NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020

The PRESIDING OFFICER. The clerk will report the bill. The senior assistant legislative clerk read as follows:

A bill (S. 1790) 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.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 764, AS MODIFIED

Mr. MCCONNELL. I call up the Inhofe amendment No. 764, as modified, with the changes at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] for Mr. INHOFE, proposes an amendment numbered 764.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

(Purpose: In the nature of a substitute)

[Amendment text not fully transcribed]

The motion was agreed to.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Sec. 111. Sense of Senate on Army's approach to Capability Drops 1 and 2 of the Distributed Common Ground System-Army program.

Sec. 112. Authority of the Secretary of the Army to waive certain limitations related to the Distributed Common Ground System-Army increment 1.

Subtitle B—Army Programs

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.

Sec. 127. Limitation on the next new class of Navy large surface combatants.


Sec. 129. Report on carrier wing composition.

Subtitle C—Air Force Programs


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.

Sec. 143. Report on feasibility of multyear contract procurement of JASSM-ER missiles.

Sec. 144. Air Force aggressor squadron modernization.

Sec. 145. Air Force plan for Combat Rescue Helicopter fielding.

Sec. 146. Military type certification for AT-6 and A-29 light attack experimental aircraft.

Subtitle D—Air Force Programs

Sec. 211. Development and acquisition strategy.

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.

Sec. 214. Electromagnetic spectrum sharing research and development program.

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 biotechnology research and development program.

Sec. 232. Cyber science and technology activities roadmap and reports.

Sec. 233. Requirements for certain microelectronics products and services meet trusted supply chain and operational security standards.

Sec. 234. Technical cooperation with 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. 240. Use of funds for Strategic Environmental Research, Environmental Security Technical Certification Program, and Operational Energy Capability enhancement.

Sec. 241. Funding for the Sea-Launched Cruise Missile-Nuclear analysis of alternatives.

Sec. 242. Review and assessment pertaining to transition of Department of Defense-originated dual-use technology.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

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 magnetic spectrum shared 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 fire fighting 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.

Sec. 321. Pilot program for availability of working-capital funds for increased combat capability through energy optimization.

Sec. 322. Report on efforts to reduce high energy intensity at military installations.

Sec. 323. Technical and grammatical corrections and repeal of obsolete provisions relating to energy.

Subtitle C—Logistics and Sustainment

Sec. 324. Requirement for memoranda of understanding between the Air Force and the Navy regarding depot maintenance.

Sec. 325. Modification to limitation on length of overseas forward deployment of naval vessels.

Subtitle D—Reports


Sec. 327. Strategy to improve infrastructure of certain depots of the Department of Defense.

Sec. 328. Limitation on use of funds regarding the basing of KC-46A aircraft outside the continental United States.

Sec. 329. Prevention of encroachment on military training routes and military operations areas.

Sec. 330. Expansion and enhancement of authority on transfer and adoption of military animals.

Sec. 331. Limitation on contracting relating to Defense Personal Property Program.

Sec. 332. Prohibition on subjective upgrades by commanders of unit ratings in monthly readiness reporting on military units.

Sec. 333. Extension of temporary installation reutilization authority for arsenals, depots, and plants.

Sec. 334. Clarification of food ingredient requirements for food or beverages provided by the Department of Defense.

Sec. 335. Technical correction to deadline for transition to Defense Readiness Reporting System Strategic.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for Reserves on active duty in support of the reserves.

Sec. 413. End strengths for military technicians (dual status).

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.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel authorities.

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.

Sec. 502. Maker of original appointments in a regular or reserve component of commissioned officers previously subject to original appointment in another type of component.

Sec. 503. Furnishing of adverse information on officers to promotion selection boards.

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

Sec. 505. Expansion of authority for continuation on active duty of officers in certain military specialties and career tracks.

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

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.

Sec. 525. Training for commanders in the Air Force on sexual assault for operational support of the Armed Forces.

Sec. 526. Notice to victims of alleged sexual assault of and sexual assault on withholding of initial disposition for sexual assault in the Armed Forces.

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.

Sec. 550. Treatment of information in Catch a Serial Offender Program for certain purposes.

Sec. 551. Report on mechanisms to restrict report on sexual assault for victims of sexual assault following certain victim or third-party communications.

Sec. 552. Authority for return of personal property to victims of sexual assault who file a Restricted Report before conclusion of related proceedings.

Sec. 553. Extension of Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces.

Sec. 554. Defense Advisory Committee for the Prevention of Sexual Misconduct.

Sec. 555. Independent reviews and assessments on race and ethnicity in the investigation, prosecution, and defense of sexual assault in the Armed Forces.

Sec. 556. Report on mechanisms to enhance the integration and synchronization of activities of Special Victims' Counsel and Prosecution personnel with activities of military criminal investigative organizations.

Sec. 557. Comptroller General of the United States report on implementation by the Armed Forces of recent statutory requirements on sexual assault punishment and response in the military.

PART II—SPECIAL VICTIMS’ COUNSEL MATTERS

Sec. 541. Legal assistance by Special Victims’ Counsel for victims of alleged domestic violence offenses.

Sec. 542. Other Special Victims’ Counsel matters.

Sec. 543. Availability of Special Victims’ Counsel at military installations.

Sec. 544. Training for Special Victims’ Counsel on civilian criminal justice matters in the States of the military installations to which assigned.

PART III—BOARDS FOR CORRECTION OF MILITARY 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.

Sec. 547. Reduction in the number of members of discharge review boards.

PART IV—AUTHORIZATION OF Appropriations

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

Sec. 530. Treatment of information in Catch a Serial Offender Program for certain purposes.

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

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PART III—BOARDS FOR CORRECTION OF MILITARY 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.

Sec. 547. Reduction in the number of members of discharge review boards.
Sec. 548. Enhancement of personnel on boards for the correction of military records and discharge review boards.

Sec. 549. Inclusion of intimate partner violence and spousal abuse among supporting rationales for certain claims for corrections of military records and discharge review.

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

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.

Sec. 552. Limitations and requirements in connection with separations for members of the Armed Forces who suffer from mental health conditions in connection with a sex-related, intimate partner violence-related, or spousal abuse offense.

