housing</td>
<td>$19,000,000</td>
</tr>
</tbody>
</table>

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $9,222,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act
may not exceed the total amount authorized to be appro-
riated under subsection (a), as specified in the funding
table in section 4601.

SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT
CERTAIN FISCAL YEAR 2019 PROJECT.

In the case of the authorization contained in the table
in section 2101(a) of the Military Construction Authoriza-
tion Act for Fiscal Year 2019 (division B of Public Law
115–232) for Anniston Army Depot, Alabama, for con-
struction of a weapon maintenance shop, the Secretary of
the Army may construct a 21,000 square foot weapon
maintenance shop.

TITLE XXII—NAVY MILITARY
CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND
ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts
appropriated pursuant to the authorization of appropria-
tions in section 2204(a) and available for military con-
struction projects inside the United States as specified in
the funding table in section 4601, the Secretary of the
Navy may acquire real property and carry out military
construction projects for the installations or locations in-
side the United States, and in the amounts, set forth in
the following table:
Navy: Inside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Yuma</td>
<td>$189,760,000</td>
</tr>
<tr>
<td></td>
<td>Camp Pendleton</td>
<td>$185,569,000</td>
</tr>
<tr>
<td></td>
<td>China Lake</td>
<td>$864,500,000</td>
</tr>
<tr>
<td></td>
<td>Coronado</td>
<td>$1,658,300,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station Miramar</td>
<td>$37,400,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Recruit Depot San Diego</td>
<td>$9,900,000</td>
</tr>
<tr>
<td></td>
<td>Seal Beach</td>
<td>$1,233,100,000</td>
</tr>
<tr>
<td></td>
<td>Travis Air Force Base</td>
<td>$64,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>$185,569,000</td>
</tr>
<tr>
<td></td>
<td>China Lake</td>
<td>$864,500,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station Miramar</td>
<td>$37,400,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Recruit Depot San Diego</td>
<td>$9,900,000</td>
</tr>
<tr>
<td></td>
<td>Seal Beach</td>
<td>$1,233,100,000</td>
</tr>
<tr>
<td></td>
<td>Travis Air Force Base</td>
<td>$64,000,000</td>
</tr>
<tr>
<td>Connecticut</td>
<td>New London</td>
<td>$72,260,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Naval Air Station Jacksonville</td>
<td>$32,420,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Support Facility Blount Is-</td>
<td>$18,700,000</td>
</tr>
<tr>
<td></td>
<td>land.</td>
<td></td>
</tr>
<tr>
<td>Hawaii</td>
<td>Kaneohe Bay</td>
<td>$134,050,000</td>
</tr>
<tr>
<td></td>
<td>West Loch</td>
<td>$53,790,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$2,290,010,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station Cherry Point</td>
<td>$166,870,000</td>
</tr>
<tr>
<td></td>
<td>New River</td>
<td>$1,132,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Marine Corps Recruit Depot Parris Island</td>
<td>$37,200,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Norfolk</td>
<td>$79,100,000</td>
</tr>
<tr>
<td></td>
<td>Portsmouth</td>
<td>$48,930,000</td>
</tr>
<tr>
<td></td>
<td>Quantico</td>
<td>$143,350,000</td>
</tr>
<tr>
<td></td>
<td>Yorktown</td>
<td>$59,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Bremerton</td>
<td>$51,010,000</td>
</tr>
<tr>
<td></td>
<td>Keyport</td>
<td>$25,050,000</td>
</tr>
<tr>
<td></td>
<td>Kitsap</td>
<td>$48,000,000</td>
</tr>
<tr>
<td>Unspecified CONUS</td>
<td>Zulu</td>
<td>$59,600,000</td>
</tr>
</tbody>
</table>

(b) Outside the United States.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>Darwin</td>
<td>$211,500,000</td>
</tr>
<tr>
<td>Bahrain Island</td>
<td>South Asia</td>
<td>$53,360,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$226,000,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Sigonella</td>
<td>$77,400,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Iwakuni</td>
<td>$15,870,000</td>
</tr>
<tr>
<td></td>
<td>Yokosuka</td>
<td>$174,692,000</td>
</tr>
</tbody>
</table>
SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $5,863,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) of this Act and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $41,798,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.
(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Eielson Air Force Base</td>
<td>$8,600,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Little Rock Air Force Base</td>
<td>$47,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Travis Air Force Base</td>
<td>$43,100,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Peterson Air Force Base</td>
<td>$54,000,000</td>
</tr>
<tr>
<td></td>
<td>Schriever Air Force Base</td>
<td>$148,000,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Scott Air Force Base</td>
<td>$100,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Whiteman Air Force Base</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Malmstrom Air Force Base</td>
<td>$235,000,000</td>
</tr>
</tbody>
</table>
Air Force: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nevada</td>
<td>Nellis Air Force Base</td>
<td>$65,200,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Holloman Air Force Base</td>
<td>$20,000,000</td>
</tr>
<tr>
<td></td>
<td>Kirtland Air Force Base</td>
<td>$37,900,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Minot Air Force Base</td>
<td>$5,500,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$207,300,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$114,500,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Fairchild Air Force Base</td>
<td>$31,000,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F.E. Warren Air Force Base</td>
<td>$18,100,000</td>
</tr>
<tr>
<td>unspecified CONUS</td>
<td>Zulu</td>
<td>$31,200,000</td>
</tr>
<tr>
<td>unspecified Worldwide</td>
<td>Zulu</td>
<td>$230,000,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>Tindal</td>
<td>$70,600,000</td>
</tr>
<tr>
<td>Cyprus</td>
<td>Royal Air Force Akrotiri</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$65,000,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Kadena Air Base</td>
<td>$31,500,000</td>
</tr>
<tr>
<td></td>
<td>Misawa Air Base</td>
<td>$5,300,000</td>
</tr>
<tr>
<td></td>
<td>Yokota Air Base</td>
<td>$12,400,000</td>
</tr>
<tr>
<td>Jordan</td>
<td>Azraq</td>
<td>$66,000,000</td>
</tr>
<tr>
<td>Mariana Islands</td>
<td>Tinian</td>
<td>$316,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force Lakenheath</td>
<td>$14,300,000</td>
</tr>
</tbody>
</table>

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air
Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $3,409,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $53,584,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) Limitation on Total Cost of Construction Projects.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost
of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3679) for Royal Air Force Croughton, for JIAC Consolidation Phase 1, the location shall be Royal Air Force Molesworth, United Kingdom.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1153) for JIAC Consolidation Phase 2, as modified by section 2305 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232) for an unspecified location in the United Kingdom, the Secretary of the Air Force may construct a 5,152 square meter intelligence analytic center, a 5,234 square meter intelligence fusion center, and a 807 square meter battlefield information collection and exploi-
tation system center at Royal Air Force Molesworth, United Kingdom.

SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECT.

In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2697) for JIAC Consolidation Phase 3, as modified by section 2305 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–32) for an unspecified location in the United Kingdom, the Secretary of the Air Force may construct a 1,562 square meter regional joint intelligence training facility and a 4,495 square meter combatant command intelligence facility at Royal Air Force Molesworth, United Kingdom.

SEC. 2308. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) JOINT BASE SAN ANTONIO.—In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1826) for Joint Base San Antonio, Texas—
(1) for construction of a dining and classroom facility the Secretary of the Air Force may construct a 750 square meter equipment building; and

(2) for construction of an air traffic control tower the Secretary of the Air Force may construct a 636 square meter air traffic control tower.

(b) RYGGE.—In the case of the authorization contained in the table in section 2903 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1876) for Rygge, Norway, for repairing and expanding a quick reaction alert pad, the Secretary of the Air Force may construct 1,327 square meters of aircraft shelter and a 404 square meter fire protection support building.

SEC. 2309. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) HANSCOM AIR FORCE BASE.—In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232) for Hanscom Air Force Base, Massachusetts, for the construction of a semiconductor or microelectronics lab facility, the Secretary of the Air Force may construct a 1,000 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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Beale Air Force Base</td>
<td>$33,700,000</td>
</tr>
<tr>
<td></td>
<td>Camp Pendleton</td>
<td>$17,700,000</td>
</tr>
<tr>
<td>CONUS Classified</td>
<td>Classified Location</td>
<td>$82,200,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Elgin Air Force Base</td>
<td>$16,500,000</td>
</tr>
<tr>
<td></td>
<td>Hurlburt Field</td>
<td>$108,386,000</td>
</tr>
<tr>
<td></td>
<td>Key West</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$67,700,000</td>
</tr>
</tbody>
</table>
Defense Agencies: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maryland</td>
<td>Fort Detrick</td>
<td>$27,846,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Columbus Air Force Base</td>
<td>$16,800,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$13,400,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bragg</td>
<td>$84,103,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Tulsa International Airport</td>
<td>$18,900,000</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Quonset State Airport</td>
<td>$11,600,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Joint Base Charleston</td>
<td>$33,300,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>$24,800,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Dan Neck</td>
<td>$12,770,000</td>
</tr>
<tr>
<td></td>
<td>Defense Distribution Depot Richmond</td>
<td>$98,800,000</td>
</tr>
<tr>
<td></td>
<td>Joint Expeditionary Base Little Creek-Fort Story</td>
<td>$45,600,000</td>
</tr>
<tr>
<td></td>
<td>Pentagon</td>
<td>$28,802,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$47,700,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>General Mitchell International Airport</td>
<td>$25,900,000</td>
</tr>
<tr>
<td>Unspecified CONUS</td>
<td>Zulu</td>
<td>$100,000,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Geilenkirchen Air Base</td>
<td>$30,479,000</td>
</tr>
<tr>
<td></td>
<td>Ramstein Air Base</td>
<td>$66,880,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$19,200,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Yokota Air Base</td>
<td>$136,411,000</td>
</tr>
<tr>
<td>Worldwide Classified</td>
<td>Classified Location</td>
<td>$52,000,000</td>
</tr>
</tbody>
</table>

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SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM

PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>ERCIP Projects: Inside the United States</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State</strong></td>
</tr>
<tr>
<td>California</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Hawaii</td>
</tr>
<tr>
<td>Louisiana</td>
</tr>
<tr>
<td>Maryland</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>New Mexico</td>
</tr>
<tr>
<td>Texas</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Virginia</td>
</tr>
<tr>
<td>Washington</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code.
States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

**ERCIP Projects: Outside the United States**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guam</td>
<td>Naval Base Guam</td>
<td>$16,970,000</td>
</tr>
</tbody>
</table>

**SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.**

(a) **Authorization of Appropriations.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) **Limitation on Total Cost of Construction Projects.**—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.
TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

(a) AUTHORIZATION.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.
(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:

<table>
<thead>
<tr>
<th>Republic of Korea Funded Construction Projects</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Country</strong></td>
</tr>
<tr>
<td>Korea ......</td>
</tr>
<tr>
<td>Army .......</td>
</tr>
<tr>
<td>Army .......</td>
</tr>
<tr>
<td>Army .......</td>
</tr>
</tbody>
</table>
Republic of Korea Funded Construction Projects—Continued

<table>
<thead>
<tr>
<th>Country</th>
<th>Component</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Force</td>
<td>Gwangju Air Base</td>
<td>Hydrant Fuel System Upgrade Electrical</td>
<td>$35,000,000</td>
<td></td>
</tr>
<tr>
<td>Air Force</td>
<td>Kunsan Air Base</td>
<td>Distribution System</td>
<td>$14,200,000</td>
<td></td>
</tr>
<tr>
<td>Air Force</td>
<td>Kunsan Air Base</td>
<td>Dining Facility</td>
<td>$21,000,000</td>
<td></td>
</tr>
<tr>
<td>Air Force</td>
<td>Suwon Air Base</td>
<td>Hydrant Fuel System</td>
<td>$24,000,000</td>
<td></td>
</tr>
</tbody>
</table>

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Anniston Army Depot</td>
<td>$34,000,000</td>
</tr>
<tr>
<td>Foley</td>
<td></td>
<td>$12,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Camp Roberts</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Orchard Training Area</td>
<td>$29,000,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Havre de Grace</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Camp Edwards</td>
<td>$9,700,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>New Ulm</td>
<td>$11,200,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Camp Shelby</td>
<td>$8,100,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Springfield</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Belleview</td>
<td>$29,000,000</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Concord</td>
<td>$5,950,000</td>
</tr>
<tr>
<td>New York</td>
<td>Jamaica Armory</td>
<td>$91,000,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Moon Township</td>
<td>$23,000,000</td>
</tr>
</tbody>
</table>
Army National Guard—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vermont</td>
<td>Camp Ethan Allen</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Richland</td>
<td>$11,400,000</td>
</tr>
</tbody>
</table>

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Fort McCoy</td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve
locations inside the United States, and in the amounts, set forth in the following table:

### Navy Reserve and Marine Corps Reserve

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Louisiana</td>
<td>New Orleans</td>
<td>$25,260,000</td>
</tr>
</tbody>
</table>

### SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

### Air National Guard

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Moffett Air National Guard Base</td>
<td>$57,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Savannah/Hilton Head International Airport</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Rosecrans Memorial Airport</td>
<td>$9,500,000</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Luis Munoz Marin International Airport</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Truax Field Air National Guard Base</td>
<td>$34,000,000</td>
</tr>
</tbody>
</table>

### SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force
may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Robins Air Force Base</td>
<td>$43,000,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Minneapolis-St. Paul International Airport.</td>
<td>$9,800,000</td>
</tr>
</tbody>
</table>

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.
TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.
TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program

SEC. 2801. MILITARY INSTALLATION RESILIENCE PLANS AND PROJECTS OF DEPARTMENT OF DEFENSE.

(a) Plans and Projects.—

(1) In general.—Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following new sections:

“§ 2815. Military installation resilience plans

“(a) In General.—The Secretary of each military department shall ensure the maintenance and enhancement of military installation resilience through the development and implementation of military installation resilience plans under this section for each military installation under the jurisdiction of such Secretary that is in a coastal area.

“(b) Military Installation Resilience Plans for National Guard Installations.—The Secretary of a military department, subject to the availability of appropriations, may develop and implement a military instal-
lation resilience plan for a State-owned installation of the National Guard that is in a coastal area if—

“(1) such a plan is developed and implemented in coordination with the chief executive officer of the State in which the installation is located; and

“(2) such a plan is deemed, for purposes of any other provision of law, to be for lands or other geographical areas owned or controlled by the Department of Defense, or designated for use by the Department of Defense.

“(c) REQUIRED ELEMENTS OF PLANS.—To the extent appropriate and applicable, each military installation resilience plan under this section shall provide for the following:

“(1) A qualitative and, to the extent practicable, quantitative assessment of—

“(A) current risks and threats to the resilience of the military installation, including from extreme weather events, mean sea level fluctuation, flooding, and other changes in environmental conditions; and

“(B) future risks and threats, including from extreme weather events, mean sea level fluctuation, flooding, and other changes in environmental conditions, based on projections from
reliable and authorized sources as described in section 2805(e) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 10 U.S.C. 2864 note), to the resilience of any project considered in the master plan for the installation under section 2864 of this title during the 50-year lifespan of the installation.

“(2) A description of the—

“(A) assets or infrastructure located on the installation vulnerable to the risks and threats described in paragraph (1), with special emphasis on assets or infrastructure critical to the accomplishment of the missions of the installation and missions of any members of the armed forces stationed at the installation; and

“(B) community infrastructure and resources located outside the military installation that are—

“(i) critical to the accomplishment of the missions of the military installation and of members of the armed forces stationed at the installation; and

“(ii) vulnerable to the risks and threats described in paragraph (1).
“(3) A description of the—

“(A) current or planned infrastructure projects or other measures to mitigate the impacts of risks and threats described in paragraph (1) to the resilience of the military installation and the accomplishment of the missions of the military installation and missions of members of the armed forces stationed at the installation;

“(B) estimated costs associated with such current or planned infrastructure projects or other mitigation measures; and

“(C) current or planned interagency agreements, cooperative agreements, memoranda of agreement, or other agreements with other Federal agencies, Indian tribes, State or local governments or entities, or other organizations or individuals for the purpose of or that will assist in maintaining or enhancing military installation resilience and the resilience of the community infrastructure and resources described in paragraph (2)(B).

“(d) CONSISTENCY AND INTEGRATION WITH OTHER PLANS.—The Secretary of each military department shall
ensure that each military installation resilience plan prepared by such Secretary under this section is—

“(1) consistent with the integrated natural resource management plan of the Secretary required by section 101(a)(1)(B) of the Sikes Act (16 U.S.C. 670a);

“(2) consistent with and integrated into the installation energy resilience master plan of the Secretary required by section 2911(b)(3) of this title; and

“(3) consistent with and integrated into the installation master plan of the Secretary required by section 2864 of this title.

“(e) INCLUSION OF CERTAIN PROJECTS.—The Secretary of each military department shall include in military installation resilience plans under this section projects or improvements to facilities conducted using amounts for sustainment, restoration, and modernization.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘community infrastructure’ has the meaning given that term in section 2391(e)(4) of this title.

“(2) The term ‘Indian tribe’ has the meaning given that term in section 4 of the Indian Self-De-
termination and Education Assistance Act (25 U.S.C. 5304).”.

“§ 2815a. Military installation resilience projects

“(a) Projects Required.—The Secretary of Defense shall carry out military construction projects for military installation resilience, not previously authorized, using funds authorized to be appropriated or otherwise made available for that purpose.

“(b) Congressional Notification.—(1) When a decision is made to carry out a project under this section, the Secretary of Defense shall notify the congressional defense committees of that decision.

“(2) The Secretary of Defense shall include in each notification submitted under paragraph (1) the rationale for how the project would—

“(A) enhance military installation resilience;

“(B) enhance mission assurance;

“(C) support mission critical functions; and

“(D) address known vulnerabilities.

“(c) Timing of Projects.—A project may be carried out under this section only after the end of the 14-day period beginning on the date that notification with respect to that project under subsection (b) is received by the congressional defense committees in an electronic medium pursuant to section 480 of this title.
“(d) **Annual Report.**—Not later than 90 days after the end of each fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report on the status of the planned and active projects carried out under this section (including completed projects), and shall include in the report with respect to each such project the following information:

“(1) The title, location, a brief description of the scope of work, the original project cost estimate, and the current working cost estimate.

“(2) The rationale for how the project would—

“(A) enhance military installation resilience;

“(B) enhance mission assurance;

“(C) support mission critical functions;

and

“(D) address known vulnerabilities.

“(3) Such other information as the Secretary considers appropriate.

“(e) **Authorization of Appropriations.**—There is authorized to be appropriated to the Department of Defense to carry out this section $100,000,000 for each fiscal year.”.

(2) **Clerical Amendment.**—The table of sections at the beginning of chapter 169 of such title
is amended by inserting after the item relating to
section 2814 the following new items:

“2815. Military installation resilience plans.
“2815a. Military installation resilience projects.”.

(b) Report.—

(1) In general.—Not later than March 1, 2020, the Secretary of Defense shall submit to the congressional defense committees a report on the extent to which military installation resilience plans were prepared or implemented in accordance with section 2815 of title 10, United States Code, as added by subsection (a)(1).

(2) Elements.—The report required by paragraph (1) shall include the following:

(A) The number of military installation resilience plans in effect, including the date on which each plan was issued in final form or most recently revised.

(B) The amounts expended on mitigation measures conducted pursuant to or consistent with such plans, including moving critical military functions of the Department of Defense to less vulnerable military installations.

(C) An assessment of the extent to which such plans comply with section 2815 of title 10,
United States Code, as added by subsection (a)(1).

SEC. 2802. PROHIBITION ON USE OF FUNDS TO REDUCE AIR BASE RESILIENCY OR DEMOLISH PROTECTED AIRCRAFT SHELTERS IN THE EUROPEAN THEATER WITHOUT CREATING A SIMILAR PROTECTION FROM ATTACK.

No funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2020 may be obligated or expended to implement any activity that reduces air base resiliency or demolishes protected aircraft shelters in the European theater without creating a similar protection from attack in the European theater until such time as the Secretary of Defense certifies to the congressional defense committees that protected aircraft shelters are not required in the European theater.

SEC. 2803. PROHIBITION ON USE OF FUNDS TO CLOSE OR RETURN TO THE HOST NATION ANY EXISTING AIR BASE.

No funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2020 may be obligated or expended to implement any activity that closes or returns to the host nation any existing air base until such time as the Sec-
Secretary of Defense certifies that there is no longer a need for a rotational military presence in the European theater.

SEC. 2804. INCREASED AUTHORITY FOR CERTAIN UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS.

(a) In general.—Notwithstanding the limitations specified in section 2805 of title 10, United States Code, the Secretary concerned may carry out unspecified minor military construction projects in an amount not to exceed $12,000,000 at the following installations:

(1) Tyndall Air Force Base, Florida.
(2) Camp Ashland, Nebraska.
(3) Offutt Air Force Base, Nebraska.
(4) Camp Lejeune, North Carolina.
(5) Marine Corps Air Station Cherry Point, North Carolina.

(b) Adjustment of limitation.—The Secretary concerned may adjust the dollar limitation specified in subsection (a) applicable to a project described in such subsection to reflect the area construction cost index for military construction projects published by the Department of Defense during the prior fiscal year for the location of the project, except that no such limitation may exceed $19,000,000 as the result of any adjustment made under this subsection.
(c) TERMINATION.—The authority under this section shall terminate on the date that is five years after the date of the enactment of this Act.

SEC. 2805. TECHNICAL CORRECTIONS AND IMPROVEMENTS TO INSTALLATION RESILIENCE.

(a) DEFENSE ACCESS ROADS.—Section 210 of title 23, United States Code, is amended—

(1) in subsection (a), by striking “(a)(1) The Secretary” and all that follows through the end of paragraph (1) and inserting the following:

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—Of the funds appropriated for defense access roads, the Secretary may use such amounts as are appropriate for—

“(A) the construction and maintenance of defense access roads (including bridges, tubes, tunnels, and culverts or other water management structures on those roads) to—

“(i) military reservations;

“(ii) defense industry sites;

“(iii) air or sea ports that, as determined by the Secretary, in consultation with the Secretary of Defense, are necessary for or are planned to be used for the deployment or sustainment of members
of the Armed Forces, equipment, or supplies; or

“(iv) sources of raw materials;

“(B) the reconstruction or enhancement of, or improvements to, those roads to ensure the continued effective use of the roads, regardless of current or projected increases in mean high tides, recurrent flooding, or other weather-related conditions or natural disasters, in any case in which the roads are certified to the Secretary as important to the national defense by—

“(i) the Secretary of Defense; or

“(ii) such other official as the President may designate; and

“(C) replacing existing highways and highway connections that are shut off from general public use by necessary closures, closures due to mean sea level fluctuation and flooding, or restrictions at—

“(i) military reservations;

“(ii) air or sea ports that are necessary for or are planned to be used for the deployment or sustainment of members
of the Armed Forces, equipment, or supplies; or

“(iii) defense industry sites.”;

(2) in subsection (b), by striking “the construction and maintenance of” and inserting “the construction, maintenance, reconstruction, or improvement of, or enhancements to,”;

(3) in subsection (c)—

(A) by striking “him” and inserting “the Secretary”;

(B) by striking “construction, maintenance, and repair work” and inserting “activities for construction, maintenance, reconstruction, enhancement, improvement, and repair”;

(C) by striking “therein” and inserting “in those areas”; and

(D) by striking “condition for such training purposes and for repairing the damage caused to such highways by the operations” and inserting the following: “condition for—

“(1) that training; and

“(2) repairing the damage to those highways caused by—
“(A) weather-related events, increases in mean high tide levels, recurrent flooding, or natural disasters; or

“(B) the operations”;

(4) in subsection (g), in the second sentence, by striking “construction which has been” and inserting “construction and other activities”; and

(5) by striking subsection (i) and inserting the following:

“(i) REPAIR OF CERTAIN DAMAGES AND INFRASTRUCTURE.—The amounts made available to carry out this section may be used to pay the cost of repairing damage caused, or any infrastructure to mitigate a risk posed, to a defense access road by recurrent or projected recurrent flooding, sea level fluctuation, a natural disaster, or any other current or projected change in applicable environmental conditions, if the Secretary determines that continued access to a military installation, defense industry site, air or sea port necessary for or planned to be used for the deployment or sustainment of members of the Armed Forces, equipment, or supplies, or to a source of raw materials, has been or is projected to be impacted by those events or conditions.”.

(b) STUDY ON CERTAIN THREATS TO MILITARY INSTALLATION RESILIENCE.—
(1) STUDY.—

(A) IN GENERAL.—Not later than March 1, 2020, the Secretary of Defense shall complete a comprehensive study, to be conducted by the Director of the Engineer Research and Development Center of the Army Corps of Engineers, on the risks posed by coastal or inland flooding, mean sea level fluctuation, and storm surge to the military installation resilience of military installations and State-owned installations of the National Guard that the Secretary determines are vulnerable to those risks.

(B) COORDINATION.—The study under subparagraph (A) shall be conducted in coordination with other elements of the Army Corps of Engineers, other Federal agencies, and State, local, and tribal officials to ensure consistency with other plans or pre-disaster and risk mitigation measures being planned or taken in the areas within the scope of the study.

(2) RISK MITIGATION MEASURES.—The study required by paragraph (1)(A) shall include the identification of and recommendations concerning ongoing or potential risk mitigation measures, including
on lands and waters not under the jurisdiction of the Department of Defense, including authorized projects of the Army Corps of Engineers and current or potential projects under the Continuing Authorities Program of the Corps of Engineers, that would contribute to preserving or enhancing the military installation resilience of military installations and State-owned installations of the National Guard within the scope of the study.

(3) Barriers to maintaining and enhancing resilience.—The study required by paragraph (1)(A) shall identify institutional, administrative, legislative, and other barriers to preserving and enhancing the military installation resilience of the installations determined by such study to be vulnerable to the risks posed by coastal or inland flooding, sea level rise, or storm surge.

(4) Reports.—

(A) Initial report.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report providing the status of, interim results for, and an expected completion date for the study required by paragraph (1)(A).
(B) Final report.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a final report on the study required by paragraph (1)(A).

(5) Definitions.—In this subsection:

(A) Congressional defense committees; military installation resilience.—The terms “congressional defense committees” and “military installation resilience” have the meanings given those terms in section 101 of title 10, United States Code.

(B) Continuing authorities program of the Corps of Engineers.—The term “Continuing Authorities Program of the Corps of Engineers” means any of the programs listed in section 1030(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 400).

(c) Update of United Facilities Criteria to Include Changing Environmental Condition Projections.—Section 2805(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—
(1) by striking “Not later than” and inserting the following:

“(1) FISCAL YEAR 2019.—Not later than”;

(2) in paragraph (1), as designated by paragraph (1), by striking “United Facilities Criteria (UFC) 2-100-01 and UFC 2-100-02” and inserting “United Facilities Criteria (UFC) 1-200-01 and UFC 1-200-02”; and

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

“(2) FISCAL YEAR 2020.—Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020, the Secretary of Defense shall amend the United Facilities Criteria (UFC) as follows:

“(A) To require that installations of the Department of Defense assess the risks from extreme weather and related effects and develop plans to address those risks.

“(B) To require in the design of any military construction project the use of the following weather projections:

“(i) Population projections from the Bureau of the Census.
“(ii) Land use change projections and weather projections from the National Academy of Sciences.

“(iii) Land use change projections through the use of land use and land cover modeling by the United States Geological Survey.

“(iv) Weather projections from the United States Global Change Research Program, including in the National Climate Assessment.

“(v) Weather projections developed through the use of Localized Constructed Analogs Statistical Downscaling.

“(vi) Weather projections developed through the Earth Exchange program of the National Aeronautics and Space Administration.

“(vii) Weather projections included in the technical report NOS CO-OPS 083 set forth by the National Oceanic and Atmospheric Administration.

“(viii) Any customized, high-resolution model weather projections developed by the Strategic Environmental Research and De-
velopment Program for specific regions
with the goal of assessing the vulnerability
of installations of the Department.

“(C) To require the Secretary to provide
guidance to project designers and master plan-
ners on how to use weather projections.

“(D) To require the use throughout the
Department of the Naval Facilities Engineering
Command Climate Change Installation Adaptation and Resilience planning handbook.”.

Subtitle B—Land Conveyances

SEC. 2811. RELEASE OF INTERESTS RETAINED IN CAMP JO-
SEPH T. ROBINSON, ARKANSAS, FOR USE OF
SUCH LAND AS A VETERANS CEMETERY.

(a) Release of Retained Interests.—

(1) In General.—With respect to a parcel of
land at Camp Joseph T. Robinson, Arkansas, con-
sisting of approximately 141.52 acres that lies in a
part of section 35, township 3 north, range 12 west,
Pulaski County, Arkansas, and comprising a portion
of the property conveyed by the United States to the
State of Arkansas for training of the National
Guard and for other military purposes pursuant to
“An Act authorizing the transfer of part of Camp
Joseph T. Robinson to the State of Arkansas”, ap-
proved June 30, 1950 (64 Stat. 311, chapter 429),
the Secretary of the Army may release the terms
and conditions imposed, and reversionary interests
retained, by the United States under section 2 of
such Act, and the right to reenter and use the prop-
erty retained by the United States under section 3
of such Act.

(2) Impact on other rights or interests.—The release of terms and condi-
tions and retained interests under paragraph (1) with respect to
the parcel described in such paragraph shall not be
construed to alter the rights or interests retained by
the United States with respect to the remainder of
the real property conveyed to the State of Arkansas
under the Act described in such paragraph.

(b) Instrument of release and description of
property.—

(1) In general.—The Secretary of the Army
may execute and file in the appropriate office a deed
of release, amended deed, or other appropriate in-
strument reflecting the release of terms and condi-
tions and retained interests under subsection (a).

(2) Legal description.—The exact acreage
and legal description of the property described in
subsection (a) shall be determined by a survey satis-
factory to the Secretary of the Army.

(c) Conditions on Release and Reversionary Inter-

est.—

(1) Expansion of Veterans Cemetery and
Reversionary Interest.—

(A) Expansion of Veterans Ceme-
tery.—The State of Arkansas may use the
parcel of land described in subsection (a)(1)
only for the expansion of the Arkansas State
Veterans Cemetery.

(B) Reversionary Interest.—If the
Secretary of the Army determines at any time
that the parcel of land described in subsection
(a)(1) is not being used in accordance with the
purpose specified in subparagraph (A), all right,
title, and interest in and to the land, including
any improvements thereto, shall, at the option
of the Secretary, revert to and become the prop-
erty of the United States, and the United
States shall have the right of immediate entry
onto such parcel.

(2) Additional Terms and Conditions.—
The Secretary of the Army may require in the in-
strument of release such additional terms and condi-
tions in connection with the release of terms and conditions and retained interests under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(d) Payment of Administrative Costs.—

(1) Payment required.—

(A) In general.—The Secretary of the Army may require the State of Arkansas to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the release of terms and conditions and retained interests under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the release.

(B) Refund of amounts.—If amounts paid to the Secretary by the State of Arkansas in advance under subparagraph (A) exceed the costs actually incurred by the Secretary to carry out the release, the Secretary shall refund the excess amount to the State.

(2) Treatment of amounts received.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release of terms and conditions and re-
tained interests under subsection (a) shall be cred-
ited to the fund or account that was used to cover
the costs incurred by the Secretary in carrying out
the release. Amounts so credited shall be merged
with amounts in such fund or account and shall be
available for the same purposes, and subject to the
same conditions and limitations, as amounts in such
fund or account.

SEC. 2812. TRANSFER OF ADMINISTRATIVE JURISDICTION
OVER CERTAIN PARCELS OF FEDERAL LAND
IN ARLINGTON, VIRGINIA.

(a) Transfer to the Secretary of the Army.—
(1) Transfer.—Administrative jurisdiction
over the parcel of Federal land described in para-
graph (2) is transferred from the Secretary of the
Interior to the Secretary of the Army.

(2) Description of land.—The parcel of
Federal land referred to in paragraph (1) is the ap-
proximately 16.09-acre parcel of land in Arlington,
Virginia, as depicted on the map entitled “Arlington
National Cemetery, Memorial Ave–NPS Parcel” and

(b) Transfer to the Secretary of the Inte-
rior.—
(1) **TRANSFER.**—Administrative jurisdiction over the parcel of Federal land described in paragraph (2) is transferred from the Secretary of the Army to the Secretary of the Interior.

(2) **DESCRIPTION OF LAND.**—The parcel of Federal land referred to in paragraph (1) is the approximately 1.04-acre parcel of land in Arlington, Virginia, as depicted on the map entitled “Arlington National Cemetery–Chaffee NPS Land Swap” and dated October 31, 2018.

(c) **LAND SURVEYS.**—The exact acreage and legal description of a parcel of Federal land described in subsection (a)(2) or (b)(2) shall be determined by a survey satisfactory to the Secretary of the Army and the Secretary of the Interior.

(d) **AUTHORITY TO CORRECT ERRORS.**—The Secretary of the Army and the Secretary of the Interior may correct any clerical or typographical error in a map described in subsection (a)(2) or (b)(2).

(e) **TERMS AND CONDITIONS.**—

(1) **NO REIMBURSEMENT OR CONSIDERATION.**—A transfer by subsection (a)(1) or (b)(1) shall be without reimbursement or consideration.

(2) **CONTINUED RECREATIONAL ACCESS.**—The use of a bicycle trail or recreational access within a
parcel of Federal land described in subsection (a)(2) or (b)(2) in which the use or access is authorized before the date of enactment of this Act shall be allowed to continue after the transfer of the applicable parcel of Federal land by subsection (a)(1) or (b)(1).

(3) Management of parcel transferred to Secretary of the Army.—The parcel of Federal land transferred to the Secretary of the Army by section (a)(1) shall be administered by the Secretary of the Army—

(A) as part of Arlington National Cemetery; and

(B) in accordance with applicable law, including—

(i) regulations; and

(ii) section 2409 of title 38, United States Code.

(4) Management of parcel transferred to Secretary of the Interior.—The parcel of Federal land transferred to the Secretary of the Interior by subsection (b)(1) shall be—

(A) included within the boundary of Arlington House, The Robert E. Lee Memorial; and
(B) administered by the Secretary of the Interior—

(i) as part of the memorial referred to in subparagraph (A); and

(ii) in accordance with applicable law (including regulations).

SEC. 2813. MODIFICATION OF REQUIREMENTS RELATING TO LAND ACQUISITION IN ARLINGTON COUNTY, VIRGINIA.

Section 2829A of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2728) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “to remove” and inserting “if existing County utilities in the Southgate Road right of way are permitted to remain in accordance with a mutually agreed upon utility easement, to remove”

(II) by striking “through a re-alignment” and inserting “through—

“(i) a realignment”;

“(i) a realignment”;
(III) in clause (i), as designated
by subclause (I), by striking “and” at
the end and inserting “or”; and
(IV) by adding at the end the fol-
lowing new clause:
“(ii) the replacement of Southgate
Road with a new access road to Joint Base
Myer-Henderson Hall; and”; and
(ii) in subparagraph (B), by striking
the period at the end and inserting “in ac-
cordance with this section and applicable
Federal, Commonwealth, and County road
right of way engineering standards and re-
quirements.”; and
(B) by amending paragraph (3) to read as
follows:
“(3) CONSIDERATION.—
“(A) IN GENERAL.—The Secretary shall
expend amounts up to fair market value consid-
eration for the interests in land acquired under
this subsection as such value is determined by
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.).
“(B) IN-KIND CONSIDERATION.—

“(i) IN GENERAL.—Any substitute or replacement facilities provided as in-kind consideration to replace existing Commonwealth or County roadways under this subsection shall—

“(I) be conveyed in fee simple absolute with no encumbrances or restrictions unless otherwise agreed by the Commonwealth or the County;

“(II) comply with applicable Commonwealth or County road right of way engineering standards and requirements; and

“(III) with respect to any substitute facility provided for the realignment of Columbia Pike—

“(aa) include a right-of-way profile (including constructed roadway, sidewalks, bicycle trails, multi-use trails, buffers, etc.) of not less than 92 feet in width; and

“(bb) ensure that, if a vehicle or equipment tunnel under
Columbia Pike is determined by the Secretary to be necessary, there is a depth of not less than 10 feet between the top of the tunnel and the surface of the roadway.

“(ii) **DIFFERENCE IN FAIR MARKET VALUE.**—The Commonwealth and the County shall be entitled to monetary compensation in an amount equal to the difference in the fair market value of any property acquired under this subsection and any property provided as in-kind consideration under this subparagraph for such acquired property, which shall be appraised—

“(I) as if such properties were to be made available as surplus; and

“(II) as determined by 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.).”
(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:


(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.
(4) MONUMENT.—The term “Monument” means the White Sands National Monument, New Mexico, established by Presidential Proclamation No. 2025 (54 U.S.C. 320301 note), dated January 18, 1933, and administered by the Secretary.

(5) MUNITIONS DEBRIS.—The term “munitions debris” has the meaning given the term in volume 8 of the Department of Defense Manual Number 6055.09-M entitled “DoD Ammunitions and Explosives Safety Standards” and dated February 29, 2008 (as in effect on the date of enactment of this Act).

(6) PARK.—The term “Park” means the White Sands National Park established by subsection (b)(2)(A).


(8) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(9) STATE.—The term “State” means the State of New Mexico.

(b) WHITE SANDS NATIONAL PARK.—

(1) FINDINGS.—Congress finds that—
(A) White Sands National Monument was established on January 18, 1933, by President Herbert Hoover under chapter 3203 of title 54, United States Code (commonly known as the “Antiquities Act of 1906”);

(B) President Hoover proclaimed that the Monument was established “for the preservation of the white sands and additional features of scenic, scientific, and educational interest”;

(C) the Monument was expanded by Presidents Roosevelt, Eisenhower, Carter, and Clinton in 1934, 1942, 1953, 1978, and 1996, respectively;

(D) the Monument contains a substantially more diverse set of nationally significant historical, archaeological, scientific, and natural resources than were known of at the time the Monument was established, including a number of recent discoveries;

(E) the Monument is recognized as a major unit of the National Park System with extraordinary values enjoyed by more visitors each year since 1995 than any other unit in the State;
(F) the Monument contributes significantly to the local economy by attracting tourists; and

(G) designation of the Monument as a national park would increase public recognition of the diverse array of nationally significant resources at the Monument and visitation to the unit.

(2) Establishment of White Sands National Park.—

(A) Establishment.—To protect, preserve, and restore its scenic, scientific, educational, natural, geological, historical, cultural, archaeological, paleontological, hydrological, fish, wildlife, and recreational values and to enhance visitor experiences, there is established in the State the White Sands National Park as a unit of the National Park System.

(B) Abolishment of White Sands National Monument.—

(i) Abolishment.—Due to the establishment of the Park, the Monument is abolished.

(ii) Incorporation.—The land and interests in land that comprise the Monu-
ment are incorporated in, and shall be considered to be part of, the Park.

(C) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the “White Sands National Monument” shall be considered to be a reference to the “White Sands National Park”.

(D) AVAILABILITY OF FUNDS.—Any funds available for the Monument shall be available for the Park.

(E) ADMINISTRATION.—The Secretary shall administer the Park in accordance with—

(i) this subsection; and

(ii) the laws generally applicable to units of the National Park System, including section 100101(a), chapter 1003, sections 100751(a), 100752, 100753, and 102101, and chapter 3201 of title 54, United States Code.

(F) WORLD HERITAGE LIST NOMINATION.—

(i) COUNTY CONCURRENCE.—The Secretary shall not submit a nomination for the Park to be included on the World
Heritage List of the United Nations Educational, Scientific and Cultural Organization unless each county in which the Park is located concurs in the nomination.

(ii) ARMY NOTIFICATION.—Before submitting a nomination for the Park to be included on the World Heritage List of the United Nations Educational, Scientific and Cultural Organization, the Secretary shall notify the Secretary of the Army of the intent of the Secretary to nominate the Park.

(G) EFFECT.—Nothing in this paragraph affects—

(i) valid existing rights (including water rights);

(ii) permits or contracts issued by the Monument;

(iii) existing agreements, including agreements with the Department of Defense;

(iv) the jurisdiction of the Department of Defense regarding the restricted airspace above the Park; or
(v) the airshed classification of the Park under the Clean Air Act (42 U.S.C. 7401 et seq.).

(c) Modification of Boundaries of White Sands National Park and White Sands Missile Range.—

(1) Transfers of Administrative Jurisdiction.—

(A) Transfer of Administrative Jurisdiction to the Secretary.—

(i) In general.—Administrative jurisdiction over the land described in clause (ii) is transferred from the Secretary of the Army to the Secretary.

(ii) Description of Land.—The land referred to in clause (i) is—

(I) the approximately 2,826 acres of land identified as “To NPS, lands inside current boundary” on the Map; and

(II) the approximately 5,766 acres of land identified as “To NPS, new additions” on the Map.

(B) Transfer of Administrative Jurisdiction to the Secretary of the Army.—
(i) **IN GENERAL.**—Administrative jurisdiction over the land described in clause (ii) is transferred from the Secretary to the Secretary of the Army.

(ii) **DESCRIPTION OF LAND.**—The land referred to in clause (i) is the approximately 3,737 acres of land identified as “To DOA” on the Map.

(2) **BOUNDARY MODIFICATIONS.**—

(A) **PARK.**—

(i) **IN GENERAL.**—The boundary of the Park is revised to reflect the boundary depicted on the Map.