Sec. 553. Liberal consideration of evidence in certain claims by boards for the correction of military records and discharge review boards.

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.

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.

Sec. 557. Increase in number of digital forensics examiners for the military criminal investigative organizations.

Sec. 558. Survey of members of the Armed Forces on their experiences with military investigations and military justice.

Sec. 559. Public access to dockets, filings, and court records of court-martial or other records of trial of the military justice system.

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

Sec. 561. Report on military justice system involving alternative authority for determining whether to refer or refer changes for felony offenses under the Uniform Code of Military Justice.

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.

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

Sec. 566. Consecutive service of service obligations in connection with payment of tuition for off-duty training or education for commissioned officers of the Armed Forces with any other service obligations.

Sec. 567. Authority for detail of certain enlisted members of the Armed Forces as students at law schools.

Sec. 568. Connections of members retiring or separating from the Armed Forces with community-based organizations and related entities.

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.

Sec. 572. Impact aid for children with severe disabilities.

Sec. 573. Rik'atika Gu'um Student Program at United States Army Garrison—Kwajalein Atoll.

PART II—Military Family Readiness Matters

Sec. 576. Two-year extension of authority for reimbursement for State license and certification costs of spouses of members of the Armed Forces arising from re-location to another State.

Sec. 577. Improvement of occupational license portability for military spouses through interstate compacts.

Sec. 578. Modification of responsibility of the Office of Special Needs for individualized service plans for military families with special needs.

Sec. 579. Clarifying technical amendment on direct hire authority for the Department of Defense for childcare services providers for Department child development centers.

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.

Sec. 581. Briefing on use of Family Advocacy Programs to address domestic violence.

Subtitle G—Decorations and Awards


Sec. 586. Standardization of honorable service requirements for award of military decorations.

Sec. 587. Authority to award or present a decoration not previously recommended in a timely fashion following a review requested by Congress.

Sec. 588. Authority to make posthumous and honorary promotions and appointments following a review requested by Congress.

Subtitle H—Other Matters

Sec. 591. Military funeral honors matters.

Sec. 592. Inclusion of homeschooled students in Junior Reserve Officers' Training Corps units.

Sec. 593. Sense of Senate on the Junior Reserve Officers' Training Corps.

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 dependents.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. One-year extension of certain expiring bonus and special pay authorities.

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.

Subtitle D—Disability Pay, Retired Pay, and Survivor Benefits

Sec. 631. Contributions to Department of Defense Military Retirement Fund based on pay costs per Armed Forces rather than on Armed Forces-wide basis.

Sec. 632. Modification of authorities on eligibility for and replacement of gold star lapel buttons.

Subtitle E—Commissary and Non-Appropriated Fund Instrumentality Benefits and Operations

Sec. 641. Defense resale system matters.

Sec. 642. Treatment of fees on services provided as supplemental funds for commissary operations.

Sec. 643. Procurement by commissary stores of certain locally sourced products.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Contraception coverage parity under the TRICARE program.

Sec. 702. TRICARE payment options for retirees and dependents.

Sec. 703. Lead level screening and testing for children.

Sec. 704. Provision of blood testing for firefighters of Department of Defense to determine exposure to perfluoroalkyl and polyfluoroalkyl substances.

Subtitle B—Health Care Administration

Sec. 711. Modification of organization of military health system.

Sec. 712. Support by military health system of medical requirements of combatant commands.

Sec. 713. Tours of duty of combat commanders or directors of military treatment facilities.

Sec. 714. Expansion of strategy to improve acquisition of managed care support contracts under TRICARE program.

Sec. 715. Establishment of regional medical hubs to support combatant commands.

Sec. 716. Monitoring of adverse event data on dietary supplement use by members of the Armed Forces.

Sec. 717. Enhancement of recordkeeping with respect to exposure by members of the Armed Forces to certain occupational and environmental hazards while deployed overseas.
Sec. 721. Extension and clarification of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund.

Sec. 722. Appointment of non-ex officio members of the Henry M. Jackson Foundation for the Advancement of Military Medicine.

Sec. 723. Officers authorized to command Army drill units.

Sec. 724. Establishment of Academic Health System in National Capital Region.

Sec. 725. Provision of veterinary services by veterinary professionals of the Department of Defense in emergencies.

Sec. 726. Five-year extension of authority to continue the DOD-VA Health Care Sharing Incentive Fund.

Sec. 727. Pilot Program on civilian and military partnerships to enhance interoperability and medical surge capability and capacity of National Disaster Medical System.

Sec. 728. Modification of requirements for longitudinal medical study on blast pressure exposure of members of the Armed Forces.

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.

Sec. 802. Pilot program to use alpha contracting teams for complex requirements.

Sec. 803. Modification of written approval requirement for task and delivery order single contract awards.

Sec. 804. Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan.

Sec. 805. Modification of Director of Operational Test and Evaluation report.

Sec. 806. Department of Defense use of fixed-price contracts.

Sec. 807. Pilot program to accelerate contracting and pricing processes.

Sec. 808. Pilot program to streamline decision-making processes for weapon systems.

Sec. 809. Documentation of market research related to commercial item determinations.

Sec. 810. Modification to small purchase threshold exception to sourcing requirements for certain articles.

Subtitle B—Provisions Relating to Major Defense Acquisition Programs

Sec. 821. Naval vessel certification required before milestone B approval.

Subtitle C—Industrial Base Matters

Sec. 831. Modernization of acquisition programs to ensure integrity of industrial base.

Sec. 832. Assessment of precision-guided missiles for reliance on foreign-made microelectronic components.

Sec. 833. Mitigating risks related to foreign ownership, control, or influence of Department of Defense contracted maintenance or subcontractors.

Sec. 834. Extension and revisions to Never Contract With the Enemy.

Subtitle D—Small Business Matters

Sec. 841. Reauthorization and improvement of Department of Defense Mentor-Protege' Program.

Sec. 842. Modification of justification and approval requirement for certain Department of Defense contracts.

Subtitle E—Provisions Related to Software-Driven Capabilities

Sec. 851. Improved management of information technology and cyberspace investments.

Sec. 852. Special pathways for rapid acquisition of software applications and upgrades.

Subtitle F—Other Matters

Sec. 861. Notification of Navy procurement production disruptions.