(ii) **MAP.**—

(I) **IN GENERAL.**—The Secretary, in coordination with the Secretary of the Army, shall prepare and keep on file for public inspection in the appropriate office of the Secretary a map and a legal description of the revised boundary of the Park.

(II) **EFFECT.**—The map and legal description under subclause (I) shall have the same force and effect as if included in this section, except
that the Secretary may correct clerical
and typographical errors in the map
and legal description.

(iii) BOUNDARY SURVEY.—As soon as
practicable after the date of the establish-
ment of the Park and subject to the avail-
ability of funds, the Secretary shall com-
plete an official boundary survey of the
Park.

(B) MISSILE RANGE.—

(i) IN GENERAL.—The boundary of
the missile range and the Public Land
Order are modified to exclude the land
transferred to the Secretary under para-
graph (1)(A) and to include the land
transferred to the Secretary of the Army
under paragraph (1)(B).

(ii) MAP.—The Secretary shall pre-
pare a map and legal description depicting
the revised boundary of the missile range.

(C) CONFORMING AMENDMENT.—Section
2854 of Public Law 104–201 (54 U.S.C.
320301 note) is repealed.

(3) ADMINISTRATION.—
(A) PARK.—The Secretary shall administer the land transferred under paragraph (1)(A) in accordance with laws (including regulations) applicable to the Park.

(B) MISSILE RANGE.—Subject to subparagraph (C), the Secretary of the Army shall administer the land transferred to the Secretary of the Army under paragraph (1)(B) as part of the missile range.

(C) INFRASTRUCTURE; RESOURCE MANAGEMENT.—

(i) RANGE ROAD 7.—

(I) INFRASTRUCTURE MANAGEMENT.—To the maximum extent practicable, in planning, constructing, and managing infrastructure on the land described in subclause (III), the Secretary of the Army shall apply low-impact development techniques and strategies to prevent impacts within the missile range and the Park from stormwater runoff from the land described in that subclause.

(II) RESOURCE MANAGEMENT.—

The Secretary of the Army shall—
(aa) manage the land described in subclause (III) in a manner consistent with the protection of natural and cultural resources within the missile range and the Park and in accordance with section 101(a)(1)(B) of the Sikes Act (16 U.S.C. 670a(a)(1)(B)), division A of subtitle III of title 54, United States Code, and the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.); and

(bb) include the land described in subclause (III) in the integrated natural and cultural resource management plan for the missile range.

(III) DESCRIPTION OF LAND.—

The land referred to in subclauses (I) and (II) is the land that is transferred to the administrative jurisdiction of the Secretary of the Army under
paragraph (1)(B) and located in the
area east of Range Road 7 in—

(aa) T. 17 S., R. 5 E., sec. 31;

(bb) T. 18 S., R. 5 E.; and

(cc) T. 19 S., R. 5 E., sec. 5.

(ii) FENCE.—

(I) IN GENERAL.—The Secretary
of the Army shall continue to allow
the Secretary to maintain the fence
shown on the Map until such time as
the Secretary determines that the
fence is unnecessary for the manage-
ment of the Park.

(II) REMOVAL.—If the Secretary
determines that the fence is unneces-
sary for the management of the Park
under subclause (I), the Secretary
shall promptly remove the fence at the
expense of the Department of the In-
terior.

(D) RESEARCH.—The Secretary of the
Army and the Secretary may enter into an
agreement to allow the Secretary to conduct
certain research in the area identified as “Co-
operative Use Research Area” on the Map.

(E) MILITARY MUNITIONS AND MUNITIONS
DEBRIS.—

(i) RESPONSE ACTION.—With respect
to any Federal liability, the Secretary of
the Army shall remain responsible for any
response action addressing military munici-
ations or munitions debris on the land
transferred under paragraph (1)(A) to the
same extent as on the day before the date
of enactment of this Act.

(ii) INVESTIGATION OF MILITARY MU-
NITIONS AND MUNITIONS DEBRIS.—

(I) IN GENERAL.—The Secretary
may request that the Secretary of the
Army conduct 1 or more investiga-
tions of military munitions or munici-
ations debris on any land transferred
under paragraph (1)(A).

(II) ACCESS.—The Secretary
shall give access to the Secretary of
the Army to the land covered by a re-
quest under subclause (I) for the pur-
poses of conducting the 1 or more investigations under that subclause.

(III) LIMITATION.—An investigation conducted under this clause shall be subject to available appropriations.

(iii) APPLICABLE LAW.—Any activities undertaken under this subparagraph shall be carried out in accordance with—

(I) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(II) the purposes for which the Park was established; and

(III) any other applicable law.

Subtitle C—Other Matters

SEC. 2821. EQUAL TREATMENT OF INSURED DEPOSITORY INSTITUTIONS AND CREDIT UNIONS OPERATING ON MILITARY INSTALLATIONS.

Section 2667 of title 10, United States Code, is amended by adding at the end the following:

“(l) TREATMENT OF INSURED DEPOSITORY INSTITUTIONS.—(1) Each covered insured depository institution operating on a military installation within the continental United States may be allotted space or leased land on the
military installation without charge for rent or services in
the same manner as a credit union organized under State
law or a Federal credit union under section 124 of the
Federal Credit Union Act (12 U.S.C. 1770) if space is
available.

“(2) Each covered insured depository institution,
credit union organized under State law, and Federal credit
union operating on a military installation within the conti-
nental United States shall be treated equally with respect
to policies of the Department of Defense governing the
financial terms of leases, logistical support, services, and
utilities.

“(3) The Secretary concerned shall not be required
to provide no-cost office space or a no-cost land lease to
any covered insured depository institution, credit union or-
organized under State law, or Federal credit union.

“(4) In this subsection:

“(A) The term ‘covered insured depository in-
stitution’ means an insured depository institution
that meets the requirements applicable to a credit
union organized under State law or a Federal credit
union under section 124 of the Federal Credit Union
Act (12 U.S.C. 1770). The depositors of an insured
depository institution shall be considered members
for purposes of the application of this subparagraph to that section.

“(B) The term ‘Federal credit union’ has the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

“(C) The term ‘insured depository institution’ has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).”.

SEC. 2822. EXPANSION OF TEMPORARY AUTHORITY FOR

ACCEPTANCE AND USE OF CONTRIBUTIONS

FOR CERTAIN CONSTRUCTION, MAINTENANCE, AND REPAIR PROJECTS MUTUALLY BENEFICIAL TO THE DEPARTMENT OF DEFENSE AND KUWAIT MILITARY FORCES.

(a) EXPANSION.—Section 2804 of the Military Construction Authorization Act for Fiscal Year 2016 (10 U.S.C. 2350j note) is amended—

(1) in subsection (a)—

(A) by striking “government of Kuwait” and inserting “Government of Kuwait and the Government of the Republic of Korea”; and

(B) by striking “Kuwait military forces” and inserting “the military forces of the applicable contributing country”;

•S 1790 RS
(2) in subsection (b), by inserting “for contributions from the contributing country” after “Secretary of Defense”;

(3) in subsection (c), by striking “government of Kuwait” and inserting “government of the contributing country”; and

(4) in subsection (e)—

(A) in paragraph (1), by striking “government of Kuwait” and inserting “government of the contributing country”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “Kuwait military forces” and inserting “military forces of the contributing country”; and

(ii) in subparagraph (C), by striking “Kuwait military forces” and inserting “the military forces of the contributing country”.

(b) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:
“SEC. 2804. TEMPORARY AUTHORITY FOR ACCEPTANCE AND USE OF CONTRIBUTIONS FOR CERTAIN CONSTRUCTION, MAINTENANCE, AND REPAIR PROJECTS MUTUALLY BENEFICIAL TO THE DEPARTMENT OF DEFENSE AND THE MILITARY FORCES OF KUWAIT AND THE REPUBLIC OF KOREA.”.

SEC. 2823. DESIGNATION OF SUMPTER SMITH JOINT NATIONAL GUARD BASE.

(a) Designation.—The Sumpter Smith Air National Guard Base in Birmingham, Alabama, shall after the date of the enactment of this Act be known and designated as the “Sumpter Smith Joint National Guard Base”.

(b) Reference.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the installation referred to in subsection (a) shall be considered to be a reference to the Sumpter Smith Joint National Guard Base.

SEC. 2824. PROHIBITION ON USE OF FUNDS TO PRIVATIZE TEMPORARY LODGING ON INSTALLATIONS OF DEPARTMENT OF DEFENSE.

No funds may be authorized to be appropriated to the Department of Defense for fiscal year 2020 to privatize temporary lodging on installations of the Department.
SEC. 2825. PILOT PROGRAM TO EXTEND SERVICE LIFE OF ROADS AND RUNWAYS UNDER THE JURISDICTION OF THE SECRETARIES OF THE MILITARY DEPARTMENTS.

(a) Pilot Program Authorized.—Each Secretary of a military department may carry out a pilot program to design, build, and test technologies and innovative pavement materials in order to extend the service life of roads and runways under the jurisdiction of the Secretary concerned.

(b) Scope.—A pilot program under subsection (a) shall include the following:

(1) The design, testing, and assembly of technologies and systems suitable for pavement applications.

(2) Research, development, and testing of new pavement materials for use in different geographic areas in the United States.

(3) The design and procurement of platforms and equipment to test the performance, cost, feasibility, and effectiveness of the technologies, systems, and materials described in paragraphs (1) and (2).

(c) Award of Contracts or Grants.—

(1) In General.—Each Secretary of a military department may carry out a pilot program under subsection (a) through the award of contracts or
grants for the designing, building, or testing of technologies or innovative pavement materials under the pilot program.

(2) MERIT-BASED SELECTION.—Any award of a contract or grant under a pilot program under subsection (a) shall be made using merit-based selection procedures.

(d) REPORT.—

(1) IN GENERAL.—Not later than two years after the commencement of a pilot program under subsection (a), the Secretary of the military department concerned shall submit to the congressional defense committees a report on the pilot program.

(2) CONTENTS.—Each report under paragraph (1) with respect to a pilot program shall include the following:

(A) An assessment of the effectiveness of activities under the pilot program in improving the service life of roads and runways under the jurisdiction of the Secretary concerned.

(B) An analysis of the potential lifetime cost savings and reduction in energy demands associated with the extended service life of such 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:

<table>
<thead>
<tr>
<th>Army: Outside the United States</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Country</strong></td>
</tr>
<tr>
<td>Cuba .........................</td>
</tr>
<tr>
<td>Worldwide Unspecified ....</td>
</tr>
</tbody>
</table>

SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Navy may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Navy: Outside the United States</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Country</strong></td>
</tr>
<tr>
<td>Spain .........................</td>
</tr>
</tbody>
</table>
SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Air Force may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

**Air Force: Outside the United States**

<table>
<thead>
<tr>
<th>Country</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iceland</td>
<td>Keflavik</td>
<td>$57,000,000</td>
</tr>
<tr>
<td>Spain</td>
<td>Moron</td>
<td>$8,500,000</td>
</tr>
<tr>
<td>Worldwide Unspecified</td>
<td>Unspecified Worldwide Locations</td>
<td>$175,000,000</td>
</tr>
</tbody>
</table>

SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense 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:

**Defense Agencies: Outside the United States**

<table>
<thead>
<tr>
<th>Country</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Gemersheim</td>
<td>$46,000,000</td>
</tr>
</tbody>
</table>

SEC. 2905. DISASTER RECOVERY PROJECTS.

(a) NAVY.—The Secretary of the Navy may acquire real property and carry out military construction projects inside the United States relating to disaster recovery for the locations, and in the amounts, set forth in the following table:
(b) AIR FORCE.—The Secretary of the Air Force may acquire real property and carry out military construction projects inside the United States relating to disaster recovery for the locations, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$861,587,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station Cherry</td>
<td>$64,561,000</td>
</tr>
<tr>
<td></td>
<td>Point</td>
<td>$50,000,000</td>
</tr>
</tbody>
</table>

(e) ARMY NATIONAL GUARD.—The Secretary of the Army may acquire real property and carry out military construction projects inside the United States relating to disaster recovery for the locations, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Tyndall Air Force Base</td>
<td>$1,278,700,000</td>
</tr>
<tr>
<td>Unspecified</td>
<td>Zulu</td>
<td>$247,000,000</td>
</tr>
</tbody>
</table>

(d) DEFENSE-WIDE.—The Secretary of Defense may acquire real property and carry out military construction projects inside the United States relating to disaster recovery for the locations, and in the amounts, set forth in the following table:
Defense-wide: Inside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Carolina ..........</td>
<td>Camp Lejeune—Defense Health Agency</td>
<td>$45,313,000</td>
</tr>
<tr>
<td></td>
<td>Camp Lejeune—SOCOM</td>
<td>$30,000,000</td>
</tr>
</tbody>
</table>

SEC. 2906. REPLACEMENT OF CERTAIN MILITARY CONSTRUCTIONS FUNDS.

(a) In General.—Of the amount authorized to be appropriated for fiscal year 2020 by section 2905 and available as specified in the funding table in section 4602, $3,600,000,000 shall be available for replenishment of funds that were authorized to be appropriated by military construction authorization Acts for fiscal years before fiscal year 2020 for military construction projects authorized by such Acts, but were used instead for military construction projects authorized by section 2808 of title 10, United States Code, in connection with the national emergency along the southern land border of the United States declared in 2019 pursuant to the National Emergencies Act (50 U.S.C. 1601 et seq.).

(b) Replenishment by Transfer.—

(1) In General.—Any amounts available under subsection (a) that are used for replenishment of funds as described in that subsection shall be transferred to the account that was the source of such funds.
(2) Inapplicability toward transfer limitations.—Any transfer of amounts under this subsection shall not count toward any limitation on transfer of Department of Defense funds in section 1001 or 1512 or any other limitation on transfer of Department of funds in law.

(3) Sunset of authority.—The authority to make transfers under this subsection shall terminate on September 30, 2020.

(c) Use of funds.—

(1) In general.—Amounts transferred under subsection (b) for replenishment of funds as described in subsection (a) may be used only for military construction projects for which such funds were originally authorized in a military construction authorization Act described in subsection (a).

(2) No increase in authorized amount of projects.—The total amount of funds available for a military construction project described in paragraph (1) may not exceed the current amount authorized for such project by applicable military construction authorization Acts (including this Act). A replenishment of funds under this section for a military construction project shall not operate to in-
crease the authorized amount of the project or the
amount authorized to be available for the project.

SEC. 2907. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for
fiscal years beginning after September 30, 2019, for the
military construction projects outside the United States
authorized by this title as specified in the funding table
in section 4602.

TITLE XXX—MILITARY HOUSING

PRIVATIZATION REFORM

SEC. 3001. DEFINITIONS.

(a) In general.—In this title:

(1) Landlord.—The term “landlord” has the
meaning given that term in section 2871 of title 10,
United States Code, as amended by subsection (b).

(2) Privatized military housing.—The
term “privatized military housing” means housing
provided under subchapter IV of chapter 169 of title
10, United States Code.

(b) Title 10.—Section 2871 of title 10, United
States Code, is amended—

(1) by redesignating paragraphs (7) and (8) as
paragraphs (9) and (11), respectively;

(2) by inserting after paragraph (6) the fol-
lowing new paragraphs:
“(7) The term ‘incentive fees’ means any amounts payable to a landlord for meeting or exceeding performance metrics as specified in a contract with the Department of Defense.

“(8) The term ‘landlord’ means an eligible entity or lessor who owns, manages, or is otherwise responsible for a housing unit under this subchapter.”;

and

(3) by inserting after paragraph (9), as redesignated by paragraph (1) of this subsection, the following new paragraph:

“(10) The term ‘tenant’ means a member of the armed forces, including a reserve component thereof, or a family member of a member of the armed forces who resides at a housing unit under this subchapter.”.

Subtitle A—Accountability and Oversight

SEC. 3011. TENANT BILL OF RIGHTS FOR PRIVATIZED MILITARY HOUSING.

(a) In General.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:
§ 2887. Tenant Bill of Rights

(a) IN GENERAL.—(1) The Secretary of Defense, in coordination with the Secretary of each military department, shall develop a document known as the ‘Tenant Bill of Rights’ for tenants of housing units under this subchapter.

(2) At a minimum, the document developed under paragraph (1) shall contain the right of each tenant as follows:

(A) To reside in a home and community that meets health and environmental standards established by the Secretary of Defense.

(B) To reside in a home that has working fixtures, appliances, and utilities and reside in a community with well-maintained common areas and amenity spaces.

(C) To report inadequate housing standards or deficits in habitability to the landlord, chain of command, and housing management office without fear of reprisal.

(D) With respect to the housing management office of the installation of the Department at which the housing unit is located—

(i) to use such office as an advocate relating to such housing unit; and
“(ii) to receive advice and support from such office relating to such housing unit.

“(E) To receive property management services provided by a landlord that meet or exceed industry standards and that are performed by professionally trained, responsive, and courteous customer service and maintenance staff.

“(F) To have multiple, convenient methods to communicate directly with the landlord and maintenance staff, and to receive honest, straightforward, and responsive communications at all times.

“(G) With respect to repairs—

“(i) to prompt and professional repairs;

“(ii) to be informed of the required time frame for those repairs when a maintenance request is submitted; and

“(iii) to prompt relocation into suitable lodging or other housing at no cost to the tenant until the repairs are completed or relocation to an alternative residence on the installation or within the surrounding local community at no cost to the tenant.

“(H) To enter into a dispute resolution process under section 2891 of this title concerning disputes over repairs, damage claims, and rental payments to
be resolved by a neutral decision maker, with any
decision in favor of the tenant to include a reduction
in rent owed to the landlord to be paid or credited
to the tenant.

“(I) To withhold basic allowance for housing
(including for any dependents of the tenant in the
tenant’s household) under section 403 of title 37, or
any pay of the tenant subject to allotment described
in section 2882(c) of this title, if the tenant is en-
gaged in a dispute under subparagraph (H) until a
decision in the matter is made.

“(J) To be fully briefed by the landlord on all
rights and responsibilities associated with tenancy
prior to signing a lease and receive a 30-day fol-
lowup to review these responsibilities.

“(K) To have sufficient time and opportunity to
prepare and be present for move-in and move-out in-
spections, including an opportunity to obtain nec-
essary paperwork.

“(L) To have reasonable, advance notice of any
entrance by a landlord into the housing unit, except
in the case of an emergency.

“(M) To have clearly defined rental terms in
the lease agreement.
“(N) To not pay non-refundable fees or have application of rent credits arbitrarily held.

“(O) To have universal procedures for housing under this subchapter that are the same for all installations of the Department.

“(P) To file claims against a landlord.

“(3) The document developed under paragraph (1) shall contain the responsibilities of each tenant as follows:

“(A) To report maintenance or quality of life issues to the landlord in a timely manner.

“(B) To maintain standard upkeep of the housing unit as recommended by the housing management office.

“(b) DISTRIBUTION.—The Secretary shall ensure that the Tenant Bill of Rights under this section is attached to each lease agreement for housing under this subchapter.

“(c) REPORT AND PUBLICATION.—(1) Beginning in fiscal year 2021, and biennially thereafter, the Secretary of Defense, in coordination with the Secretary of each military department, shall submit to the congressional defense committees, as part of the annual budget submission of the President for that year under section 1105(a) of title 31, United States Code, the Tenant Bill of Rights under this section.
“(2) Upon submitting the Tenant Bill of Rights to the congressional defense committees under paragraph (1), the Secretary of Defense shall publish the Tenant Bill of Rights on a publicly available Internet website of the Department of Defense.”.

(b) Clerical Amendment.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2886 the following new item:

“2887. Tenant Bill of Rights.”.

(c) Military Department Plans.—Not later than February 1, 2020, the Secretary of each military department shall submit to the congressional defense committees a plan for the implementation by that military department of section 2887 of title 10, United States Code, as added by subsection (a).

SEC. 3012. DESIGNATION OF CHIEF HOUSING OFFICER FOR PRIVATIZED MILITARY HOUSING.

(a) In General.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2872a the following new section:

“§ 2872b. Chief Housing Officer

“(a) In General.—(1) The Secretary of Defense shall designate, from among officials of the Department of Defense who are appointed by the President with the
advice and consent of the Senate, a Chief Housing Officer who shall oversee housing provided under this subchapter.

“(2) The official designated under paragraph (1) may have duties in addition to the duties of the Chief Housing Officer under this section.

“(b) DUTIES.—The Chief Housing Officer shall oversee all aspects of the provision of housing under this subchapter, including by carrying out the following:

“(1) Creation and standardization of policies and processes.

“(2) Oversight of the administration of lease agreements by the Secretary of each military department.

“(3) Audits of the provision of housing under this subchapter, including audits of lease agreements and other contracts, maintenance work orders, and incentive fee payments and general audits in the conduct of oversight.