Sec. 862. Modification to acquisition authority of the Commander of the United States Cyber Command.

Sec. 863. Prohibition on operation or procurement of foreign-made unmanned aircraft systems.

Sec. 864. Prohibition on contracting with persons that have business operations with the Maduro regime.

Sec. 865. Commander General of the United States report on Department of Defense efforts to combat human trafficking through procurement.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Office of the Secretary of Defense and Related Matters

901. Headquarters activities of the Department of Defense.

902. Responsibility of Under Secretary of Defense for Acquisition and Sustainment for Procurement Technical Assistance Cooperative Agreement Program.

903. Return to Chief Information Officer of the Department of Defense responsibility for business systems and related matters.

904. Senior Military Advisor for Cyber Policy and Deputy Principal Cyber Advisor.

905. Limitation on transfer of Strategic Capabilities Office.

Subtitle B—Organization and Management of Other Department of Defense Offices and Elements


912. Repeal of conditional designation of Explosive Ordnance Disposal Corps as a basic branch of the Army.

Subtitle C—Other Matters

921. Exclusion from limitations on personnel in the Office of the Secretary of Defense and Department of Defense findings of fellows appointed under the John S. McCain Defense Fellows Program.


TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.

Sec. 1002. Modification of required elements.

Sec. 1003. Inclusion of military construction projects in annual reports on unfunded priorities of the Armed Forces and the combatant commands.

Sec. 1004. Prohibition on delegation of responsibility for submittal to Congress of Out-Year Unconstrained Total Acquisition Requirements and Out-Year Inventory numbers.

Sec. 1005. Element in annual reports on the Financial Improvement and Audit Remediation Plan on activities with respect to classified programs.

Sec. 1006. Modification of semiannual briefings on the consolidated corrective action plan of the Department of Defense for financial management information.

Sec. 1007. Update of authorities and renaming of Department of Defense Acquisition Workforce Development Fund.

Subtitle B—Counterdrug Activities

Sec. 1011. Modification of authority to support a unified counterdrug and counterterrorism campaign in Colombia.

Sec. 1012. Two-year extension of authority for joint providers to provide support to law enforcement agencies conducting counterterrorism activities.

Subtitle C—Naval Vessels and Shipyards


Sec. 1017. Senior Technical Authority for each naval vessel class.

Sec. 1018. Permanent authority for sustaining operational readiness of Littoral Combat Ships on existing contract.

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 detainees 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.

Sec. 1026. Chief Medical Officer at United States Naval Station, Guantanamo Bay, Cuba.

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.

Sec. 1032. Comprehensive Department of Defense policy on collective self-defense.
Sec. 1034. Prohibition on ownership or trading of stocks in certain companies by the Department of Defense officers and employees.

Sec. 1035. Limitation on placement by the Under Secretary of Defense for Personnel and Readiness of work with federally funded research and development centers.

Sec. 1036. Modernization of inspection authorities applicable to the National Guard and extension of inspection authority to the Chief of the National Guard Bureau.

Sec. 1037. Enhancement of authorities on forfeiture of Federal benefits by the National Guard.

Sec. 1038. Modernization of authorities on property and fiscal officers of the National Guard.

Sec. 1039. Limitation on employment of former Department of Defense officials.

Sec. 1040. Termination of requirement for Department of Defense facility access clearances for joint ventures composed of previously-cleared entities.

Sec. 1041. Designation of Department of Defense Strategic Arctic Port.


Sec. 1043. Authority to transfer funds for Bien Hoa dioxin cleanup.

Sec. 1044. Modernization of inspection authorities applicable to the National Guard and extension of inspection authority to the Chief of the National Guard Bureau.

Sec. 1045. Termination of requirement for Department of Defense facility access clearances for joint ventures composed of previously-cleared entities.

Sec. 1046. Designation of Department of Defense Strategic Arctic Port.


Sec. 1048. Authority to transfer funds for Bien Hoa dioxin cleanup.

Sec. 1049. Modernization of inspection authorities applicable to the National Guard and extension of inspection authority to the Chief of the National Guard Bureau.

Sec. 1050. Termination of requirement for Department of Defense facility access clearances for joint ventures composed of previously-cleared entities.

Sec. 1051. Modernization of inspection authorities applicable to the National Guard and extension of inspection authority to the Chief of the National Guard Bureau.


Sec. 1053. Authority to transfer funds for Bien Hoa dioxin cleanup.

Sec. 1054. Modernization of inspection authorities applicable to the National Guard and extension of inspection authority to the Chief of the National Guard Bureau.

Sec. 1055. Termination of requirement for Department of Defense facility access clearances for joint ventures composed of previously-cleared entities.


Sec. 1057. Policy regarding the transition of defense assets and personnel to the Department of Defense.

Sec. 1058. Modernization of inspection authorities applicable to the National Guard and extension of inspection authority to the Chief of the National Guard Bureau.

Sec. 1059. Enhancement of authorities on forfeiture of Federal benefits by the National Guard.


Sec. 1061. Short title.

Sec. 1062. Definitions.

Sec. 1063. Provision of water uncontaminated with perfluorooctanoic acid (PFOS) and perfluoroctane sulfonate (PFOS) for agricultural purposes.

Sec. 1064. Acquisition of real property by Air Force.

Sec. 1065. Remediation plan.

Subtitle H—Other Matters

Sec. 1066. Revision to authorities relating to mail service for members of the Armed Forces and Department of Defense civilians overseas.

Sec. 1067. Access to and use of military post offices by Federal employees and citizens employed overseas by the North Atlantic Treaty Organization who perform functions in support of military operations of the Armed Forces.

Sec. 1068. Guarantee of residency for spouses of members of uniformed services.

Sec. 1069. Extension for briefings on the national bio-defense strategy.


TITLE XI—CIVILIAN PERSONNEL

Subtitle A—Assistance and Training

Sec. 1201. Extension of support of special operations for irregular warfare.

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.

Sec. 1204. Modernization of reporting requirements for use of funds for security cooperation programs and activities.

Sec. 1205. Institutional legal capacity building initiative for foreign defense forces.

Sec. 1206. Department of Defense support for stabilization activities in national security interest of the United States.