“(c) OFFICE AND STAFF.—(1) The Chief Housing Officer shall establish and maintain an office staffed by military personnel and employees of the Department of Defense whose skills and capabilities will assist the Chief Housing Officer in the exercise of the duties of the Chief Housing Officer under subsection (b). Such office shall be known as the ‘Office of the Chief Housing Officer’.
“(2) Personnel and employees staffed under paragraph (1) shall include legal counsel, engineers, and auditors.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2872a the following new item:

“2872b. Chief Housing Officer.”.

(c) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) the designation of a Chief Housing Officer under section 2872b of title 10, United States Code, as added by subsection (a); and

(2) the organizational structure, funding, human resources, and other relevant requirements of the Office of the Chief Housing Officer under such section.

SEC. 3013. COMMAND OVERSIGHT OF MILITARY PRIVATIZED HOUSING AS ELEMENT OF PERFORMANCE EVALUATIONS.

(a) EVALUATIONS IN GENERAL.—Each Secretary of a military department shall ensure that the performance evaluations of any individual described in subsection (b) under the jurisdiction of such Secretary indicates the ex-
tent to which such individual has or has not exercised ef-
fective oversight and leadership in the following:

(1) Improving conditions of privatized housing
under the military privatized housing initiative
under subchapter IV of chapter 169, United States
Code.

(2) Addressing concerns with respect to such
housing of members of the Armed Forces and their
families who reside in such housing on an installa-
tion of the military department concerned.

(b) COVERED INDIVIDUALS.—The individuals de-
scribed in this subsection are as follows:

(1) The commander of an installation of a mili-
tary department at which on-installation housing is
managed by a landlord under the military privatized
housing initiative referred to in subsection (a)(1).

(2) Each officer or senior enlisted member of
the Armed Forces at an installation described in
paragraph (1) whose duties include facilities or
housing management at such installation.

(3) Any other officer or enlisted member of the
Armed Forces (whether or not at an installation de-
scribed in paragraph (1)) as specified by the Sec-
retary of the military department concerned for pur-
poses of this section.
SEC. 3014. CONSIDERATION OF HISTORY OF LANDLORD IN CONTRACT RENEWAL PROCESS FOR PRIVATIZED MILITARY HOUSING.

(a) IN GENERAL.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2874 the following new section:

§ 2874a. Consideration of history of landlord in contract renewal process

“(a) IN GENERAL.—In deciding whether to enter into or renew a contract with a landlord under this subchapter, the Secretary of Defense shall develop a standard process for determining past performance for purposes of informing future decisions regarding the award of such a contract.

“(b) ELEMENTS OF PROCESS.—The process developed under subsection (a) shall include, at a minimum, consideration of the following:

“(1) Any history of the landlord of providing substandard housing.

“(2) The recommendation of the commander of the installation at which the housing is to be located under the contract.

“(3) The recommendation of the commander of any installation at which the landlord has provided housing under this subchapter.”.
(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2874 the following new item:

"2874a. Consideration of history of landlord in contract renewal process."

SEC. 3015. TREATMENT OF BREACH OF CONTRACT FOR PRIVATIZED MILITARY HOUSING.

(a) IN GENERAL.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2874a the following new section:

"§ 2874b. Treatment of breach of contract

"Notwithstanding any other provision of law, the Secretary of Defense—

"(1) shall withhold amounts to be paid under a contract under this subchapter if the other party to the contract is found to have engaged in a material breach of the contract;

"(2) shall rescind a contract under this subchapter if the other party to the contract, based on credible evidence, fails to cure such breach within 90 days; and

"(3) shall not permit the other party to a contract rescinded under paragraph (2) to enter into new contracts with the Secretary under this subchapter or undertake expansions under existing contracts with the Secretary under this subchapter."."
(b) Clerical Amendment.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2874a the following new item:

“2874b. Treatment of breach of contract.”

SEC. 3016. UNIFORM CODE OF BASIC STANDARDS FOR PRIVATIZED MILITARY HOUSING AND PLAN TO CONDUCT INSPECTIONS AND ASSESSMENTS.

(a) Uniform Code.—The Secretary of Defense shall establish a uniform code of basic housing standards for safety, comfort, and habitability for privatized military housing.

(b) Plan.—

(1) In General.—Not later than February 1, 2020, the Secretary of Defense shall submit to the congressional defense committees a plan of the Department of Defense to contract with home inspectors described in subsection (c) to conduct a thorough inspection and assessment of the structural integrity and habitability of each privatized military housing unit.

(2) Inclusion of Uniform Code.—The plan submitted under paragraph (1) shall include the uniform code established under subsection (a).

(3) Implementation.—
(A) IN GENERAL.—Not later than February 1, 2021, the Secretary of each military department shall conduct inspections and assessments of privatized military housing units under the jurisdiction of the Secretary concerned pursuant to the plan submitted under paragraph (1) to identify issues and ensure compliance with applicable housing codes, including the uniform code established under subsection (a).

(B) REPORT.—Not later than March 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the inspections and assessments conducted under subparagraph (A).

(c) HOME INSPECTORS DESCRIBED.—A home inspector described in this subsection is a home inspector that is not affiliated with—

(1) the Federal Government; or

(2) an individual or entity who owns or manages a privatized military housing unit.
SEC. 3017. REPEAL OF SUPPLEMENTAL PAYMENTS TO LESSORS AND REQUIREMENT FOR USE OF FUNDS IN CONNECTION WITH THE MILITARY HOUSING PRIVATIZATION INITIATIVE.

(a) REPEAL.—


(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply with respect to months beginning on or after that date.

(b) USE OF FUNDS IN CONNECTION WITH MHPI.—

(1) IN GENERAL.—Each month beginning with the first month after the date of the enactment of this Act, each Secretary of a military department shall do the following:

(A) PAYMENTS TO LESSORS.—Use funds, in an amount calculated pursuant to paragraph (2)(A), for payments to lessors of covered housing in the manner provided by subsection (a) of section 606 of the John S. McCain National Defense Authorization Act for Fiscal Year
2019, as in effect on the day before the date of the enactment of this Act.

(B) IMPROVEMENT OF OVERSIGHT AND MANAGEMENT OF AGREEMENTS.—Use funds, in an amount calculated pursuant to paragraph (2)(B), for improvements of the oversight and management of agreements for MHPI housing under the jurisdiction of such Secretary.

(2) MONTHLY AMOUNTS.—

(A) FOR PAYMENTS TO LESSORS.—The amount calculated for a military department for a month pursuant to this subparagraph is 2 percent of the aggregate of the amounts calculated under section 403(b)(3)(A)(i) of title 37, United States Code, for covered housing under the jurisdiction of such department for such month.

(B) FOR IMPROVEMENT OF OVERSIGHT AND MANAGEMENT OF AGREEMENTS.—The amount calculated for a military department for a month pursuant to this subparagraph is 3 percent of the aggregate of the amounts calculated under section 403(b)(3)(A)(i) of title 37, United States Code, for covered housing
under the jurisdiction of such department for such month.

(3) Improvements.—Improvements under paragraph (1)(B) to the oversight and management of agreements described in that paragraph may include the following:

(A) Assignment of additional civilian personnel to perform oversight and management functions with respect to such agreements.

(B) Investment in technological mechanisms to assist the military department concerned in overseeing the maintenance and upkeep of MHPI housing.

(C) Such additional investment in the oversight and management of such agreements, and in overseeing the maintenance and upkeep of MHPI housing, as the Secretary of the military department concerned considers appropriate.

(4) Additional Payments to Lessors.—In any month described in paragraph (1), the Secretary of a military department may use amounts, in addition to amounts calculated pursuant to paragraph (2)(A), for payments to lessors as described in paragraph (1)(A) if such Secretary provides advance notice of such payments to the Committees on Armed
Services of the Senate and the House of Representatives.

(5) Definitions.—In this subsection, the terms “covered housing” and “MHPI housing” have the meanings given such terms in section 606(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019.

SEC. 3018. STANDARD FOR COMMON CREDENTIALS FOR HEALTH AND ENVIRONMENTAL INSPECTORS OF PRIVATIZED MILITARY HOUSING.

(a) In General.—Not later than February 1, 2020, the Secretary of Defense shall submit to the congressional defense committees a report that contains a standard for common credentials to be used throughout the Department of Defense for all inspectors of health and environmental hazards at privatized military housing units, including inspectors contracted by the Department.

(b) Inclusion of Categories for Specific Environmental Hazards.—The standard submitted under subsection (a) shall include categories for specific environmental hazards such as lead, mold, and radon.

SEC. 3019. IMPROVEMENT OF PRIVATIZED MILITARY HOUSING.

(a) Complaint Database and Financial Transparency.—
(1) IN GENERAL.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by adding at the end the following new sections:

§ 2888. Complaint database

“(a) DATABASE REQUIRED.—The Secretary of Defense shall establish a database that is available to the public of complaints relating to housing units under this subchapter.

“(b) FILING OF COMPLAINTS.—The Secretary shall ensure that a tenant of a housing unit under this subchapter may file a complaint relating to such housing unit for inclusion in the database under subsection (a).

“(c) RESPONSE BY LANDLORD.—(1) The Secretary shall include in any contract with a landlord responsible for a housing unit under this subchapter a requirement that the landlord respond to any complaints included in the database under subsection (a) that relate to the housing unit.

“(2) Any response under paragraph (1) shall be included in the database under subsection (a).

§ 2889. Financial transparency

“(a) PUBLICATION OF DETAILS OF CONTRACTS.—(1) Not less frequently than annually, the Secretary Defense shall publish in the Federal Register the financial details
of each contract for the management of housing units under this subchapter.

“(2) The financial details published under paragraph (1) shall include the following:

“(A) Base management fees for managing the housing units.

“(B) Incentive fees relating to the housing units, including details on the following:

“(i) Metrics upon which such incentive fees are paid.

“(ii) Whether incentive fees were paid in full or withheld in part or in full during the year covered by the publication, and if so, why.

“(C) Asset management fees relating to the housing units.

“(D) Preferred return fees relating to the housing units.

“(E) Any deferred fees or other fees relating to the housing units.

“(F) Residual cash flow distributions relating to the housing units.

“(b) Annual Financial Statements.—(1) The Secretary of Defense shall require that each landlord submit to the Secretary, not less frequently than annually,
financial statements equivalent to a 10-K (or successor form) for—

“(A) the landlord; and

“(B) each contract entered into between the landlord and the Department of Defense under this subchapter.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2887 the following new items:

“2888. Complaint database.

“2889. Financial transparency.”.

(b) ANNUAL REPORTS ON PRIVATIZED MILITARY HOUSING AND DENIED REQUESTS TO WITHHOLD PAYMENTS.—Section 2884 of title 10, United States Code, is amended by adding at the end the following new subsections:

“(d) ANNUAL REPORT ON HOUSING.—(1) Not less frequently than annually, the Secretary of Defense shall submit to the congressional defense committees and publish on a publicly available website of the Department of Defense a report on housing units under this subchapter, disaggregated by military installation.

“(2) Each report submitted under paragraph (1) shall include the following:
“(A) An assessment of the condition of housing units under this subchapter based on the average age of those units and the estimated time until recapitalization.

“(B) An analysis of complaints of tenants of such housing units.

“(C) An assessment of maintenance response times and completion of maintenance requests relating to such housing units.

“(D) An assessment of dispute resolution relating to such housing units.

“(E) An assessment of overall customer service for tenants of such housing units.

“(F) A description of the results of any no-notice housing inspections conducted for such housing units.

“(G) The results of any resident surveys conducted with respect to such housing units.

“(e) REPORT ON DENIED REQUESTS TO WITHHOLD PAYMENTS.—Not less frequently than annually, the commander of each military installation shall submit to the congressional defense committees a report on all requests that were made by members of the armed forces who are tenants of housing units under this subchapter to withhold from the landlord of such unit any basic allowance for
housing payable to the member (including for any dependents of the member in the member’s household) under section 403 of title 37, or any other allotment of pay under section 2882(c) of this title, and that were denied during the year covered by the report.”.

SEC. 3020. ACCESS TO MAINTENANCE WORK ORDER SYSTEM OF LANDLORDS OF PRIVATIZED MILITARY HOUSING.

(a) IN GENERAL.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2890. Access to maintenance work order system

“The Secretary of Defense shall require each landlord that provides housing under this subchapter at an installation of the Department of Defense to provide access to the maintenance work order system of such landlord with respect to such housing to the following:

“(1) Personnel of the housing management office at such installation.

“(2) Personnel of the installation and engineer command or center of the military department concerned.

“(3) Such other personnel of the Department of Defense as the Secretary determines necessary.”.
(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2889 the following new item:

“2890. Access to maintenance work order system.”

SEC. 3021. ACCESS BY TENANTS OF PRIVATIZED MILITARY HOUSING TO WORK ORDER SYSTEM OF LANDLORD.

The Secretary of Defense shall require that each landlord for a privatized military housing unit—

(1) have an electronic work order system for all work orders for maintenance requests relating to such unit; and

(2) provide to a tenant of such unit access to such system to, at a minimum, track the status and progress of work orders for maintenance requests relating to such unit.

Subtitle B—Prioritizing Families

SEC. 3031. DISPUTE RESOLUTION PROCESS FOR LANDLORD-TENANT DISPUTES REGARDING PRIVATIZED MILITARY HOUSING AND REQUESTS TO WITHHOLD PAYMENTS.

(a) Dispute Resolution and Request to Withhold Payment.—
(1) In general.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by adding at the end the following new sections:

§ 2891. Landlord-tenant dispute resolution process

"(a) In general.—The Secretary of Defense shall implement a standardized formal dispute resolution process on each military installation with housing units under this subchapter to ensure the prompt and fair resolution of landlord-tenant disputes concerning maintenance and repairs, damage claims, rental payments, move-out charges, and such other issues relating to such housing units as the Secretary determines appropriate.

"(b) Dispute submittal.—(1) Each landlord shall establish a process through which a tenant of a housing unit under this subchapter may submit a dispute directly to the landlord through an online or other form.

"(2) Not later than 24 hours after receiving a dispute submittal from a tenant under paragraph (1), the landlord shall—

"(A) notify the tenant that the submittal has been received; and

"(B) transmit a copy of such submittal to the housing management office of the installation in which the housing unit is located.
“(3)(A) Not later than seven days after receiving a dispute submittal from a tenant under paragraph (1), the landlord shall—

“(i) submit to the tenant a decision regarding the dispute; and

“(ii) transmit a copy of such decision to the housing management office.

“(B)(i) For purposes of conducting an assessment necessary to make a decision under subparagraph (A) with respect to a housing unit, the landlord may access the housing unit at a time and for a duration mutually agreed upon by the landlord and the tenant.

“(ii) The tenant may request that an employee of the housing management office be present when the landlord accesses the housing unit of the tenant under clause (i).

“(c) APPEALS.—(1) Not later than 30 days after a tenant receives a decision by a landlord under subsection (b)(3), the tenant may appeal that decision for review under subsection (d) by the commander of the military installation at which the housing unit is located.

“(2) Any appeal submitted under paragraph (1) shall be submitted—

“(A) on a standardized form; and

“(B) to an address designated by the commander for such purpose.
“(3) The Secretary shall ensure that, in preparing an appeal to the commander under this subsection, a tenant shall have access to advice and assistance from a military housing advocate employed by the military department concerned or a military legal assistance attorney under section 1044 of this title.

“(d) REVIEW PROCESS.—(1) The commander of each military installation with housing units under this subchapter shall establish a military privatized housing dispute resolution appeals process—

“(A) to review and decide appeals by tenants under subsection (c) relating to such housing units; and

“(B) to review and decide requests to withhold payments under section 2891a of this title

“(2)(A) Before making any decision with respect to an appeal or a request under the process established under paragraph (1) with respect to a housing unit, the commander shall certify that the commander has solicited recommendations or information relating to such appeal or request from the following:

“(i) The chief of the housing management office of the installation.

“(ii) A representative of the landlord for the housing unit.
“(iii) The tenant filing the appeal or request.

“(iv) A qualified judge advocate of the military department concerned.

“(v) The civil engineer for the installation.

“(3)(A) The commander shall make a decision with respect to an appeal or a request under the process established under paragraph (1) not later than 30 days after the appeal or request has been made.

“(B) A commander may take longer than the 30-day period set forth under subparagraph (A) to make a decision described in such subparagraph in limited circumstances as determined by the Secretary of Defense, but in no case shall such a decision be made more than 60 days after the appeal or request has been made.

“(4) Decisions by a commander under this subsection shall be final.

“(e) Rule of Construction on Use of Other Adjudicative Bodies.—Nothing in this section or any other provision of law shall be construed to prohibit a tenant of a housing unit under this subchapter from pursuing a claim against a landlord in any adjudicative body with jurisdiction over the housing unit or the claim.

“§ 2891a. Request to withhold payments

“(a) In General.—A member of the armed forces or family member of a member of the armed forces who
is a tenant of a housing unit under this subchapter may submit to the commander of the installation of the Department of Defense at which the member is stationed a request to withhold all or part of any basic allowance for housing payable to the member (including for any dependents of the member in the member’s household) under section 403 of title 37, or all or part of any pay of a tenant subject to allotment as described in section 2882(c) of this title, for lease of the unit during the period in which—

“(1) the landlord responsible for such housing unit has not met maintenance guidelines and procedures established by the landlord or the Department of Defense, either through contract or otherwise; or

“(2) such housing unit is uninhabitable according to State and local law for the jurisdiction in which the housing unit is located.

“(b) PROCEDURES.—(1) Upon the filing of a request by a tenant under subsection (a)—

“(A) under such procedures as the Secretary of Defense shall establish, the Defense Finance and Accounting Service (DFAS) or such other appropriate office or offices of the Department of Defense as the Secretary shall specify for purposes of such procedures, shall tentatively grant the request and
hold any amounts withheld in escrow with notice to
the landlord; and

“(B) the housing management office of the in-
stallation in which the housing unit is located shall,
not later than 15 days after the date on which the
request was submitted to the commander of the in-
stallation, complete an investigation that includes an
inspection conducted by housing inspectors that are
certified at the State and local level.

“(2) If the commander agrees with a request by a
tenant under subsection (a) with respect to a housing unit,
the housing management office shall notify the landlord
responsible for such unit of the issues described in sub-
section (a) that require remediation in accordance with the
requirements of the Department of Defense or State or
local law.

“(c) REMEDIATION.—In accordance with procedures
established under subsection (b)(1)(A) for the withholding
of any basic allowance for housing or other allotment pay
under this section, if the landlord responsible for the hous-
ing unit does not remediate the issues described in sub-
section (a) within a reasonable period of time established
by the commander of the installation for the remediation
of the issues, the amount payable to the landlord for such
unit shall be reduced by 10 percent for each period of five days during which the issues are not remediated.

“(d) Disclosure of Rights.—(1) Each housing management office of an installation of the Department of Defense shall disclose in writing to each new tenant of a housing unit under this subchapter, upon the signing of the lease for the housing unit, their rights with respect to the housing unit and the procedures under this section for submitting a request to the landlord responsible for the housing unit.

“(2) The Secretary of Defense shall ensure that each lease entered into with a tenant for a housing unit under this subchapter clearly expresses in a separate addendum the procedures under this section for submitting a request to the landlord responsible for the housing unit.”.

(2) Clerical Amendment.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new items:

“2891. Landlord-tenant dispute resolution process.
2891a. Request to withhold payments.”.

(b) Modification of Definition of Military Legal Assistance.—Section 1044(d)(3)(B) of such title is amended by striking “and 1565b(a)(1)(A)” and inserting “1565b(a)(1)(A), and 2891(c)(3)”.

c) Timing of Establishment.—Not later than 180 days after the date of the enactment of this Act, the
Secretary of Defense shall establish the dispute resolution process required under section 2891 of title 10, United States Code, as added by subsection (a).

(d) Agreement by Landlords.—

(1) In General.—Not later than February 1, 2020, the Secretary of Defense shall seek agreement from all landlords to participate in the dispute resolution process required under section 2891 of such title.

(2) Submittal of List to Congress.—Not later than March 1, 2020, the Secretary shall submit to the congressional defense committees a list of all landlords who did not agree under paragraph (1) to participate in the dispute resolution process under section 2891 of such title.

(3) Consideration of Lack of Agreement in Future Contracts.—The Secretary shall include any lack of agreement under paragraph (1) as past performance considered under section 2888 of such title with respect to entering into or renewing any future contracts.

SEC. 3032. SUSPENSION OF RESIDENT ENERGY CONSERVATION PROGRAM.

(a) In General.—The Secretary of Defense shall suspend the initiative of the Department of Defense
known as the “Resident Energy Conservation Program”
and instruct the Secretary of each military department to
suspend any program carried out by such Secretary that
measures the energy usage for each military housing unit
on an installation of the Department of Defense.