Subtitle B—Matters Relating to Afghanistan

Sec. 1207. Modification of reporting requirements for defense assets and personnel to the military and security forces of Afghanistan.

Sec. 1208. Afghanistan Security Forces Fund.

Sec. 1209. Extension of Commanders' Emergency Response Program.

Sec. 1210. Extension and modification of reimbursement of certain coalition nations for services provided to United States military operations.

Sec. 1211. Support for reconciliation activities led by the Government of Afghanistan.

Sec. 1212. Sense of Senate on special immigrant visa program for Afghan allies.

Subtitle C—Matters Relating to Syria, Iraq, and Iran

Sec. 1213. Extension of authority to provide assistance to vetted Syrian groups.

Sec. 1214. Extension of authority and limitation on use of funds to provide assistance to counter the Islamic State of Iraq and Syria.

Sec. 1215. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.

Sec. 1216. Coordinator of United States Government activities and matters in connection with detainees who are members of the Islamic State of Iraq and Syria.

Sec. 1217. Report on lessons learned from efforts to liberate Mosul and Raqqa from control of the Islamic State of Iraq and Syria.

Subtitle D—Matters Relating to Europe and the Russian Federation

Sec. 1218. Prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea.

Sec. 1219. Prohibition on use of funds for withdrawal of Armed Forces from Europe in the event of United States withdrawal from the North Atlantic Treaty.

Sec. 1220. Extension of United States withdrawal from the North Atlantic Treaty.

Sec. 1221. Modification and extension of United States withdrawal from the North Atlantic Treaty.

Sec. 1222. Modification and extension of Ukraine Security Assistance Initiative.

Sec. 1223. Extension of authority for training for Eastern European national security forces in the course of multinational exercises.

Sec. 1224. Modification of briefing, notification, and reporting requirements relating to non-compliance by the Russian Federation with its obligations under the INF Treaty.

Sec. 1225. Extension and modification of security assistance for Baltic nations for joint program for interoperability and deterrence against aggression.


Sec. 1227. Reports on contributions to the North Atlantic Treaty Organization.
Sec. 1241. Future years plans for European Deterrence Initiative.

Sec. 1242. Modification of reporting requirements relating to the Open Skies Treaty.


Sec. 1244. Sense of Senate on the 70th anniversary of the North Atlantic Treaty Organization.

Sec. 1245. Sense of Senate on United States forces posture in Europe and the Republic of Poland.

Sec. 1246. Sense of Senate on United States partnership with the Republic of Georgia.

Subtitle F—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.


Sec. 1256. Sense of Senate on the United States-Japan alliance and defense cooperation.

Sec. 1257. Sense of Senate on enhancement of the United States-Taiwan defense relationship.

Sec. 1258. Sense of Senate on United States-India defense relationship.

Sec. 1259. Sense of Senate on security commitments to the Governments of Japan and the Republic of Korea and trilateral cooperation among the United States, Japan, and the Republic of Korea.

Sec. 1260. Sense of Senate on enhanced cooperation with Pacific Island countries to establish open-source intelligence fusion centers in the Indo-Pacific region.

Sec. 1261. Sense of Senate on enhancing defense and security cooperation with the Republic of Singapore.

Subtitle G—Military Programs

Sec. 1268. Reports on expenses incurred for in-flight refueling of Saudi coalition aircraft conducting missions relating to civil war in Yemen.

Sec. 1269. Sense of Senate on security concerns with respect to leasing arrangements for the Port of Halifa in United Arab Emirates.

TITLE XIII—COOPERATIVE THREAT REDUCTION

Sec. 1301. Funding allocations for Department of Defense Cooperative Threat Reduction Program.

TITLE XIV—OTHER AUTHORIZATIONS

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**TITLE CV—ELECTION MATTERS**

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Sec. 10610. Intelligence community reports on security clearances.

Sec. 10611. Periodic report on positions in the intelligence community that can be conducted without access to classified information, networks, or facilities.

Sec. 10612. Information sharing program for positions of trust and security clearances.

Sec. 10613. Report on protections for confidentiality of whistleblower-related communications.

**TITLE CVII—REPORTS AND OTHER MATTERS**

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Sec. 10701. Limitation relating to establishment or support of cybersecurity unit with the Russian Federation.

Sec. 10702. Report on returning Russian compounds.

Sec. 10703. Assessment of threat finance relating to Russia.

Sec. 10704. Notification of an active measures campaign.


Sec. 10706. Report on outreach strategy addressing threats from United States adversaries to the United States technology sector.

Sec. 10707. Report on Iranian support of proxy forces in Syria and Lebanon.

Sec. 10708. Annual report on Iranian expenditures supporting militarily and terrorist activities.

Sec. 10709. Expansion of scope of committee to counter active measures and report on establishment of Foreign Malign Influence Center.

Subtitle B—Reports

Sec. 10711. Technical correction to Inspector General study.

Sec. 10712. Reports on authorities of the Chief Intelligence Officer of the Department of Homeland Security.

Sec. 10713. Report on cyber exchange program.

Sec. 10714. Review of intelligence community whistleblower matters.

Sec. 10715. Report on role of Director of National Intelligence with respect to certain foreign investments.


Sec. 10717. Biennial report on foreign investment risks.

Sec. 10718. Modification of certain reporting requirement on travel of foreign diplomats.

Sec. 10719. Semiannual reports on investigations of unauthorized disclosures of classified information.

Sec. 10720. Congressional notification of designation of covered intelligence officer as persona non grata.

Sec. 10721. Reports on intelligence community participation in vulnerabilities equities process of Federal Government.

Sec. 10722. Inspectors General reports on classification.

Sec. 10723. Reports on global water insecurity and national security implications and briefing on emerging infectious disease and pandemics.

Sec. 10724. Annual report on memoranda of understanding between elements of intelligence community and other entities of the United States Government regarding significant operational activities on the part of the Intelligence Community.

Sec. 10725. Study on the feasibility of encrypting unclassified wireline and wireless telephone calls.

Sec. 10726. Modification of requirement for annual report on hiring and retention of minority employees.

Sec. 10727. Reports on intelligence community loan repayment and related programs.

Sec. 10728. Repeal of certain reporting requirements.