(b) TERM OF SUSPENSION.—The suspension under
subsection (a) shall remain in effect until the Secretary
of Defense certifies to the congressional defense commit-
tees that—

(1) 100 percent of military housing on an in-
stallation of the Department of Defense is individ-
ually metered; and

(2) energy audits conducted by an independent
entity, or entities, confirm that such housing is indi-
vidually metered.

(e) TERMINATION.—If the Secretary of Defense is
unable to make the certification under subsection (b), each
program described in subsection (a) shall be terminated
on the date that is two years after the date of the enact-
ment this Act.
SEC. 3033. ACCESS BY TENANTS TO HISTORICAL MAINTENANCE INFORMATION FOR PRIVATIZED MILITARY HOUSING.

(a) IN GENERAL.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

“§2892. Access by tenants to historical maintenance information

“The Secretary shall require each landlord that provides housing under this subchapter at an installation of the Department of Defense to provide a prospective tenant of such housing, before the tenant moves in, all information regarding maintenance conducted with respect to that housing unit for the previous 10 years.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2891 the following new item:

“2892. Access by tenants to historical maintenance information.”.

SEC. 3034. PROHIBITION ON USE OF CALL CENTERS OUTSIDE THE UNITED STATES FOR MAINTENANCE CALLS BY TENANTS OF PRIVATIZED MILITARY HOUSING.

(a) IN GENERAL.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2886 the following new section:
§ 2886a. Prohibiting use of call centers outside the United States for tenant maintenance calls

“A landlord responsible for a housing unit under this subchapter may not use a call center outside the United States for any call from a tenant relating to maintenance with respect to the housing unit.”.

(b) Clerical Amendment.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2886 the following new item:

“2886a. Prohibiting use of call centers outside the United States for tenant maintenance calls.”.

(c) Effective Date.—The amendments made by this section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 3035. RADON TESTING FOR PRIVATIZED MILITARY HOUSING.

(a) Report.—Not later than March 1, 2020, the Secretary of Defense shall submit to the congressional defense committees a report identifying the installations of the Department of Defense that have privatized military housing that should be monitored for radon.

(b) Initial Testing.—

(1) Procedures.—The Secretary shall establish testing procedures for all privatized military
housing at installations identified under subsection (a), whether through regular testing of such housing or the installation of monitoring equipment, to ensure radon levels are below recommended levels established by the Environmental Protection Agency.

(2) COMPLETION OF TESTING.—Not later than June 1, 2020, the Secretary shall complete testing described in paragraph (1) for all privatized military housing identified under subsection (a).

(c) NOTIFICATION REGARDING MITIGATION DEVICE.—In the event that a privatized military housing unit is determined under testing under subsection (b)(2) to need a radon mitigation device, the Secretary shall notify the landlord of such unit not later than seven days after such determination.

(d) ANNUAL TESTING.—Not less frequently than annually, the Secretary of each military department shall certify to the congressional defense committees that radon testing is being conducted for privatized military housing at installations identified under subsection (a) under the jurisdiction of the Secretary concerned, whether through regular testing of such housing or the installation of monitoring equipment.
SEC. 3036. EXPANSION OF WINDOWS COVERED BY REQUIREMENT TO USE WINDOW FALL PREVENTION DEVICES IN PRIVATIZED MILITARY HOUSING.

Section 2879(c) of title 10, United States Code, is amended by striking “24 inches” and inserting “42 inches”.

SEC. 3037. REQUIREMENTS RELATING TO MOVE OUT AND MAINTENANCE WITH RESPECT TO PRIVATIZED MILITARY HOUSING.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of each military department, shall—

(1) develop a uniform move-out checklist for tenants of privatized military housing throughout the Department of Defense to assist the oversight of such housing by the housing management office of the installation at which such housing is located;

(2) develop a uniform checklist throughout the Department for the validation by the housing management office of the completion of all maintenance work related to health and safety issues at privatized military housing; and

(3) require that all maintenance issues and work orders related to health and safety issues at privatized military housing be reported to the com-
mander of the installation at which the housing is located.

Subtitle C—Long-Term Quality Assurance

SEC. 3041. DEVELOPMENT OF STANDARDIZED DOCUMENTATION, TEMPLATES, AND FORMS FOR PRIVATIZED MILITARY HOUSING.

(a) In general.—The Secretary of Defense, in coordination with the Secretary of each military department, shall develop throughout the Department of Defense standardized documentation, templates, and forms for privatized military housing.

(b) Initial guidance.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to develop the following:

(1) Policies and standard operating procedures of the Department for privatized military housing.

(2) A universal lease agreement for privatized military housing that includes—

(A) the Tenant Bill of Rights under section 2887 of title 10, United States Code; and

(B) any addendum required by the law of the State in which the housing unit is located.

(3) A standardized operating agreement for landlords.
(c) **MILITARY DEPARTMENT PLANS.**—Not later than February 1, 2020, the Secretary of each military department shall submit to the congressional defense committees a plan for the implementation of this section by that military department.

**SEC. 3042. COUNCIL ON PRIVATIZED MILITARY HOUSING.**

(a) **IN GENERAL.**—The Assistant Secretary concerned shall establish a council (in this section referred to as the “Council”) to identify and resolve problems with privatized military housing at installations of the Department of Defense under the jurisdiction of the Assistant Secretary concerned.

(b) **MEMBERS.**—

(1) **IN GENERAL.**—Each Council shall be comprised of the Assistant Secretary concerned and the following members selected by the Assistant Secretary concerned:

(A) Not fewer than two civil engineers employed at an installation under the jurisdiction of the Assistant Secretary concerned.

(B) Not fewer than two chiefs of a housing management office at such an installation.

(C) Not fewer than two commanders of such an installation.
(2) LIMITATION.—In each Council, not more than two members may be from the same installation.

(3) TERMS.—

(A) TWO YEARS.—The term for a member of the Council, other than the Assistant Secretary concerned, shall be two years.

(B) LIMITATION ON TERMS.—A member of the Council, other than the Assistant Secretary concerned, may serve not more than two terms.

(c) DUTIES.—Each Council shall review, at a minimum, the following:

(1) Systemic concerns from tenants relating to privatized military housing under the jurisdiction of the Assistant Secretary concerned.

(2) Best practices for housing management offices at installations under the jurisdiction of the Assistant Secretary concerned.

(3) Best practices for handling installation-wide maintenance issues.

(d) MEETINGS.—Each Council shall meet not less frequently than quarterly.

(e) REPORT.—Not later than 60 days after the first meeting of the Council, and not later than October 1 of each year thereafter, the Council shall submit to the Sec-
Secretary of Defense a report on the findings of the Council
during the period covered by the report.

(f) **ASSISTANT SECRETARY CONCERNED.**—The term
“Assistant Secretary concerned” means—

(1) with respect to the Army, the Assistant Sec-
retary of the Army for Energy, Installations, and
Environment;

(2) with respect to the Navy, the Marine Corps,
and the Coast Guard when it is operating as a serv-
vice in the Department of the Navy, the Assistant
Secretary of the Navy for Energy, Installations, and
Environment; and

(3) with respect to the Air Force, the Assistant
Secretary of the Air Force for Energy, Installations,
and Environment.

**SEC. 3043. REQUIREMENTS RELATING TO MANAGEMENT OF
PRIVATIZED MILITARY HOUSING.**

(a) **IN GENERAL.**—Subchapter IV of chapter 169 of
title 10, United States Code, is amended by inserting after
section 2872b following new section:

“§ 2872c. Requirements relating to management of
housing

“(a) **IN GENERAL.**—The Secretary of Defense shall
ensure that the operating agreement for each installation
of the Department of Defense at which on-base housing
is managed by a landlord under this subchapter includes
the requirements set forth in this section relating to such
housing.

“(b) Requirements for Installation Commanders.—The commander of each installation described
in subsection (a) shall do the following:

“(1) On an annual basis, review and approve
the mold mitigation plan and pest control plan of
each landlord at such installation.

“(2) Use the assigned bio-environmental per-
sonnel or contractor equivalent at such installation
to test for mold, unsafe water conditions, and other
health and safety conditions if requested by the head
of the housing management office of such installa-
tion.

“(c) Requirements for Housing Management
Office.—The head of the housing management office of
each installation described in subsection (a) shall, with re-
spect to housing units under this subchapter, do the fol-
lowing:

“(1) Conduct physical inspections and approve
the habitability of each vacant housing unit before
the landlord offers the unit available for occupancy.

“(2) Conduct physical inspections upon tenant
move out and receive copies of any move out charges
that a landlord seeks to collect from an outgoing 
tenant.

“(3) Establish contact with a tenant regarding 
the satisfaction of the tenant with the housing unit 
not later than—

“(A) 15 days after move-in; and

“(B) 60 days after move-in.

“(4) Maintain all test results relating to the 
health, environmental, and safety condition of a 
housing unit and the results of any official housing 
inspection for the life of the contract relating to that 
housing unit.

“(d) REQUIREMENTS FOR LANDLORDS.—The land-
lord of any housing unit under this subchapter at an in-
stallation described in subsection (a) shall do the fol-
lowing:

“(1) Disclose to the Secretary of Defense bonus 
structures for community managers and regional ex-
cutives and bonus structures relating to mainte-
nance to minimize the impact of those incentives on 
the operating budget of the installation.

“(2) With respect to test results relating to the 
health and safety condition of the housing unit—

“(A) not later than three days after receiv-
ing those results, share those results with the
tenant of such unit and submit those results to
the head of the housing management office for
the installation; and

“(B) include with any environmental haz-
ard test results a simple guide explaining those
results, preferably citing standards set forth by
the Federal Government relating to environ-
mental hazards.

“(3) Conduct a walkthrough inspection before a
prospective tenant signs a lease—

“(A) with the prospective tenant; or

“(B) if the prospective tenant is not able
to be present for the inspection, with an official
of the housing management office designated by
the prospective tenant to conduct the inspection
on their behalf.

“(4) In the event that the housing unit does not
meet minimum health, safety, and welfare standards
set forth in Federal, State, and local law after in-
spection under subsection (e)(1), the landlord shall
remediate any issues and make any appropriate re-
pairs prior to another inspection by the housing
management office under such subsection.

“(5) Not conduct any promotional events to
incentivize tenants to fill out maintenance comment
cards or satisfaction surveys of any kind without the approval of the chief of the housing management office.

“(6) Not award an installation of the Department or an officer or employee of the Department a ‘Partner of the Year’ award or similar award.

“(7) Not have a tenant agree to any form of settlement, nondisclosure, or release of liability without—

“(A) first notifying the tenant of their right to assistance from the legal assistance office at the installation; and

“(B) not later than five days before agreeing to any such settlement, nondisclosure, or release of liability, providing a copy of such agreement to the Assistant Secretary of Defense for Sustainment;

“(8) Not change the position of a prospective tenant on a waiting list for a housing unit or remove a prospective tenant from the waiting list if the prospective tenant turns down an offer for a housing unit determined unsatisfactory by the prospective tenant and confirmed by the housing management office and the commander of the installation.
“(9) Allow, with permission of the tenant as appropriate, employees of the housing management office and other officers and employees of the Department to conduct physical inspections of common grounds and individual quarters of the housing unit.

“(10) Agree to a mechanism under which all or part of basic allowance for housing payable to the tenant (including for any dependents of the tenant in the tenant’s household) under section 403 of title 37, or all or part of any other allotment of pay under section 2882(c) of this title can be held in escrow until—

“(A) any dispute between the tenant and the landlord is resolved; and

“(B) the commander of the installation has reviewed and decided such dispute.

“(11) Ensure that the needs of enrollees in the Exceptional Family Member Program, or any successor program, are considered in assigning prospective tenants to housing units.

“(12) Keep any maintenance work order system up to date with the latest software, functionality, and features.
“(13) Have any agreements or forms to be used by the landlord approved by the Assistant Secretary of Defense for Sustainment, including the following:

“(A) A common lease agreement.

“(B) Any disclosure or nondisclosure forms that could be given to a tenant.

“(C) Any notices required to be provided to the tenant under the Tenant Bill of Rights under section 2887 of this title.”.

(b) Clerical Amendment.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2872b the following new item:

“2872c. Requirements relating to management of housing.”.

(c) Military Department Plans.—Not later than February 1, 2020, the Secretary of each military department shall submit to the congressional defense committees a plan for the implementation by that military department of section 2872c of title 10, United States Code, as added by subsection (a).

SEC. 3044. REQUIREMENTS RELATING TO CONTRACTS FOR PRIVATIZED MILITARY HOUSING.

(a) In General.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2872c the following new section:
“§ 2872d. Requirements relating to contracts for provision of housing

“(a) In general.—The Secretary of each military department shall include in any contract for a term of more than 10 years with a landlord for the provision of housing under this subchapter at an installation under the jurisdiction of the Secretary concerned the following:

“(1) The Secretary concerned may renegotiate the contract with the landlord not less frequently than once every five years.

“(2) The landlord shall prohibit any employee of the landlord who commits work order fraud under the contract, as determined by the Secretary concerned, from doing any work under the contract.

“(3) If the landlord fails to or is unable to remedy any health or environmental hazard at a housing unit under the contract, such failure or inability will be taken into consideration in determining whether to pay or withhold all or part of any incentive fees for which the landlord may be eligible under the contract.

“(4) If the landlord is found by the Secretary concerned to have not maintained the minimum standards of habitability for a housing unit under such contract, the landlord shall pay all medical bills for a tenant of such housing unit that are associated
with the conditions of such housing unit that do not meet such minimum standards.

“(5) The landlord shall pay reasonable relocation costs associated with the permanent relocation of a tenant from a housing unit of the landlord to new housing due to health or environmental hazards—

“(A) present in the housing unit being vacated through no fault of the tenant; and

“(B) confirmed by the housing management office of the installation as making the unit uninhabitable.

“(6) The landlord shall pay reasonable relocation costs and actual costs of living, including per diem, associated with the temporary relocation of a tenant to new housing due to health or environmental hazards—

“(A) present in the housing unit being vacated through no fault of the tenant; and

“(B) confirmed by the housing management office of the installation as making the unit uninhabitable.

“(7) The landlord shall ensure that the maintenance work order system of the landlord (hardware and software) is up to date, including by —
“(A) providing a reliable mechanism through which a tenant may submit work order requests through an Internet portal and mobile application, which shall incorporate the ability to upload photos, communicate with maintenance personnel, and rate individual service calls;

“(B) allowing real-time access to such system by officials of the Department at the installation, major subordinate command, and service-wide levels; and

“(C) allowing the work order or maintenance ticket to be closed only once the tenant and the head of the housing management office of the installation sign off.

“(b) PAYMENT OF ACTUAL COSTS OF LIVING.—The landlord shall pay actual costs of living under subsection (a)(6) in connection with a health or environmental hazard until such time as—

“(1)(A) the health or environmental hazard is remediated;

“(B) the housing unit being vacated is determined to be habitable by the tenant, the housing management office of the installation, and chain of command; and
“(C) the tenant resumes occupancy of the housing unit; or

“(2) the tenant moves to a new housing unit.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2872c the following new item:

“2872d. Requirements relating to contracts for provision of housing.”.

(c) EFFECTIVE DATE.—Section 2872d of such title, as added by subsection (a), shall apply to contracts entered into or renewed on and after the date of the enactment of this Act.

SEC. 3045. WITHHOLDING OF INCENTIVE FEES FOR LANDLORDS OF PRIVATIZED MILITARY HOUSING FOR FAILURE TO REMEDY A HEALTH OR ENVIRONMENTAL HAZARD.

(a) IN GENERAL.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2874b the following new section:

“§ 2874c. Withholding of incentive fees for landlords

“The Secretary of Defense shall withhold incentive fees paid to a landlord for failure by the landlord to remedy a health or environmental hazard at a housing unit under this subchapter, as determined by the Secretary.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by insert-
ing after the item relating to section 2874b the following new item:

“2874c. Withholding of incentive fees for landlords.”.

SEC. 3046. EXPANSION OF DIRECT HIRE AUTHORITY FOR

DEPARTMENT OF DEFENSE FOR CHILD CARE

SERVICES PROVIDERS FOR DEPARTMENT

CHILD DEVELOPMENT CENTERS TO INCLUDE

DIRECT HIRE AUTHORITY FOR INSTALLATION MILITARY HOUSING OFFICE PERSONNEL.

(a) IN GENERAL.—Section 559 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1406; 10 U.S.C. 1792 note) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, and individuals to fill vacancies in installation military housing offices,” after “childcare services providers”;

(B) in paragraph (1), by inserting “or for employees at installation military housing offices” before the semicolon; and

(C) in paragraph (2), by inserting “or for installation military housing office employees” before the period;
(2) by redesignating subsection (f) as subsection (g); and

(3) by inserting after subsection (e) the following new subsection (f):

“(f) INSTALLATION MILITARY HOUSING OFFICE DEFINED.—The term ‘installation military housing office’ means any office whose primary function is performing day-to-day supervision of military housing covered by subchapter IV of chapter 169 of title 10, United States Code.”.

(b) HEADING AND TECHNICAL AMENDMENTS.—

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

“SEC. 599. DIRECT HIRE AUTHORITY FOR DEPARTMENT OF
DEFENSE FOR CHILDCARE SERVICES PROVIDERS FOR DEPARTMENT CHILD DEVELOPMENT CENTERS AND INSTALLATION MILITARY HOUSING OFFICES.”.

(2) TECHNICAL AMENDMENT.—Subsection (d) of such section is amended by striking “Oversight and Government Reform” and inserting “Oversight and Reform”.

(e) USE OF EXISTING REGULATIONS.—The Secretary of Defense shall use the authority in section 599 of the National Defense Authorization Act for Fiscal Year
2018 granted by the amendments made by this section in a manner consistent with the regulations prescribed for purposes of such section 599 pursuant to subsection (b) of such section 599, without the need to prescribe separate regulations for the use of such authority.

SEC. 3047. PLAN ON ESTABLISHMENT OF DEPARTMENT OF DEFENSE JURISDICTION OVER OFF-BASE PRIVATIZED MILITARY HOUSING.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of each military department, shall submit to the congressional defense committees a plan to establish jurisdiction by the Department of Defense, concurrently with local community law enforcement, at locations with privatized military housing that is not located on an installation of the Department of Defense.

Subtitle D—Other Housing Matters

SEC. 3051. LEAD-BASED PAINT TESTING AND REPORTING.

(a) Establishment of Department of Defense Policy on Lead Testing on Military Installations.—

(1) In general.—Not later than February 1, 2020, the Secretary of Defense shall establish a policy under which—
(A) a qualified individual may access a
military installation for the purpose of con-
ducting lead testing on the installation, subject
to the approval of the Secretary; and

(B) the results of any lead testing con-
ducted on a military installation shall be trans-
mitted—

(i) in the case of a military installa-
tion located inside the United States, to—

(I) the civil engineer of the in-
stallation;

(II) the housing management of-
office of the installation;

(III) the major subordinate com-
mand of the Armed Force with juris-
diction over the installation; and

(IV) if required by law, any rel-
evant Federal, State, and local agen-
cies; and

(ii) in the case of a military installa-
tion located outside the United States, to
the civil engineer or commander of the in-
stallation who shall transmit those results
to the major subordinate command of the
Armed Force with jurisdiction over the installation.

(2) DEFINITIONS.—In this subsection:

(A) UNITED STATES.—The term “United States” has the meaning given such term in section 101(a)(1) of title 10, United States Code.

(B) QUALIFIED INDIVIDUAL.—The term “qualified individual” means an individual who is certified by the Environmental Protection Agency or by a State as—

   (i) a lead-based paint inspector; or
   (ii) a lead-based paint risk assessor.

(b) ANNUAL REPORTING ON LEAD-BASED PAINT IN MILITARY HOUSING.—

   (1) IN GENERAL.—Subchapter III of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

   §2869a. Annual reporting on lead-based paint in military housing

   “(a) ANNUAL REPORTS.—

   “(1) IN GENERAL.—Not later than February 1 of each year, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth, with respect to military housing
under the jurisdiction of each Secretary of a military department for the calendar year preceding the year in which the report is submitted, the following:

“(A) A certification that indicates whether the military housing under the jurisdiction of the Secretary concerned is in compliance with the requirements respecting lead-based paint, lead-based paint activities, and lead-based paint hazards described in section 408 of the Toxic Substances Control Act (15 U.S.C. 2688).

“(B) A detailed summary of the data, disaggregated by military department, used in making the certification under subparagraph (A).

“(C) The total number of military housing units under the jurisdiction of the Secretary concerned that were inspected for lead-based paint in accordance with the requirements described in subparagraph (A).

“(D) The total number of military housing units under the jurisdiction of the Secretary concerned that were not inspected for lead-based paint.