Sec. 10729. Inspector General of the Intelligence Community report on senior executives of the Office of the Director of National Intelligence.

Sec. 10730. Briefing on Federal Bureau of Investigation offering permanent residence to sources and cooperators.

Sec. 10731. Intelligence assessment of North Korea revenue sources.

Sec. 10732. Report on illegal misappropriation of virtual currencies by terrorist actors.

Subtitle C—Other Matters

Sec. 10741. Public Interest Declassification Board.

Sec. 10742. Securing energy infrastructure.

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SEC. 10744. Modification of authorities relating to the National Intelligence University.


SEC. 10746. Technical amendments related to the Department of Energy.

SEC. 10747. Sense of Congress on notification of criminal disclosures of classified information.

SEC. 10748. Sense of Congress on consideration of espionage activities when considering whether or not to provide visas to foreign individuals to be accredited to a United Nations mission in the United States.

SEC. 10749. Sense of Congress on Wikileaks.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

In this Act, the term ‘congressional defense committees’ has the meaning given that term in section 101(a)(15) 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 entitled ‘Limitation of Appropriations’ for this Act, jointly submitted for printing in the Congressional Record by the Chairman of the House and Senate Budget Committees 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 1101.

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, that will direct 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.

Section 113(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-338; 130 Stat. 2028) is amended by striking ‘Secretary’ and inserting ‘Secretary of the Army’.

Subtitle C—Army Programs

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

Section 1230 of the Joint National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) is amended—

(1) in subsection (a) by striking ‘for fiscal year 2019’ and inserting ‘for fiscal year 2019 or fiscal year 2020’;

(2) by striking ‘$1,455,000,000’ and inserting ‘$1,495,000,000’; and

(3) by striking ‘$1,495,000,000’ and inserting ‘$1,475,000,000’.

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 commonality and interoperability of naval aircraft embarked on such naval vessels, including aircraft arresting gear and launch capabilities.

(c) 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 that such threat poses grave harm to national security.

(d) Limitation on Technology Insertion.—Notwithstanding any authorization or limitation for such activity under section 8692 of the John M. McCain National Security Authorization Act for Fiscal Year 2019 (Public Law 115-232) is amended—

(1) in subsection (a) by striking ‘$1,027,000,000’ and inserting ‘$1,007,000,000’;

(2) by striking ‘CVN–78’ and inserting ‘CVN–79’;

(3) by striking ‘CVN–79’ and inserting ‘CVN–81’; and

(4) in subsection (b) by striking ‘CVN–78’ and inserting ‘CVN–81’.

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

(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) $1,398,000,000 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 changes in Federal, State, or local laws enacted after September 30, 2019.

(3) The amounts of outfitting costs and post-delivery costs incurred.

(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 in costs required to correct deficiencies that affect the safety of the ship and personnel or otherwise preclude the ship from safe operations and crew certification.

(6) With respect to the aircraft carrier designated as CVN-78, the amounts of increases or decreases in costs of that ship that are attributable solely to an urgent and unforeseen requirement identified as a result of the shipboard test program.

(7) With respect to the aircraft carrier designated as CVN–79, the amounts of increases not exceeding $100,000,000, if the Chief of Naval Operations determines that achieving the amount set forth in subsection (a)(2) would result in unacceptable reductions to the operational capability of the ship.

(c) Limitation on Shipboard Test Program 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 technology 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 emerging 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 adjust the amount set forth in subsection (a) for the aircraft carrier designated CVN–78 for reasons as set forth in section 8366 of title 10, United States Code.

(e) Exclusion of Battle and Interim Spares From Cost Limitation.—The Secretary of the Navy shall adjust the amount set forth in subsection (a) by 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 (a) for more than 30 days prior to making such change.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 8691 the following new item: ‘’§ 8692. Ford-class aircraft carrier cost limitation baselines.’’.

(c) REPEAL WITH REVISED 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 a 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 ASAILT 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 appropriated 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 include that the 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.

(c) REPEAL OF OBSCURE AUTHORITY.—Section 125 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104) 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—

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

(2) will not result in exceeding the low-rate initial production quantity approved in the Littoral Combat Ship Acquisition Strategy and the 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.

(b) DEFINITION.—The term ‘‘revision five of the Littoral Combat Ship acquisition strategy approved by the Under Secretary of Defense for Acquisition, Technology and Logistics and submitted on March 18, 2010.’’

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

(a) IN GENERAL.—Milestone B approval may not be granted for the next new class of Navy large surface combatants 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 2366(e)(7) of title 10, United States Code.

(b) DEFINITION.—The term ‘‘revision five of the Littoral Combat Ship acquisition strategy in section (a) for the nuclear refueling and complex overhaul contract for the procurement of a Littoral Combat Ship that exceeds the total procurement quantities specified in this subsection is a certification by the Under Secretary of Defense for Acquisition, Technology and Conversion, Navy, of the need to exceed the total procurement quantities listed in revision five of the Littoral Combat Ship acquisition strategy—

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

(2) will not result in exceeding the low-rate initial production quantity approved in the Littoral Combat Ship Acquisition Strategy and the 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) DEFINITIONS.—In this section:

(1) The term ‘‘Milestone B approval’’ has the meaning given the term in section 2966(c)(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 major defense acquisition programs. The milestone decision authority to approve entry of the program into the next phase of the acquisition process.

(3) The term ‘‘large surface combatant’’ means Navy surface ships that are designed primarily to engage in attacks against airborned, surface, subsurface, and shore targets, and include 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), the funds for payments under such contract may be provided from amounts authorized to be appropriated in fiscal year 2020 is subject to the availability of appropriations for that purpose for such fiscal year.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—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 appropriations 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 alternative force design concepts.

(b) ELEMENTS.—The report required under subsection (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 to the Joint Strike Fighter Autonomic Logistics Information System (ALIS).

(b) COMPETITIVE ANALYSIS.—The Secretary of Defense shall carry out a competitive analysis of the effort between the Autonomic Logistics Information System, Automatic 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 results 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 MULTIMISSELS.

(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 2021.

(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 minimum procurement of 550 missiles per year for 5 years.

(3) An assessment of how a multiyear contract could 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 to retain this capability, the Air Force must have access to an expanded 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-35A as aggressor aircraft reflects a recognition of the need to field a modern aggressor fleet.

(b) REPORT.—

(1) IN GENERAL.—The Secretary of the Air Force shall submit to the congressional defense committees a comprehensive plan and report on its 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 installation Site, the size and availability of airspace necessary to meet flying operations requirements; and

(B) have sufficient capacity and availability to train in the space.

(ii) 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) Analysis of the potential cost and benefits of expanding aggressor squadrons currently using AT-6 Primary Attack 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 Helicopters, the Air Force 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 delay 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 differing fielding plans may affect deployment schedules; and

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

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

(c) 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 training with 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/OLR qualification training through the 150th Special Operations Wing at Kirtland Air Force Base.

(C) The number of personnel required to continue operating 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 RESILIENCE 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 communications system unless the communications equipment—

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

(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) EXCEPTION.—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 115-224) —

(1) sustainment cost data related to the F-35 program, including a comparison in 10-year format of the unit cost of each 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 subsection (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.

(2) 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 years 2021 (Lot 15) through fiscal year 2023 (Lot 17).

SEC. 154. REPEAL OF TACTICAL UMNENDED VEHICLE COMMON DATA LINK REQUIREMENT.

Section 141 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-183; 119 Stat. 3163) is hereby repealed.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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, research, development, test, and evaluation, as specified in the funding table in section 4201.
SEC. 211. DEVELOPMENT AND ACQUISITION STRATEGY TO PRO CURE SECURE, LOW PROBABILITY OF DETECTION DATA LINK NETWORK CAPABILITY.

(a) STRATEGY REQUIRED.—Not later than March 1, 2020, the Secretary 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 ability characteristics of the relevant platforms, including both existing and planned platforms.

(b) DATA LINK 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 and Requirements Office, the Air Force Future Capabilities Office, the Department of the Navy; and

(3) include 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, including 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.

(c) 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 10 days after the date on which the Chief of Staff of the Air Force and the Chief of Naval Operations submit the development and acquisition strategy required by subsection (a).

SEC. 212. ESTABLISHMENT OF SECURE NEXT-GENERATION WIRELESS NETWORK INFRASTRUCTURE FOR THE NA VA 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 three ranges or bases—

(1) where electromagnetic spectrum is controlled and which may be co-located, if a single geographic location can provide a sufficient diversity of Federal systems.

(2) where electromagnetic spectrum sharing research and development program to promote the establishment of innovative techniques and technologies to facilitate electromagnetic spectrum sharing between fifth-generation wireless networking technologies, Federal systems, and other non-Federal incumbent systems.

(b) LIMITATION AND REPORT ON INDIRECT FIRE PROTECTION 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 until the date that is 10 days after the date on which the Secretary of the Army submits to the congressional defense committees a joint development and acquisition strategy to procure a secure, low-latency fifth-generation wireless networking technology.

(b) CERTIFICATION REQUIRED.—Not later than 180 days after the date on which the President submits the annual budget request for fiscal year 2022 to Congress 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 joint development and acquisition strategy to procure a secure, low-latency fifth-generation wireless networking technology for the Army.

(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, and technologies for attacking and defending software interfaces and online tools, and electromagnetic spectrum compatibility analyses for sharing of electromagnetic spectrum.
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) PROTOTYPE.—

(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 works of electromagnetic spectrum that are the subject of the test beds.

(f) 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 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; and

(2) such a capability will be essential to the ability of the Air Force to operate effectively as a 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 is not moving 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 alternatives to the Advanced Battle Management System and adopt an architectural approach to its design;

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

(6) emerging technologies, such as artificial intelligence 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 support human operators with—

(A) the continuous fusion and fusing of multimodal sensor data;

(B) the highly-automated identification, classification, tracking, and targeting of threats in a domain; or

(C) the creation of a real-time common operating picture from multidomain intelligence; and the ability to direct effects on the battlefield at machine-to-machine speeds from all of the systems comprising the Advanced Battle Management System; and

(8) for an effort as ambitious and complex as the Advanced Battle Management System, the Senate encourages the Air Force to use existing acquisition 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 Management System.

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

(a) MAKING THE PROGRAM PERMANENT.—

(1) IN GENERAL.—Section 1633 of the National 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 appears.

(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";

(B) by inserting "with a focus on priority defense technology areas that attract public and private sector investment and the development of 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); and

(5) by redesigning subsection (e) as subsection (d); and

(6) by striking subsection (f); and

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

(8) AUTHORITIES.—In carrying out this section, the Secretary may use the following authorities:

(A) the Department of Defense; or

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

(c) PAY AND BENEFITS.—Each individual as designated under paragraph (1) shall be eligible for—

(1) in paragraph (6), by inserting "workforce" after "including facilities";

(2) in subsection (c)—

(A) in paragraph (2), by striking "technology" and inserting "sciences, including through coordination with";

(B) the National Quantum Coordination Office; and

(C) the National Science and Technology Council Quantum Information Science Sub-committee;

(3) in subsection (d), by striking "and" and adding at the end the following new paragraph:

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

(5) 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 to increase the number of national security professionals with science, technology, engineering, and mathematics credentials employed by the Department and Components.

(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.

(d) DUTIES AND BENEFITS.—Each individual assigned to a position under paragraph (3)—

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

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

(e) 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) (A) expects to be a graduate of an undergraduate or graduate degree program, 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.

(f) 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.

(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 support direct air capture technologies for use—

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

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

(3) PHASES.—The program established under paragraph (2) 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).

(4) 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 (a).

(b) RESEARCH AND DEVELOPMENT 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 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 (a).

(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.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2023 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.

(2) FUNDING FOR FISCAL YEAR 2020.—(A) The amount authorized to be appropriated for fiscal year 2020 by section 301 for research and development and demonstration of technologies described in subsection (c), if the Secretary determines that commencement of such phase is appropriate, shall carry out a program on applications of emerging biotechnologies that is deliberately released from a naturally occurring subsurface spring; 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 (a).

(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.
investments in emerging biotechnologies fields.

(3) not later than 180 days after the date of the enactment of this Act, develop and continue 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 arrangements necessary for meeting long-term challenges and achieving specific technical goals.