“(E) The total number of military housing units that were found to contain lead-based
paint in the course of the inspections described in subparagraph (C).

“(F) A description of any abatement efforts with respect to lead-based paint conducted regarding the military housing units described in subparagraph (E).

“(2) P U B L I C A T I O N .—T h e S e c r e t a r y o f D e f e n s e shall publish each report submitted under paragraph (1) on a publicly available website of the Department of Defense.

“(b) C L E R I C A L A M E N D M E N T .—I n t h i s s e c t i o n ,
the term ‘military housing’ includes military family housing and military unaccompanied housing (as such term is defined in section 2871 of this title).”.

(2) C L E R I C A L A M E N D M E N T .—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

“2869a. Annual reporting on lead-based paint in military housing.”.

SEC. 3052. SATISFACTION SURVEY FOR TENANTS OF MILITARY HOUSING.

(a) I N G E N E R A L .—N o t l a t e r t h a n M a r c h 1, 2020, the Secretary of Defense shall require that each installation of the Department of Defense use the same satisfaction survey for tenants of military housing, which shall be an electronic survey with embedded privacy and security mechanisms.
(b) Privacy and Security Mechanisms.—The privacy and security mechanisms used under subsection (a)—

(1) may include a code unique to the tenant to be surveyed that is sent to the cell phone number of the tenant and required to be entered to access the survey; and

(2) in the case of housing under subchapter IV of chapter 169 of title 10, United States Code, shall ensure that the survey is not shared with the landlord of the housing unit until the survey is reviewed and the results are tallied by an employee of the Department of Defense.

SEC. 3053. INFORMATION ON LEGAL SERVICES PROVIDED TO MEMBERS OF THE ARMED FORCES HARMED BY HEALTH OR ENVIRONMENTAL HAZARDS AT MILITARY HOUSING.

(a) Report.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the legal services that the Secretary may provide to members of the Armed Forces who have been harmed by a health or environmental hazard while living in military housing.
(b) AVAILABILITY OF INFORMATION.—The Secretary of the military department concerned shall make the information contained in the report submitted under subsection (a) available to members of the Armed Forces at all installations of the Department of Defense in the United States.

SEC. 3054. MITIGATION OF RISKS POSED BY CERTAIN ITEMS IN MILITARY FAMILY HOUSING UNITS.

(a) ANCHORING OF ITEMS BY RESIDENTS.—The Secretary of Defense shall allow a resident of a military family housing unit to anchor any furniture, television, or large appliance to the wall of the unit for purposes of preventing such item from tipping over without incurring a penalty or obligation to repair the wall upon vacating the unit.

(b) ANCHORING OF ITEMS FOR ALL UNITS.—

(1) EXISTING UNITS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall ensure that all freestanding chests, door chests, armoires, dressers, entertainment centers, bookcases taller than 27 inches, televisions, and large appliances provided by the Department of Defense are securely anchored in each furnished military family housing unit under the jurisdiction of the Department as of the date of the enactment of this Act.
(2) **NEW UNITS.**—The Secretary of Defense shall ensure that all freestanding chests, door chests, armoires, dressers, entertainment centers, bookcases taller than 27 inches, televisions, and large appliances provided by the Department of Defense are securely anchored in each furnished military family housing unit made available after the date of the enactment of this Act.

**SEC. 3055. TECHNICAL CORRECTION TO CERTAIN PAYMENTS FOR LESSORS OF PRIVATIZED MILITARY HOUSING.**

Paragraph (3) of section 606(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2871 note) is amended to read as follows:

“(3) The term ‘MHPI housing’ means housing procured, acquired, constructed, or for which any phase or portion of a project agreement was first finalized and signed, under the alternative authority of subchapter IV of chapter 169 of title 10, United States Code (known as the Military Housing Privatization Initiative), on or before September 30, 2014.”.
SEC. 3056. PILOT PROGRAM TO BUILD AND MONITOR USE OF SINGLE FAMILY HOMES.

(a) In General.—The Secretary of the Army shall carry out a pilot program to build and monitor the use of not fewer than 5 single family homes for members of the Army and their families.

(b) Location.—The Secretary of the Army shall carry out the pilot program at an installation of the Army as determined by the Secretary.

c) Design.—In building homes under the pilot program, the Secretary of the Army shall use the All-American Abode design from the suburban single-family division design by the United States Military Academy.

(d) Authorization of Appropriations.—There is authorized to be appropriated to the Secretary of the Army $1,000,000 to carry out the pilot program under this section.
DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs and Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2020 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) Authorization of New Plant Projects.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 20–D–931, KL Fuel Development Laboratory, Knolls Atomic Power Laboratory, Schenectady, New York, $23,700,000.
General Purpose Project, PF–4 Power and Communications Systems Upgrade, Los Alamos National Laboratory, New Mexico, $16,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) Authorization of Appropriations.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2020 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

(b) Authorization of New Plant Projects.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant projects:

Project 20–D–401, Saltstone Disposal Units numbers 10, 11, and 12, Savannah River Site, Aiken, South Carolina, $1,000,000.

Project 20–D–402, Advanced Manufacturing Collaborative, Savannah River Site, Aiken, South Carolina, $50,000,000.

Project 20–U–401, On-Site Waste Disposal Facility (Cell Lines 2 and 3), Portsmouth Site, Pike County, Ohio, $10,000,000.
SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2020 for other defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2020 for nuclear energy as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. TECHNICAL CORRECTIONS TO NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT AND ATOMIC ENERGY DEFENSE ACT.

(a) Definitions in National Nuclear Security Administration Act.—Section 3281(2)(A) of the National Nuclear Security Administration Act (50 U.S.C. 2471(2)(A)) is amended by striking “Plant” and inserting “National Security Campus”.

(b) Amendments to Atomic Energy Defense Act.—

(1) Definitions.—Section 4002(9)(A) of the Atomic Energy Defense Act (50 U.S.C. 2501(9)(A)) is amended striking “Plant” and inserting “National Security Campus”.

S 1790 RS
(2) Stockpile stewardship, management, and responsiveness plan.—Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended—

(A) in subsection (d)(4)(A)(ii), by striking “quadrennial defense review if such strategy has not been submitted” and inserting “national defense strategy”;

(B) in subsection (e)(1)(A)(i), by striking “or the most recent quadrennial defense review, as applicable under subsection (d)(4)(A), and the” and inserting “referred to in subsection (d)(4)(A)(i), the most recent the national defense strategy, and the most recent”; and

(C) in subsection (f)—

(i) by striking paragraph (4);

(ii) by redesignating paragraph (3) as paragraph (4); and

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

“(3) The term ‘national defense strategy’ means the review of the defense programs and policies of the United States that is carried out every four years under section 113(g) of title 10, United 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-
ceeding 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
amended by striking the item relating to section 4216 and inserting the following new item:

“Sec. 4216. Reports on life extension programs.”.

(5) ADVICE ON SAFETY, SECURITY, AND RELIABILITY OF NUCLEAR WEAPONS STOCKPILE.—Section 4218 of the Atomic Energy Defense Act (50 U.S.C. 2538) is amended—

(A) in subsection (d), by striking “or the Commander of the United States Strategic Command”; and

(B) in subsection (e)(1)—

(i) by striking “, a member of” and all that follows through “Strategic Command” and inserting “or a member of the Nuclear Weapons Council”; and

(ii) by striking “, member, or Commander” and inserting “or member”.

(6) LIFE-CYCYLE COST ESTIMATES.—Section 4714(a) of the Atomic Energy Defense Act (50 U.S.C. 2754(a)) is amended—

(A) by striking “413.3” and inserting “413.3B”; and

(B) by inserting “, or a successor order,” after “assets)”.

(7) UNFUNDED PRIORITIES.—
(A) IN GENERAL.—Section 4716 of the Atomic Energy Defense Act (50 U.S.C. 2756) is amended in the section heading by striking “NATIONAL NUCLEAR SECURITY ADMINISTRATION” and inserting “ADMINISTRATION”.

(B) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4716 and inserting the following new item:

“Sec. 4716. Unfunded priorities of the Administration.”.

(8) REVIEWS OF CAPITAL ASSETS ACQUISITION PROJECTS.—Section 4733(d)(3)(B) of the Atomic Energy Defense Act (50 U.S.C. 2773(d)(3)(B)) is amended by striking “413.3” and inserting “413.3B”.

SEC. 3112. NATIONAL NUCLEAR SECURITY ADMINISTRATION PERSONNEL SYSTEM.

(a) IN GENERAL.—Subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

“SEC. 3248. ALTERNATIVE PERSONNEL SYSTEM.

“(a) IN GENERAL.—The Administrator may adapt the pay banding and performance-based pay adjustment demonstration project carried out by the Administration
under the authority provided by section 4703 of title 5, United States Code, into a permanent alternative personnel system for the Administration (to be known as the ‘National Nuclear Security Administration Personnel System’) and implement that system with respect to employees of the Administration.

“(b) MODIFICATIONS.—In adapting the demonstration project described in subsection (a) into a permanent alternative personnel system, the Administrator—

“(1) may, subject to paragraph (2), revise the requirements and limitations of the demonstration project to the extent necessary; and

“(2) shall—

“(A) ensure that the permanent alternative personnel system is carried out in a manner consistent with the final plan for the demonstration project published in the Federal Register on December 21, 2007 (72 Fed. Reg. 72776);

“(B) ensure that significant changes in the system not take effect until revisions to the plan for the demonstration project are approved by the Office of Personnel Management and published in the Federal Register;
“(C) ensure that procedural modifications or clarifications to the final plan for the demonstration project be made through local notification processes;

“(D) authorize, and establish incentives for, employees of the Administration to have rotational assignments among different programs of the Administration, the headquarters and field offices of the Administration, and the management and operating contractors of the Administration; and

“(E) establish requirements for employees of the Administration who are in the permanent alternative personnel system described in subsection (a) to be promoted to senior-level positions in the Administration, including requirements with respect to—

“(i) professional training and continuing education; and

“(ii) a certain number and types of rotational assignments under subparagraph (D), as determined by the Administrator.

“(c) APPLICATION TO NAVAL NUCLEAR PROPULSION PROGRAM.—The Director of the Naval Nuclear Propul-
sion Program established pursuant to section 4101 of the Atomic Energy Defense Act (50 U.S.C. 2511) and section 3216 of this Act may, with the concurrence of the Secretary of the Navy, apply the alternative personnel system under subsection (a) to—

“(1) all employees of the Naval Nuclear Propulsion Program in the competitive service (as defined in section 2102 of title 5, United States Code); and

“(2) all employees of the Department of Navy who are assigned to the Naval Nuclear Propulsion Program and are in the excepted service (as defined in section 2103 of title 5, United States Code) (other than such employees in statutory excepted service systems).”.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall provide a briefing to the appropriate congressional committees on the implementation of section 3248 of the National Nuclear Security Administration Act, as added by subsection (a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—
(A) the congressional defense committees;

(B) the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(C) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(c) CONFORMING AMENDMENTS.—Section 3116 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1888; 50 U.S.C. 2441 note prec) is amended—

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

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

(d) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3247 the following new item:

“Sec. 3248. Alternative personnel system.”.
SEC. 3113. CONTRACTING, PROGRAM MANAGEMENT, SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS AT NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—Section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) is amended in the first sentence—

(1) by striking “may” and inserting “shall”; and

(2) by striking “not more than 600”.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in the section heading, by striking “AUTHORITY TO ESTABLISH” and inserting “ESTABLISHMENT OF”; and

(2) in the second sentence, by striking “Subject to the limitations in the preceding sentence, the authority” and inserting “The authority”.

(c) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by striking the item relating to section 3241 and inserting the following new item:

“Sec. 3241. Establishment of contracting, program management, scientific, engineering, and technical positions.”.
SEC. 3114. PROHIBITION ON USE OF LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT FUNDS FOR GENERAL AND ADMINISTRATIVE OVERHEAD COSTS.

Section 4811 of the Atomic Energy Defense Act (50 U.S.C. 2791) is amended—

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

(2) by inserting after subsection (c) the following new subsection (d):

“(d) Funds provided to a national security laboratory or nuclear weapons production facility for laboratory-directed research and development may not be used to cover the costs of general and administrative overhead for the laboratory or facility.”.

SEC. 3115. PROHIBITION ON USE OF FUNDS FOR ADVANCED NAVAL NUCLEAR FUEL SYSTEM BASED ON LOW-ENRICHED URANIUM.

None of the funds authorized to be appropriated for the National Nuclear Security Administration for fiscal year 2020 or any fiscal year thereafter may be obligated or expended to conduct research and development of an advanced naval nuclear fuel system based on low-enriched uranium until the following certifications are submitted to the congressional defense committees:
(1) A joint certification of the Secretary of Energy and the Secretary of Defense that the determination made by the Secretary of Energy and the Secretary of the Navy pursuant to section 3118(c)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1196) and submitted to the congressional defense committees on March 25, 2018, that the United States should not pursue such research and development, no longer reflects the policy of the United States.

(2) A certification of the Secretary of the Navy that an advanced naval nuclear fuel system based on low-enriched uranium would not reduce vessel capability, increase expense, or reduce operational availability as a result of refueling requirements.

Subtitle C—Plans and Reports

SEC. 3121. ESTIMATION OF COSTS OF MEETING DEFENSE ENVIRONMENTAL CLEANUP MILESTONES REQUIRED BY CONSENT ORDERS.

(a) In General.—Subtitle A of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2581 et seq.) is amended by adding at the end the following section:
“SEC. 4409. ESTIMATION OF COSTS OF MEETING DEFENSE ENVIRONMENTAL CLEANUP MILESTONES REQUIRED BY CONSENT ORDERS.

“The Secretary of Energy shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget for each fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report on the cost of meeting milestones required by a consent order at each defense nuclear facility at which defense environmental cleanup activities are occurring. The report shall include, for each such facility—

“(1) a specification of the cost of meeting such milestones during that fiscal year; and

“(2) an estimate of the cost of meeting such milestones during the four fiscal years following that fiscal year.”.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4408 the following new item:

“Sec. 4409. Estimation of costs of meeting defense environmental cleanup milestones required by consent orders.”.
SEC. 3122. EXTENSION OF SUSPENSION OF CERTAIN ASSESSMENTS RELATING TO NUCLEAR WEAPONS STOCKPILE.

Section 3255(b) of the National Nuclear Security Administration Act (50 U.S.C. 2455(b)) is amended by striking “fiscal year 2018 or 2019” and inserting “any of fiscal years 2018 through 2023”.

SEC. 3123. REPEAL OF REQUIREMENT FOR REVIEW RELATING TO ENHANCED PROCUREMENT AUTHORITY.

Section 4806 of the Atomic Energy Defense Act (50 U.S.C. 2786) is amended—

(1) by striking subsection (e); and

(2) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

SEC. 3124. DETERMINATION OF EFFECT OF TREATY OBLIGATIONS WITH RESPECT TO PRODUCING TRITIUM.

Not later than February 15, 2020, the Secretary of Energy shall—

(1) determine whether the Agreement for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, signed at Washington July 3, 1958 (9 UST 1028), between the United States and the United Kingdom, permits the United States to...
obtain low-enriched uranium for the purposes of producing tritium in the United States; and

(2) submit to the congressional defense committees a report on that determination.

SEC. 3125. ASSESSMENT OF HIGH ENERGY DENSITY PHYSICS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine to conduct an assessment of recent advances and the current status of research in the field of high energy density physics.

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

(1) Theoretical and computational modeling of high energy density material phases, radiation-matter interactions, plasmas atypical of astrophysical conditions, and conditions unique to the National Nuclear Security Administration.

(2) The simulation of such phases, interactions, plasmas, and conditions.

(3) Instrumentation and target fabrication.

(4) Workforce training.
(5) An assessment of advancements made by other countries in high energy density physics.

(6) Such others items as are agreed upon by the Administrator and the National Academies.

(c) APPLICABILITY OF INTERNAL CONTROLS.—The assessment under subsection (a) shall be conducted in accordance with the internal controls of the National Academies.

(d) REPORT TO CONGRESS.—Not later than 18 months after entering into the arrangement under subsection (a), the National Academy of Sciences, Engineering, and Medicine shall submit to the congressional defense committees a report on the assessment conducted under that subsection.

(e) HIGH ENERGY DENSITY PHYSICS DEFINED.—In this section, the term “high energy density physics” means the physics of matter and radiation at—

(1) energy densities exceeding 100,000,000,000 joules per cubic meter; and

(2) other temperature and pressure ranges within the warm dense matter regime.
TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2020, $29,450,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

SEC. 3202. IMPROVEMENT OF MANAGEMENT AND ORGANIZATION OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

(a) Provision of Information to Board.—Subsection (c) of section 311 of the Atomic Energy Act of 1954 (42 U.S.C. 2286) is amended—

(1) in paragraph (2), by striking “paragraphs (5), (6), and (7)” and inserting “paragraphs (5) and (6)”;

(2) by striking paragraph (6); and

(3) by redesignating paragraph (7) as paragraph (6).

(b) Executive Director for Operations.—Paragraph (6) of such subsection, as redesignated by subsection (a)(3), is further amended in subparagraph (C)—

(1) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively; and
(2) by inserting before clause (ii), as redesignated by paragraph (1), the following new clause (i):

“(i) The executive director for operations, who shall report directly to the Chairman.”.

(c) Organization of Staff of Board.—Section 313(b) of such Act (42 U.S.C. 2286b(b)) is amended—

(1) in paragraph (1)(A), by striking “section 311(c)(7)” and inserting “section 311(c)(6)”;

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

“(3) Subject to the approval of the Board, the Chairman may organize the staff of the Board as the Chairman considers appropriate to best accomplish the mission of the Board described in section 312(a).”.

SEC. 3203. MEMBERSHIP OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

(a) List of Candidates for Nomination.—Subsection (b) of section 311 of the Atomic Energy Act of 1954 (42 U.S.C. 2286) is amended by adding at the end the following new paragraph:

“(4) The President shall enter into an arrangement with the National Academy of Sciences under which the National Academy shall maintain a list of individuals who meet the qualifications described in paragraph (1) to as-
sist the President in selecting individuals to nominate for
positions as members of the Board.”.

(b) Terms of Members.—

(1) In General.—Subsection (d) of such sec-
tion is amended—

(A) in paragraph (1), by striking the sec-
ond sentence and inserting the following new
sentence: “A member of the Board may not
serve for two consecutive terms.”; and

(B) in paragraph (3), by striking the sec-
ond sentence and inserting the following new
sentence: “A member may not serve after the
expiration of the member’s term.”.

(2) Effective Date.—The amendments made
by paragraph (1) shall take effect on April 1, 2020.

(e) Filling Vacancies.—Such subsection is further
amended by adding at the end the following new para-
graph:

“(4)(A) Not later than 180 days after the expiration
of the term of a member of the Board, the President
shall—

“(i) submit to the Senate the nomination of an
individual to fill the vacancy; or

“(ii) submit to the Committee on Armed Serv-
ices of the Senate a report that includes—
“(I) a description of the reasons the President did not submit such a nomination; and

“(II) a plan for submitting such a nomination during the 90-day period following the submission of the report.

“(B) If the President does not submit to the Senate the nomination of an individual to fill a vacancy during the 90-day period described in subclause (II) of subparagraph (A)(ii), the President shall submit to the Committee on Armed Services a report described in that subparagraph not less frequently than every 90 days until the President submits such a nomination.”.

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. MARITIME ADMINISTRATION.

Section 109 of title 49, United States Code, is amended to read as follows:

“§ 109. Maritime Administration

“(a) Organization and Mission.—The Maritime Administration is an administration in the Department of Transportation. The mission of the Maritime Administration is to foster, promote, and develop the merchant maritime industry of the United States.

“(b) Maritme Administrator.—The head of the Maritime Administration is the Maritime Administrator,
who is appointed by the President by and with the advice
and consent of the Senate. The Administrator shall report
directly to the Secretary of Transportation and carry out
the duties prescribed by the Secretary.

“(c) Deputy Maritime Administrator.—The
Maritime Administration shall have a Deputy Maritime
Administrator, who is appointed in the competitive service
by the Secretary, after consultation with the Adminis-
trator. The Deputy Administrator shall carry out the du-
ties prescribed by the Administrator. The Deputy Admin-
istrator shall be Acting Administrator during the absence
or disability of the Administrator and, unless the Sec-
retary designates another individual, during a vacancy in
the office of Administrator.

“(d) Duties and Powers Vested in Sec-
retary.—All duties and powers of the Maritime Adminis-
tration are vested in the Secretary.

“(e) Regional Offices.—The Maritime Adminis-
tration shall have regional offices for the Atlantic, Gulf,
Great Lakes, and Pacific port ranges, and may have other
regional offices as necessary. The Secretary shall appoint
a qualified individual as Director of each regional office.
The Secretary shall carry out appropriate activities and
programs of the Maritime Administration through the re-
gional offices.
“(f) **Interagency and Industry Relations.**—
The Secretary shall establish and maintain liaison with other agencies, and with representative trade organizations throughout the United States, concerned with the transportation of commodities by water in the export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States for the transportation of those commodities.