(d) Report.—(1) 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 technologies.

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

(C) A description of the knowledge-base of the Department with respect to emerging biotechnologies technologies, including the 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 national security.

(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 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 for the delivery of 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 organismic genetic material, thereby altering functional implications that include treating and preventing disease, and improving function of biological systems.

(b) Report.—(1) The Secretary shall develop a roadmap for science and technology activities within the Department of Defense relating to cyber matters during 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) nation's 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 programs, 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.

(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.

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

(Sec. 232. Cyberspace and Information Technology Activities Roadmap and Reports.)

(a) Roadmap for Science and Technology Activities to Support Development of Cyberspace 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.

(b) 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.

(c) Consultation.—The Secretary shall consult with appropriate Federal interagency, industry, and academic activities.

(Sec. 233. Cyber Science and Technology Activities Roadmap and Reports.)

(a) Roadmap for Science and Technology Activities Related to Critical Infrastructure Protection.—

(1) ROADMAP REQUIRED.—The Secretary of Homeland Security, after consultation with the Under Secretary of Defense for Research and Engineering, shall develop a roadmap for science and technology activities of the Department of Homeland Security 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.

(b) 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.

(c) Consultation.—The Secretary shall consult with appropriate Federal interagency, industry, and academic activities.

(2) Roadmap for Science and Technology Activities Related to Critical Infrastructure Protection.—

(a) ROADMAP REQUIRED.—The Secretary of Homeland Security, after consultation with the Under Secretary of Defense for Research and Engineering, shall develop a roadmap for science and technology activities of the Department of Homeland Security 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.

(b) 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.

(c) Consultation.—The Secretary shall consult with appropriate Federal interagency, industry, and academic activities.

(2) Roadmap for Critical Infrastructure Protection.—

(a) ROADMAP REQUIRED.—The Secretary of Homeland Security, after consultation with the Under Secretary of Defense for Research and Engineering, shall develop a roadmap for science and technology activities of the Department of Homeland Security to support development of cyber capabilities to meet Department needs and missions.

(b) 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.

(c) Consultation.—The Secretary shall consult with appropriate Federal interagency, industry, and academic activities.

(d) ACCESS TO ROADMAP.—The roadmap required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(Sec. 234. Cyber Science and Technology Activities Roadmap and Reports.)

(a) Report.—The Secretary of Homeland Security, after consultation with the Under Secretary of Defense for Research and Engineering, shall develop a roadmap for science and technology activities of the Department of Homeland Security to support development of cyber capabilities to meet Department needs and missions.

(b) 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.

(c) Consultation.—The Secretary shall consult with appropriate Federal interagency, industry, and academic activities.

(2) Roadmap for Critical Infrastructure Protection.—

(a) ROADMAP REQUIRED.—The Secretary of Homeland Security, after consultation with the Under Secretary of Defense for Research and Engineering, shall develop a roadmap for science and technology activities of the Department of Homeland Security to support development of cyber capabilities to meet Department needs and missions.

(b) 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.

(c) Consultation.—The Secretary shall consult with appropriate Federal interagency, industry, and academic activities.
SEC. 236. SENSE OF THE SENATE AND PERIODIC BRIEFINGS ON SECURITY AND AVAILABILITY OF FIFTH-GENERATION (5G) WIRELESS NETWORK TECHNOLOGY TRANSFER TO CHINA OR RUSSIA.

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

(1) use of fifth-generation (5G) wireless networks will be a foundation for future wartime applications for the Department of Defense;

(2) the commercial implementation of fifth-generation wireless networks will provide the high speed and capacity necessary for secure, high-bandwidth communications and services, including for enterprise networks and networks supporting the Department of Defense mission, and will require improved security of the Department of Defense, and

(3) the Department of Defense should act expeditiously to achieve the goals enumerated in this subsection using resources and authorities available to the Department, while encouraging interagency planning for a whole-of-government strategy.

(b) PERIODIC BRIEFINGS.—

(1) IN GENERAL.—Not later than March 1, 2020, the Secretary of Defense, in consultation with the Director of National Intelligence, shall provide the congressional defense committees a report on such matters as the Secretary considers relevant.

(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 Technical Support Office for the purpose of supporting implementation of the National Defense Strategy.

(B) The articulation of the quantitative and qualitative benefits and risks of technology transfer to the People’s Republic of China or the Russian Federation.

(3) REPORT REQUIRED.—Not later than the date that is 30 days before the date of the transfer of the technology referred to in subsection (a), the Secretary shall submit to the congressional defense committees a report on such transfer.

(4) 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.

(5) ISSUES TO BE COVERED.—

(A) 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 produced on the same production lines as the microelectronics products supplied to the Federal Government.

(B) The Department of Defense can no longer rely on fabricationless business models in which microelectronics manufacturing is located in countries with vulnerable supply chains or on predatory industrial espionage and posing a military threat to the United States or on small-scale manufacturing of trusted microelectronics in insecure locations.

(4) 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—

(A) providers of microelectronics products and services that meet the standards established under subsection (b) are effective in competing with the competitive market pressures to achieve competitive pricing and sustained innovation; and

(B) 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. 238. BRIEFING ON COOPERATIVE DEFENSE TECHNOLOGY PROGRAMS AND RISKS OF TECHNOLOGY 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 congressional 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 People’s Republic of China or the Russian Federation.

(b) MATTERS TO BE ADDRESSED.—The briefing required by subsection (a) shall address the following matters:

(1) Whether any current cooperative defense technology programs of the Department of Defense increased 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.

(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 current cooperative defense technology programs.

(4) Any such other topics as the Secretary considers relevant.
SEC. 240. USE OF FUNDS FOR STRATEGIC 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 3201 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 CRUISER MISSILE–NUCLEAR ANALYSIS OF ALTERNATIVES.

(a) AVAILABLE FOR 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) FUNDING RECORD.—The Secretary of Defense shall make the Sea-Launched Cruise Missile–Nuclear a program of record.

SEC. 242. REVIEW AND ASSESSMENT PERTAINING TO 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—

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

(2) The granting to 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 stabilizing 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—

(1) partner with a university 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.

(a) IN GENERAL.—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.

(b) FUNDING 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.