“(g) **Detailing Officers from Armed Forces.**—
To assist the Secretary in carrying out duties and powers relating to the Maritime Administration, not more than five officers of the Armed Forces may be detailed to the Secretary at any one time, in addition to details authorized by any other law. During the period of a detail, the Secretary shall pay the officer an amount that, when added to the officer’s pay and allowances as an officer in the Armed Forces, makes the officer’s total pay and allowances equal to the amount that would be paid to an individual performing work the Secretary considers to be of similar importance, difficulty, and responsibility as that performed by the officer during the detail.

“(h) **Contracts, Cooperative Agreements, and Audits.**—

“(1) **Contracts and cooperative agreements.**—In the same manner that a private cor-
poration may make a contract within the scope of its authority under its charter, the Secretary may make contracts and cooperative agreements for the United States Government and disburse amounts to—

“(A) carry out the Secretary’s duties and powers under this section, subtitle V of title 46, and all other Maritime Administration programs; and

“(B) protect, preserve, and improve collateral held by the Secretary to secure indebtedness.

“(2) AUDITS.—The financial transactions of the Secretary under paragraph (1) shall be audited by the Comptroller General. The Comptroller General shall allow credit for an expenditure shown to be necessary because of the nature of the business activities authorized by this section or subtitle V of title 46. At least once a year, the Comptroller General shall report to Congress any departure by the Secretary from this section or subtitle V of title 46.

“(i) GRANT ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the administrative and related expenses for the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.

“(j) AUTHORIZATION OF APPROPRIATIONS.—
“(1) IN GENERAL.—Except as otherwise pro-
vided in this subsection, there are authorized to be
appropriated such amounts as may be necessary to
carry out the duties and powers of the Secretary re-
lating to the Maritime Administration.

“(2) LIMITATIONS.—Only those amounts spe-
cifically authorized by law may be appropriated for
the use of the Maritime Administration for—

“(A) acquisition, construction, or recon-
struction of vessels;

“(B) construction-differential subsidies in-
cident to the construction, reconstruction, or re-
conditioning of vessels;

“(C) costs of national defense features;

“(D) payments of obligations incurred for
operating-differential subsidies;

“(E) expenses necessary for research and
development activities, including reimbursement
of the Vessel Operations Revolving Fund for
losses resulting from expenses of experimental
vessel operations;

“(F) the Vessel Operations Revolving
Fund;

“(G) National Defense Reserve Fleet ex-
penses;
“(H) expenses necessary to carry out part B of subtitle V of title 46; and
“(I) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, and general administration.”

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and
(2) comply with other applicable provisions of law.

(c) Relationship to Transfer and Programming Authority.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or 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.

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<th>SEC. 4101. PROCUREMENT</th>
<th>(In Thousands of Dollars)</th>
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<tr>
<td>Line Item FY 2020 Request</td>
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| AIRCRAFT PROCUREMENT, ARMY FIXED WING |
|---------------------------------|------------------|
| UTILITY F/W AIRCRAFT | 16,000          | 0       |
| Program zeroed out in FYDP | [-16,000]      |
| RQ-11 (RAVEN) | 23,510          |           |

<p>| ROTARY |
|--------|----------------|
| TACTICAL UNMANNED AIRCRAFT SYSTEM (TUAS) | 12,100        | 12,100 |</p>
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** PROCUREMENT OF W&TCV, ARMY TRACKED COMBAT VEHICLES **

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** WEAPONS & OTHER COMBAT VEHICLES **

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** SUPPORT EQUIPMENT & FACILITIES **

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** PROCUREMENT OF AMMUNITION, ARMY SMALL/MEDIUM CAL AMMUNITION **

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**TOTAL PROCUREMENT OF AMMUNITION, ARMY** | 0 | 2,694,548 |

**OTHER PROCUREMENT, ARMY**

**TACTICAL VEHICLES**

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SEC. 4101. PROCUREMENT
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**AIRCRAFT PROCUREMENT, NAVY**

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**TRAINER AIRCRAFT**

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**SEC. 4101. PROCUREMENT**

(In Thousands of Dollars)
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**AIRCRAFT PROCUREMENT, AIR FORCE**

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**TACTICAL AIRLIFT**

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## SEC. 4101. PROCUREMENT

### (In Thousands of Dollars)

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### MISSILE PROCUREMENT, AIR FORCE

### MISSILE REPLACEMENT EQUIPMENT—BALLISTIC

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### MISSILE SPARES AND REPAIR PARTS

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### TOTAL MISSILE PROCUREMENT, AIR FORCE

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### SPACE PROCUREMENT, AIR FORCE

### SPACE PROGRAMS

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### PROCUREMENT OF AMMUNITION, AIR FORCE

### ROCKETS

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### BOMBS

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### GENERAL PURPOSE BOMBS

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**TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE**

Transfer back to base funding

- B61
- JOINT DIRECT ATTACK MUNITION
- EXPLOSIVE ORDNANCE DISPOSAL (EOD)
- SPARES AND REPAIR PARTS
- MODIFICATIONS
- ITEMS LESS THAN $5,000,000
- FLARES
- FUZES
- SMALL ARMS

- Joint threat emitters
- Minimum essential emergency command
- Wide area surveillance (WAS)
- Countermeasures
- Integrated personnel and pay system

- Poor agile implementation
- Defense enterprise accounting & mgmt systems
- Maintenance repair & overhaul initiative
- Theater battle net C2 System

- Joint threat emitters
- MINIMUM ESSENTIAL EMERGENCY COMM
- WIDE AREA SURVEILLANCE (WAS)
- Countermeasures
- INTEGRATED PERSONNEL AND PAY SYSTEM

- Poor agile implementation
- Defense enterprise accounting & mgmt systems
- Maintenance repair & overhaul initiative
- Theater battle net C2 system
- Air & space operations center (AOC)
### SEC. 4101. PROCUREMENT

**In Thousands of Dollars**

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**ORGANIZATION AND BASE**

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**MODIFICATIONS**

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**PERSONAL SAFETY & RESCUE EQUIP**

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**DEPOT PLANT+MTLRS HANDLING EQ**

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**BASE SUPPORT EQUIPMENT**

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**SPECIAL SUPPORT PROJECTS**

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**CLASSIFIED PROGRAMS**

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**PROCUREMENT, DEFENSE-WIDE**

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S 1790 RS
### SEC. 4101. PROCUREMENT

#### (In Thousands of Dollars)

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### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)
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**OTHER PROCUREMENT, AIR FORCE**

**Passenger Carrying Vehicles**

1. Passenger Carrying Vehicles

2. Cargo and Utility Vehicles

3. Special Purpose Vehicles

4. Joint Light Tactical Vehicle

5. Materials Handling Equipment

6. Base Maintenance Support

7. Special Purpose Vehicles

8. Fire Fighting Equipment

9. Materials Handling Equipment

10. Base Maintenance Support

11. Special Commun- Electronics Projects

12. General Information Technology

13. Personal Safety and Rescue Equipment

14. Base Support Equipment

15. Personal Safety and Rescue Equipment

16. Classified Programs

17. Organization and Base

18. Tactical C/E Equipment

19. Base Civil Infrastructure

20. Base Maintenance Support Vehicles

21. Materials Handling Equipment

22. Fire Fighting Equipment

23. Special Purpose Vehicles

24. Cargo and Utility Vehicles

25. Passenger Carrying Vehicles

26. Other Procurement, Air Force

27. Procurement, Defense-Wide

28. Major Equipment, DISA

29. Defense Information System Network

30. Major Equipment, Defense Threat Reduction Agency

31. Counter IED & Improvised Threat Technologies

32. Classified Programs

33. Aviation Programs

34. Manned ISR

35. MC-12

36. Special Purpose Vehicles

37. Unmanned ISR

38. U-28

39. MH-47 Chinook

40. MQ-9 Unmanned Aircraft Vehicle

41. Ammunition Programs

42. Ordinary Items <85M

43. Other Procurement Programs

44. Intelligence Systems

45. Other Items <85M

46. Tactical Vehicles

47. Warrior Systems <85M

48. Combat Mission Requirements

49. Operational Enhancements Intelligence

50. Operational Enhancements

51. Total Procurement, Defense-Wide

52. $1790 RS
### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

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### TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

(In Thousands of Dollars)

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**Total for FY 2020:** 3,549,431

**Total for Senate Authorized:** 3,344,976

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**Note:** The table above is a representation of research, development, test, and evaluation (RDT&E) activities for FY 2020. The projects listed are for various military programs and initiatives, including integrated ground security surveillance, person-and-pay system for the Army (IPPS-A), information technology development, and various other initiatives as indicated in the table.
### Section 4201, Research, Development, Test, and Evaluation

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**SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION:** 6,322,033

**MANAGEMENT SUPPORT**

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**TOTAL:** 9,405

**TACTICAL CRYPTOLOGIC SYSTEMS**

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**TOTAL:** 26,006

**SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION:** 6,322,033

**OPERATIONAL SYSTEMS DEVELOPMENT**

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**TOTAL:** 990,464

**SUBTOTAL MANUFACTURING SUPPORT**

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**TOTAL:** 990,464

**OPERATIONAL SYSTEMS DEVELOPMENT**

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**TOTAL:** 6,322,033

**SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION:** 6,322,033
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

*(In Thousands of Dollars)*

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**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY**

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**SYSTEM DEVELOPMENT & DEMONSTRATION**

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**MANAGEMENT SUPPORT**

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**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

*In Thousands of Dollars*
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**OPERATIONAL SYSTEMS DEVELOPMENT**

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**SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | 24,529,488 | 24,827,521 |

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF** | 45,616,122 | 46,335,775 |

**APPLIED RESEARCH** | 729,300 | 751,300 |

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**SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT** 3,742,088 3,742,088

**ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES**

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Neutral particle beam | ($34,000) |
| 93   | 0604122D8Z     | MISSILE DEFENSE PROGRAM | 17,816 | 17,816 |
| 94   | 0604141E       | HYPERSONIC DEFENSE | 157,425 | 157,425 |
| 95   | 0604250D8Z     | ADVANCED INNOVATIVE TECHNOLOGIES | 1,312,733 | 1,312,733 |
| 96   | 0604249D8Z     | TRUSTED & ASSURED MICROELECTRONICS | 542,421 | 547,421 |
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

(In Thousands of Dollars)

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### MANAGEMENT SUPPORT

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Note: Numbers in brackets indicate the amount of reduction or increase from the previous year's budget.
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## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

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### SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

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### SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)

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**S 1790 RS**
### SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

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### TITLE XLIII—OPERATION AND MAINTENANCE

### SEC. 4301. OPERATION AND MAINTENANCE.

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**MOBILIZATION**

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**Sec. 4301. Operation and Maintenance**

**Line Item FY 2020**

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**ADM & SRVWD ACTIVITIES**

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**TOTAL OPERATION & MAINTENANCE, MC RESERVE**

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**Operation & Maintenance, Air Force Operating Forces**

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**Training and Recruiting**

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## Operation and Maintenance (In Thousands of Dollars)

### SEC. 4301. OPERATION AND MAINTENANCE

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*Aunt Sep 11 2014 23:06 Jun 11, 2019 Jkt 034408 PO 00000 Frm 00958 Fmt 6652 Sfmt 6201 E:\BILLS\S1790.RS S1790pbinns on DSK79D2C42PROD with BILLS*
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**SEC. 4301. OPERATION AND MAINTENANCE**

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**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 & SRWIDE ACTIVITIES**

<p>| 160 | CIVIL MILITARY PROGRAMS | 165,707 | 195,007 |
| 170 | IRT Increase | 14,300 | 14,300 |
| 180 | STARBASE | 15,000 | 15,000 |
| 190 | DEFENSE CONTRACT AUDIT AGENCY | 627,467 | 627,467 |
| 200 | DEFENSE CONTRACT AUDIT AGENCY—CYBER | 3,362 | 3,362 |
| 210 | DEFENSE CONTRACT MANAGEMENT AGENCY | 1,438,068 | 1,438,068 |
| 220 | DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER | 24,391 | 24,391 |
| 230 | DEFENSE HUMAN RESOURCES ACTIVITY | 882,438 | 882,438 |
| 240 | DEFENSE INFORMATION SYSTEMS AGENCY | 2,012,885 | 2,007,885 |
|      | MilCloud | [–5,000] | [–5,000] |
| 250 | DEFENSE INFORMATION SYSTEMS AGENCY—CYBER | 601,223 | 636,360 |
|      | SharkSea transfer | [35,137] | [35,137] |
| 260 | DEFENSE LEGAL SERVICES AGENCY | 34,632 | 34,632 |
| 270 | DEFENSE LOGISTICS AGENCY | 415,099 | 415,099 |
| 280 | DEFENSE MEDIA ACTIVITY | 202,792 | 202,792 |
| 290 | DEFENSE PERSONNEL ACCOUNTING AGENCY | 144,881 | 144,881 |
| 300 | DEFENSE SECURITY COOPERATION AGENCY | 696,884 | 696,884 |
| 310 | DEFENSE SECURITY COOPERATION AGENCY | 696,884 | 696,884 |
|      | Assessment, monitoring, and evaluation | [11,000] | [11,000] |
|      | Security cooperation account | [–11,000] | [–11,000] |
| 320 | DEFENSE SECURITY SERVICE | 889,664 | 889,664 |
|      | Consolidated Adjudication Facility | [10,000] | [10,000] |
| 330 | DEFENSE SECURITY SERVICE—CYBER | 9,220 | 9,220 |
| 340 | DEFENSE TECHNICAL INFORMATION CENTER | 3,000 | 3,000 |
| 350 | DEFENSE TECHNOLOGY SECURITY ADMINISTRATION | 35,626 | 35,626 |
| 360 | DEFENSE THREAT REDUCTION AGENCY | 568,133 | 568,133 |
| 370 | DEFENSE THREAT REDUCTION AGENCY | 13,319 | 13,319 |
| 380 | DEFENSE THREAT REDUCTION AGENCY | 13,319 | 13,319 |</p>
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### SEC. 4301. OPERATION AND MAINTENANCE

**(In Thousands of Dollars)**

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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

**(In Thousands of Dollars)**

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### MOBILIZATION

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### ADMIN & SERVICESWIDE ACTIVITIES

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### OPERATING FORCES

| 010  | MODULAR SUPPORT BRIGADES           | 11,927         | 0                |
| 020  | ECHELONS ABOVE BRIGADE             | 553,455        | 20,440           |
| 030  | THEATER LEVEL ASSETS               | 119,517        | 0                |
| 040  | LAND FORCES OPERATIONS SUPPORT    | 550,468        | 0                |
| 050  | AVIATION ASSETS                    | 86,670         | 0                |
| 060  | FORCE READINESS OPERATIONS SUPPORT| 689            | 689              |
| 090  | BASE OPERATIONS SUPPORT            | 615,370        | 16,463           |

**SUBTOTAL OPERATING FORCES** 1,986,599 37,592

### TOTAL OPERATION & MAINTENANCE, ARMY RES

**OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES**

| 010  | MANEUVER UNITS                     | 851,567        | 45,896           |
| 020  | MODULAR SUPPORT BRIGADES           | 195,514        | 180              |
| 030  | ECHELONS ABOVE BRIGADE             | 774,030        | 2,982            |
| 040  | THEATER LEVEL ASSETS               | 95,274         | 548              |
| 050  | LAND FORCES OPERATIONS SUPPORT    | 33,696         | 0                |
| 060  | AVIATION ASSETS                    | 991,048        | 9,229            |
| 070  | FORCE READINESS OPERATIONS SUPPORT| 1,584          | 1,584            |
| 090  | LAND FORCES DEPOT MAINTENANCE      | 258,278        | 0                |
| 100  | BASE OPERATIONS SUPPORT            | 1,175,139      | 22,063           |
| 120  | MANAGEMENT AND OPERATIONAL HEADQUARTERS | 606  | 606             |

**SUBTOTAL OPERATING FORCES** 4,376,736 83,088

### ADMIN & SRVWIDE ACTIVITIES

| 170  | SERVICEWIDE COMMUNICATIONS         | 203            | 203              |
|      | SUBTOTAL ADMIN & SRVWIDE 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            | 119,517        | 119,517          |

**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            |

*§ 1790 RS*
## SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

### (In Thousands of Dollars)

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### OPERATION & MAINTENANCE, NAVY OPERATING FORCES

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### TRAINING AND RECRUITING

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### ADMIN & SRVDW ACTIVITIES

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**S 1790 RS**
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**OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES**

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**TRAINING AND RECRUITING**

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**ADMIN & SRVWD ACTIVITIES**

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**TOTAL OPERATION & MAINTENANCE, MARINE CORPS**

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**OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES**

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**TOTAL OPERATION & MAINTENANCE, NAVY RES**

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**OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES**

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**TOTAL OPERATION & MAINTENANCE, MC RESERVE**

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**OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES**

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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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#### SUBTOTAL OPERATING FORCES

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#### TRAINING AND RECRUITING

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#### ADMIN & SRVWD ACTIVITIES

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#### TOTAL OPERATION & MAINTENANCE, AIR FORCE

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#### OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES

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#### TOTAL OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES

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#### OPERATION & MAINTENANCE, ANG OPERATING FORCES

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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)

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### ADMIN & SRVWIDE ACTIVITIES

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<td>Transfer back to base funding</td>
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### TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE

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### TITLE XLIV—MILITARY PERSONNEL

### SEC. 4401. MILITARY PERSONNEL

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<tr>
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<tr>
<td>MILITARY PERSONNEL</td>
<td>143,476,503</td>
<td>142,557,523</td>
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<tr>
<td>Historical under execution</td>
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**S 1790 RS**
## SEC. 4401. MILITARY PERSONNEL

### MILITARY PERSONNEL APPROPRIATIONS

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## SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS

### MILITARY PERSONNEL APPROPRIATIONS

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## TITLE XLV—OTHER AUTHORIZATIONS

### SEC. 4501. OTHER AUTHORIZATIONS

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<td>Industrial Operations</td>
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<td>Supplies and Materials</td>
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<td>Energy optimization initiatives</td>
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<td>Working Capital Fund, Defense-wide</td>
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<td>Working Capital Fund, DECA</td>
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<td>WCF, DEF COUNTERINTELLIGENCE &amp; SECURITY AGENCY</td>
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• S 1790 RS
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<td>COUNTER-NARCOTICS SUPPORT</td>
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<td>PRIVATE SECTOR CARE</td>
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<td>Contraceptive cost-sharing</td>
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### SEC. 4501. OTHER AUTHORIZATIONS

#### (In Thousands of Dollars)

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<thead>
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<th>Line</th>
<th>Item</th>
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### SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

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### TITLE XLVI—MILITARY

### CONSTRUCTION

### SEC. 4601. MILITARY CONSTRUCTION.

(In Thousands of Dollars)

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<td>Aircraft and Flight Equipment Building</td>
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<td>Colorado</td>
<td>Company Operations Facility</td>
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<td>Aircraft Maintenance Hangar</td>
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<td>Command and Control Facility, Incr 5</td>
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<td>Honduras</td>
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<td>Unmanned Aerial Vehicle Hangar</td>
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<td>Fort Bragg</td>
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<td>Bachelor Enlisted Quarters—2+2 Replace-ment</td>
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<td>Yuma</td>
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### Military Construction

**Section 4601**

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### SEC. 4601. MILITARY CONSTRUCTION

#### (In Thousands of Dollars)

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**SUBTOTAL DEFENSE-WIDE** 2,504,190 2,527,835

### ARMY NATIONAL GUARD

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### SEC. 4601. MILITARY CONSTRUCTION

#### (In Thousands of Dollars)

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**SUBTOTAL ARMY NATIONAL GUARD** .............................................................................. 210,819 294,819

**AIR NATIONAL GUARD**

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DEFENSE BASE REALIGNMENT AND CLOSURE

ARMY BRAC

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SUBTOTAL ARMY BRAC 66,111 66,111

NAVY BRAC

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AIR FORCE BRAC

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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

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

MILITARY CONSTRUCTION

ARMY

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<td>OCO: High Value Detention Facility</td>
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<td>Guantanamo Bay Naval Station</td>
<td>OCO: Detention Legal Office and Comms Ctr</td>
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SUBTOTAL ARMY 9,389,218 100,718

NAVY

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<td>CBI Headquarters Replacement</td>
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<td>Courthouse Bay Fire Station Replacement</td>
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<td>Environmental Management Division Replacement</td>
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<td>Hadnot Point Mess Hall Replacement</td>
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S 1790 RS
### Defense-Wide

**Air Force**

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<td>Station Academic Facility/Auditorium Replacement</td>
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**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    | Planning & Design                  | 0 | 50,000 |
| Navy    | Planning and Design                | 0 | 25,000 |
| Navy    | Planning and Design                | 0 | 25,000 |

**Subtotal Navy**

94,570, 1,070,718

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**Air Force**

**Florida**

| Air Force | Tyndall AFB | 53 WRG Hangar | 0 | 96,000 |
| Air Force | Tyndall AFB | 53 WRG HQ Facility | 0 | 47,000 |
| Air Force | Tyndall AFB | 53 WRG Subscale Devae Facility | 0 | 53,000 |
| Air Force | Tyndall AFB | ARM MD | 0 | 12,900 |
| Air Force | Tyndall AFB | Aerospace & Operational Physiology Facility | 0 | 10,400 |
| Air Force | Tyndall AFB | AF/BO/RO/RTHE Facilities and Gate | 0 | 195,000 |
| Air Force | Tyndall AFB | Aircraft Wrecker | 0 | 10,600 |
| Air Force | Tyndall AFB | Civil Engineer Contracting USAC 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, AR 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 | PS/AC Maintenance Fuel Cell (Harn) | 0 | 29,000 |
| Air Force | Tyndall AFB | Logistics Readiness Squadron Complex | 0 | 102,000 |
| Air Force | Tyndall AFB | LRS Aircraft Parts & Deployable Spares Storage Facility | 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/HAPO/FACILITY | 0 | 51,000 |
| Air Force | Tyndall AFB | Relocate F-22 Formal Training Unit | 0 | 150,000 |
| Air Force | Tyndall AFB | SPN 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 Complex | 0 | 38,000 |

**Ireland**

| Air Force | Keflavik | EDI-Expand Parking Apen | 32,000 | 32,000 |
| Air Force | Keflavik | EDI-Boilermen Site Prep | 7,000 | 7,000 |
| Air Force | Keflavik | EDI-Airfield Upgrades—Dangerous Cargo Pad | 15,000 | 15,000 |

**Spain**

| Air Force | Moron | EDI-Hot Cargo Pad | 8,500 | 8,500 |

**Worldwide Unspecified**

| Air Force | Planning & Design | 0 | 247,000 |
| Air Force | EDI-Hot Cargo Pad | 0 | 29,000 |
| Air Force | EDI/HOTTONS STORAGE AREA | 39,000 | 39,000 |
| Air Force | EDI/SEC/ONS DABS/FEV EMEDS Storage | 107,000 | 107,000 |
| Air Force | EDI-PAD | 61,458 | 61,458 |
| Air Force | EDI-UMMC | 32,800 | 32,800 |

**Subtotal Air Force**

314,738, 1,840,428

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**Defense-Wide**

**Germany**
SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

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SUBTOTAL DEFENSE-WIDE                     46,000 3,721,313

ARMY NATIONAL GUARD

| Florida                      | Panama City (North Carolina)       | National Guard Readiness Center | 0                | 25,000            |
| Florida                      | MTA Fort Fisher (North Carolina)    | 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

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

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<td>Total, Nuclear Energy</td>
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### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

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</tbody>
</table>

### Weapons Activities

#### Directed stockpile work

**Life extension programs and major alterations**

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>B61 Life extension program</td>
<td>792,611</td>
<td>792,611</td>
</tr>
<tr>
<td>W76 Life extension program</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>W76–2 Modification program</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>W88 Alteration program</td>
<td>304,186</td>
<td>304,186</td>
</tr>
<tr>
<td>W80–4 Life extension program</td>
<td>898,551</td>
<td>898,551</td>
</tr>
<tr>
<td>W71</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>W87–1 Modification Program (formerly IW1)</td>
<td>112,011</td>
<td>112,011</td>
</tr>
</tbody>
</table>

**Total, Life extension programs and major alterations** | 2,117,359 | 2,117,359 |

#### Stockpile systems

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>B61 Stockpile systems</td>
<td>71,252</td>
<td>71,252</td>
</tr>
<tr>
<td>W76 Stockpile systems</td>
<td>85,804</td>
<td>85,804</td>
</tr>
<tr>
<td>W78 Stockpile systems</td>
<td>81,299</td>
<td>81,299</td>
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<tr>
<td>W80 Stockpile systems</td>
<td>85,811</td>
<td>85,811</td>
</tr>
<tr>
<td>B83 Stockpile systems</td>
<td>51,543</td>
<td>51,543</td>
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<tr>
<td>W87 Stockpile systems</td>
<td>98,262</td>
<td>98,262</td>
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<tr>
<td>W88 Stockpile systems</td>
<td>157,815</td>
<td>157,815</td>
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</tbody>
</table>

**Total, Stockpile systems** | 605,766 | 605,766 |

#### Weapons dismantlement and disposition

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
</tr>
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<tbody>
<tr>
<td>Operations and maintenance</td>
<td>47,500</td>
<td>47,500</td>
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#### Stockpile services

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<tr>
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<th>Senate Authorized</th>
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<tr>
<td>Production support</td>
<td>543,964</td>
<td>543,964</td>
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<tr>
<td>Research and development support</td>
<td>39,339</td>
<td>40,339</td>
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<tr>
<td>UFR list—technology maturation</td>
<td>1,000</td>
<td>1,000</td>
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<tr>
<td>R&amp;D certification and safety</td>
<td>236,235</td>
<td>246,235</td>
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<tr>
<td>UFR list—technology maturation</td>
<td>10,000</td>
<td>10,000</td>
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<tr>
<td>Management, technology, and production</td>
<td>305,000</td>
<td>305,000</td>
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</table>

**Total, Stockpile services** | 1,124,538 | 1,135,838 |

#### Strategic materials

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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<tbody>
<tr>
<td>Uranium sustainment</td>
<td>94,146</td>
<td>94,146</td>
</tr>
<tr>
<td>Plutonium sustainment</td>
<td>0</td>
<td>0</td>
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</table>

#### Plutonium sustainment:

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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</thead>
<tbody>
<tr>
<td>Plutonium sustainment</td>
<td>691,284</td>
<td>691,284</td>
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<tr>
<td>Plutonium pit production project</td>
<td>21,156</td>
<td>21,156</td>
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**Total, Plutonium sustainment** | 712,440 | 712,440 |

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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</thead>
<tbody>
<tr>
<td>Tritium sustainment</td>
<td>269,000</td>
<td>269,000</td>
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<tr>
<td>Domestic uranium enrichment</td>
<td>140,000</td>
<td>140,000</td>
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<tr>
<td>Lithium sustainment</td>
<td>26,000</td>
<td>26,000</td>
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<tr>
<td>Strategic materials sustainment</td>
<td>256,808</td>
<td>256,808</td>
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</table>

**Total, Strategic materials** | 1,501,194 | 1,501,194 |

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<th>Program</th>
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<th>Senate Authorized</th>
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<tr>
<td>Total, Directed stockpile work</td>
<td>5,426,357</td>
<td>5,437,357</td>
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#### Research, development, test, and evaluation (RDT&E)

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<th>Program</th>
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<th>Senate Authorized</th>
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<tr>
<td>Advanced certification</td>
<td>57,710</td>
<td>57,710</td>
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<tr>
<td>Primary assessment technologies</td>
<td>95,169</td>
<td>95,169</td>
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<tr>
<td>Dynamic materials properties</td>
<td>133,800</td>
<td>133,800</td>
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<tr>
<td>Advanced radiography</td>
<td>32,544</td>
<td>32,544</td>
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<tr>
<td>Secondary assessment technologies</td>
<td>77,553</td>
<td>77,553</td>
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<tr>
<td>Academic alliances and partnerships</td>
<td>44,625</td>
<td>44,625</td>
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<tr>
<td>Enhanced Capabilities for Subcritical Experiments</td>
<td>145,160</td>
<td>145,160</td>
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</table>

**Total, Science** | 586,561 | 586,561 |

#### Engineering

<table>
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<th>FY 2020 Request</th>
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<tr>
<td>Enhanced surety</td>
<td>46,500</td>
<td>54,500</td>
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<tr>
<td>UFR list—technology maturation</td>
<td>[-8,000]</td>
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<tr>
<td>Weapon systems engineering assessment technology</td>
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<td>0</td>
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<tr>
<td>Delivery environments (formerly Weapon systems engineering assessment technology)</td>
<td>35,945</td>
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### S 1790 RS
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<tr>
<td>Nuclear survivability</td>
<td>53,932</td>
<td>53,932</td>
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<tr>
<td>Enhanced surveillance</td>
<td>57,747</td>
<td>57,747</td>
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<tr>
<td>Stockpile Responsiveness</td>
<td>39,830</td>
<td>80,630</td>
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<tr>
<td>Program expansion</td>
<td>[40,800]</td>
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<tr>
<td><strong>Total, Engineering</strong></td>
<td><strong>233,954</strong></td>
<td><strong>282,754</strong></td>
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</tbody>
</table>

**Inertial confinement fusion ignition and high yield**

- Ignition and other stockpile programs: 55,649
- Ignition: 0
- Support of other stockpile programs: 0
- Diagnostics, cryogenics and experimental support: 66,128
- Pulsed power inertial confinement fusion: 8,571
- Facility operations and target production: 338,247

**Total, Inertial confinement fusion and high yield**: 480,595

**Advanced simulation and computing**

Advanced simulation and computing: 789,849

**Construction**

- 18-D-670, Exascale Class Computer Cooling Equipment, LANL: 0
- 18-D-620, Exascale Computing Facility Modernization Project, LLNL: 50,000

**Total, Construction**: 50,000

**Total, Advanced simulation and computing**: 839,849

**Advanced manufacturing development**

- Additive manufacturing: 18,500
- Component manufacturing development: 48,410
- UFIR list—technology maturation: [10,000]
- Process technology development: 69,998

**Total, Advanced manufacturing development**: 136,908

**Total, RDT&E**: 2,277,867

**Infrastructure and operations**

**Operating**

- Operations of facilities: 905,000
- Safety and environmental operations: 119,000
- Maintenance and repair of facilities: 456,000

**Recapitalization**

- Infrastructure and safety: 447,657
- Capability based investments: 153,341

**Total, Recapitalization**: 582,998

**Total, Operating**: 2,062,998

**Construction**

- 19-D-670, 138kV Power Transmission System Replacement, NNSS: 6,000
- 18-D-660, Fire Station, Y-12: 0
- 18-D-650, Tritium Production Capability, SRS: 27,000
- 18-D-680, Materials staging facility, PX: 0
- 18-D-690, Lithium production capability, Y-12: 0
- 18-D-690, Lithium processing facility, Y-12 (formerly Lithium production capability): 32,000
- 17-D-640, U1a Complex Enhancements Project, NNSS: 35,000
- 17-D-630, Expand Electrical Distribution System, LLNL: 0
- 16-D-515, Allisupergy complex project: 0
- 15-D-613, Emergency Operations Center, Y-12: 0
- 15-D-612, Emergency Operations Center, LLNL: 5,000
- 15-D-611, Emergency Operations Center, SNL: 4,000
- 15-D-301 HE Science & Engineering Facility, PX: 123,000
- 07-D-220, Radioactive liquid waste treatment facility upgrade project, LANL: 0
- 07-D-220-04, Transuranic liquid waste facility, LANL: 0
- 06-D-141, Uranium processing facility Y-12, Oak Ridge, TN: 745,000
<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemistry and metallurgy research replacement (CMRR)</td>
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<td></td>
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<tr>
<td>04–D–125, Chemistry and metallurgy research replacement project, LANL</td>
<td>168,444</td>
<td>168,444</td>
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<tr>
<td>04–D–125–4, HIFCO equipment installation</td>
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<td>0</td>
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<tr>
<td>04–D–125–55, PF–4 equipment installation</td>
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<td>0</td>
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<tr>
<td>Total, Chemistry and metallurgy research replacement</td>
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<tr>
<td>Total, Construction</td>
<td>1,145,444</td>
<td>1,145,444</td>
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<tr>
<td>Total, Infrastructure and operations</td>
<td>3,208,442</td>
<td>3,208,442</td>
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<tr>
<td>Secure transportation asset</td>
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<td></td>
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<tr>
<td>Operations and equipment</td>
<td>299,502</td>
<td>299,502</td>
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<tr>
<td>Program direction</td>
<td>107,660</td>
<td>107,660</td>
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<tr>
<td>Total, Secure transportation asset</td>
<td>317,162</td>
<td>317,162</td>
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<tr>
<td>Defense nuclear security</td>
<td></td>
<td></td>
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<tr>
<td>Operations and maintenance</td>
<td>778,213</td>
<td>778,213</td>
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<tr>
<td>Security improvements program</td>
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<td>0</td>
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<tr>
<td>Construction</td>
<td></td>
<td></td>
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<tr>
<td>17–D–710, West end protected area reduction project, Y–12</td>
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<td>0</td>
</tr>
<tr>
<td>Total, Defense nuclear security</td>
<td>778,213</td>
<td>778,213</td>
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<tr>
<td>Information technology and cybersecurity</td>
<td>309,362</td>
<td>309,362</td>
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<tr>
<td>Legacy contractor pensions</td>
<td>91,200</td>
<td>91,200</td>
</tr>
<tr>
<td>Subtotal, Weapons activities</td>
<td>12,408,603</td>
<td>12,478,403</td>
</tr>
<tr>
<td>Adjustments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use of prior year balances</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total, Adjustments</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total, Weapons Activities</td>
<td>12,408,603</td>
<td>12,478,403</td>
</tr>
</tbody>
</table>

Defense Nuclear Nonproliferation

Defense Nuclear Nonproliferation Programs

Material management and minimization

- HEU reactor conversion: 114,000
- Nuclear material removal: 32,925
- Material disposition: 186,608
- Laboratory and partnership support: 0

Total, Material management & minimization: 333,533

Global material security

- International nuclear security: 48,839
- Domestic radiological security: 90,513
- International radiological security: 60,827

Total, Global material security: 342,350

Nonproliferation and arms control: 137,267

Defense nuclear nonproliferation R&D

- Proliferation detection: 304,040
- Nonproliferation Stewardship program strategic plan: [-19,500]
- Nuclear detonation detection: 191,317
- Nonproliferation fuels development: 0

Total, Defense Nuclear Nonproliferation R&D: 495,357

Nonproliferation construction

U. S. Construction:

- 18–D–150 Surplus Plutonium Disposition Project: 79,000
- 99–D–143, Mixed Oxide (MOX) Fuel Fabrication Facility, SRS: 220,000

Total, U. S. Construction: 299,000

Total, Nonproliferation construction: 299,000

Total, Defense Nuclear Nonproliferation Programs: 1,607,507

Legacy contractor pensions: 13,700

Nuclear counterterrorism and incident response program

- Nuclear counterterrorism and incident response: 0
- Emergency Operations: 35,345

Emergency Operations: 25,945
### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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</thead>
<tbody>
<tr>
<td>Non-defense function realignment</td>
<td>[-9,600]</td>
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<tr>
<td>Counterterrorism and Counterproliferation</td>
<td>336,550</td>
<td>336,550</td>
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<tr>
<td><strong>Total, Nuclear counterterrorism and incident response</strong></td>
<td>372,095</td>
<td>362,495</td>
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<tr>
<td><strong>Subtotal, Defense Nuclear Nonproliferation</strong></td>
<td>1,993,302</td>
<td>1,964,202</td>
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<tr>
<td><strong>Adjustments</strong></td>
<td></td>
<td></td>
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<tr>
<td>Use of prior year balances</td>
<td>0</td>
<td>0</td>
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<tr>
<td><strong>Total, Adjustments</strong></td>
<td>0</td>
<td>0</td>
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<tr>
<td><strong>Subtotal, Defense Nuclear Nonproliferation</strong></td>
<td>1,993,302</td>
<td>1,964,202</td>
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<tr>
<td><strong>Rescission</strong></td>
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<tr>
<td>Use of prior year balances</td>
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<tr>
<td>Use of prior year balances (Gen. Prov.)</td>
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<td>0</td>
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<tr>
<td><strong>Total, Defense Nuclear Nonproliferation</strong></td>
<td>1,993,302</td>
<td>1,964,202</td>
</tr>
</tbody>
</table>

#### Naval Reactors

- Naval reactors development .......................................................... 531,205 531,205
- Columbia-Class reactor systems development ................................ 75,500 75,500
- SSG Prototype refueling ............................................................... 155,000 155,000
- Naval reactors operations and infrastructure ................................ 553,591 553,591
- Program direction ........................................................................... 50,500 50,500

#### Construction:

- 20-D-301, KL Fuel development laboratory .................................. 23,700 23,700
- 19-D-830, 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

#### Defense Environmental Cleanup

#### Closure sites:

- Closure sites administration ....................................................... 4,987 4,987

#### Richland:

- River corridor and other cleanup operations .................................. 139,750 139,750
- Central plateau remediation:
  - 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** .................................................................. 628,820 628,820
- **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 disposal ............................. 677,460 677,460

#### Construction:

- 18–D–16 Waste treatment and immobilization plant -LBL/DFreet 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
- **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
<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NNSA sites and Nevada off-sites</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lawrence Livermore National Laboratory</td>
<td>1,727</td>
<td>1,727</td>
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<tr>
<td>LLNL Excess facilities R&amp;D</td>
<td>128,000</td>
<td>128,000</td>
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<tr>
<td>Nuclear facility D &amp; D Separations Process Research Unit</td>
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<tr>
<td>Nevada</td>
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<td>60,737</td>
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<td>Sandia National Laboratories</td>
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<td>2,652</td>
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<td>Los Alamos National Laboratory</td>
<td>195,462</td>
<td>195,462</td>
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<tr>
<td><strong>Total, NNSA sites and Nevada off-sites</strong></td>
<td>403,878</td>
<td>403,878</td>
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<td><strong>Oak Ridge Reservation</strong></td>
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<tr>
<td>OR Nuclear facility D &amp; D</td>
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<td>93,693</td>
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<td>OR Excess facilities R&amp;D</td>
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<td>U233 Disposition Program</td>
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<td><strong>OR cleanup and waste disposition</strong></td>
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<td><strong>Subtotal, OR cleanup and waste disposition</strong></td>
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<tr>
<td><strong>Construction</strong></td>
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<tr>
<td>17-D-401 On-site waste disposal facility</td>
<td>15,269</td>
<td>15,269</td>
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<tr>
<td>14-D-403 Outfall 200 Mercury Treatment Facility</td>
<td>49,000</td>
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<tr>
<td><strong>Total, Construction</strong></td>
<td>64,269</td>
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<tr>
<td><strong>Total, OR cleanup and waste disposition</strong></td>
<td>146,269</td>
<td>146,269</td>
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<tr>
<td><strong>Oak Ridge Reservation</strong></td>
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<td></td>
</tr>
<tr>
<td>OR community &amp; regulatory support</td>
<td>4,819</td>
<td>4,819</td>
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<tr>
<td>OR technology development and deployment</td>
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<td>3,000</td>
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<tr>
<td><strong>Total, Oak Ridge Reservation</strong></td>
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<td>292,781</td>
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<tr>
<td><strong>Savannah River Sites</strong></td>
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<td>Savannah River risk management operations:</td>
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<td>18-D-402, Emergency Operations Center Replacement, SR</td>
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<td><strong>Total, Savannah River risk management operations</strong></td>
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<tr>
<td><strong>Savannah River community and regulatory support</strong></td>
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<td><strong>Radioactive liquid tank waste</strong></td>
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<td>Radioactive liquid tank waste stabilization and dispostion</td>
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<td><strong>Construction</strong></td>
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<td>26-D-401 Saltstone Disposal Unit #10, 11, 12</td>
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<td>19-D-701 SR Security system replacement</td>
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<td>17-D-402—Saltstone Disposal Unit #7</td>
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<td>Waste Isolation Pilot Plant</td>
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<td>15-D-412 Exhaust shaft, WIPP</td>
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<td><strong>Total, Waste Isolation Pilot Plant</strong></td>
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### Other Defense Activities

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<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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<td><strong>Environment, health, safety and security</strong></td>
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<td><strong>Total, Environment, Health, safety and security</strong></td>
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<td><strong>Independent enterprise assessments</strong></td>
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<td>Non-defense function realignment</td>
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<td><strong>Office of Legacy Management</strong></td>
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<td><strong>Defense related administrative support</strong></td>
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<td>Office of hearings and appeals</td>
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<td><strong>Total, Other Defense Activities</strong></td>
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<td>Yucca mountain and interim storage</td>
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<td><strong>Total, Defense Nuclear Waste</strong></td>
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A BILL

[Report No. 116-48]

S. 1790

116TH CONGRESS

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, for military construction and for defense activities of the Department of Defense, and for other purposes.

Read twice and placed on the calendar.

JUNE 11, 2019