SEC. 302. 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 inserting “Except as provided in subsection (c) with respect to operational energy cost savings, the Secretary of Defense shall”—

(c) 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 management;

(2) reducing industrial, landscaping, and agricultural water consumption in gallons by two percent annually through fiscal year 2020 and to a level of accomplishment by the Department in fiscal year 2030 relative to a baseline of such consumption in fiscal year 2010; and

(3) installing appropriate sustainable infrastructure features on installations of the Department to help with storm water and wastewater management.

SEC. 303. NATIONAL AMERICAN INDIAN LANDS ENVIRONMENTAL MITIGATION PROGRAM.

(a) IN GENERAL.—Chapter 180 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 performed under the program established under subsection (a) are the following:

(1) Identification, investigation, and documentation of other harmful effects attributable to past actions by the Department of Defense.

(2) Development of mitigation options for such harmful 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 of Defense.

(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:

(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 Federal or 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, cultural, economic, or other lifeways practices have historically taken place.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 10 of such title as 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 $390,790; and

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

(b) REIMBURSEMENT.—The amount authorized to be transferred under subsection (a) is to reimburse the Environmental Protection Agency for costs the Agency may incur in relation to any action, by the Department, including training personnel of the Department of Defense, 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, 2022, 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 all 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, or 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 all 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 CxFy (for example, C6F14; CH2=CH2; OH).

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 may 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, surface, or ground water from PFAS originating from the 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 environmental contamination described in section 2712 of title 10:

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


(c) INTERAGENCY AGREEMENT.—The Department of the Army has the authority to finalizing or amending 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; and

(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 carbon 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 Liability Act of 1980 (42 U.S.C. 9601).

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

(a) DEFINITION OF FACILITY.—Section 2702(c) of title 10, United States Code, is amended—
Section 320. BUDGET ITEMS TO ADDRESS 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 the effects of, extreme weather on military installations, 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 the loss of or obstructed access to training ranges, as a result of 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—

(1) installations or 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; or

(2) any single component with an estimated total cost in excess of $10,000,000.

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

(1) any product improvement that significantly enlarges 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 (a) is not submitted on or before 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) 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.

Section 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 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 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, including where appropriate, and consistent with priorities of the Department of Defense.

(D) An explanation on how the military department shall work collaboratively in order to leverage lessons learned on potential energy efficiency solutions.

(E) An assessment of the extent to which active engagement in 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 efficiencies and cost savings, and any legislative authorities required to carry out such partnerships or agreements.

(3) COORDINATION WITH STATE, LOCAL, AND OTHER ENTITIES.—The report required under paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment may work in conjunction and coordination with the Secretaries of the Army, the Marine Corps, the Navy, and the Air Force; and other Federal agencies.

(b) DEFINITION.—In this section, the term ‘‘high energy intensity’’ means costs for the production of electricity by kilowatt of energy 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.

Section 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 by striking—

(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 ‘‘implement 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 assessment, 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.’’
Before the Secretary of the Navy transfers any maintenance action on a platform to a depot under the jurisdiction of the Secretary of the Navy 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 Command Commander and the Commander of the Naval Air Systems Command shall enter into a joint memorandum of understanding that clarifies responsibilities for work and technical oversight responsibilities for such maintenance.

SEC. 332. MODIFICATION TO LIMITATION ON 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 redesigning subsection (c) as subsection (d); and

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

‘‘(c) EXTENSION OF LIMITATION ON DEPLOYMENT OF NAVAL VESSELS.—Notwithstanding subsection (a) of this section, 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 subsection (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 aircraft and ground threats, and any current limitations 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 combat 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 Army considers appropriate to identify.

(4) A plan for balancing coalition training against training only military member 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 cost and schedule 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.

(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 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 timeline and milestones required to implement the plan.

(D) A data-oriented assessment 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 implementation of 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.

(c) ANNUAL REPORT ON PROGRESS.—As part of the annual budget submission of the President for fiscal year 2021, 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) is being effectively implemented by each military department and the Secretary of Defense.

(2) ASSESSMENT OF IMPLEMENTATION.—Not later than April 1, 2022, the Comptroller General shall submit to the congressional defense committees a report assessing 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 DEPLOYMENT 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 the congressional defense committees a report on a program to deploy KC–46A aircraft outside the continental United States.

(2) ELEMENTS.—In considering basing options in the report required by paragraph (1), the 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 and drone 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 aircrew 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 Military Aircraft 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. PROHIBITION OF ENLISTMENT ON MILITARY TRAINING ROUTES AND MILITARY OPERATIONS AREAS.

Section 136a 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 “and” in the first sentence, striking “Other than the Secretary of Defense,” and inserting “Other than the Secretary of Defense and the Deputy Secretary of Defense”; and

(b) by striking paragraph (2), and inserting—

(2) An equid (horse, mule, or donkey) to be retired under this section, as so redesignated, is amended by inserting paragraph (2), and inserting the following new paragraph:

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

(f) CONTRACT TERM FOR CONTRACT WORKING DOGS.—Section 210r(a) of title 10, United States Code, is amended 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 “31st Training Squadron”;

and

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

SECT. 335. LIMITATION ON CONTRACTING RELATING TO 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 dog’s useful working lives.”;

(e) CLARIFICATION OF HORSES TREATABLE AS MILITARY ANIMALS.—Subsection (a) of such section, as so redesignated, is amended by striking paragraph (2) and inserting the following new paragraph:

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

(f) CONTRACT TERM FOR CONTRACT WORKING DOGS.—Section 210r(a) of title 10, United States Code, is amended 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 “31st Training Squadron”;

and

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

SECT. 335. LIMITATION ON CONTRACTING RELATING TO PERSONAL PROPERTY PROGRAM.—

(a) CONTRACTING PROHIBITION.—The Secretary of Defense may not enter into or obligate funds to enter into a single-source contract or a multiple-source contract to a single-source or multiple-source vendor 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 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.

SECT. 336. PROHIBITION ON SUBJECTIVE UP-GRADES BY COMMANDERS OF UNIT RATING REPORTING ON MILITARY UNITS.—

(a) IN GENERAL.—The 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 “O-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 paragraph (a) of this subsection in connection with readiness reporting on the unit concerned if the officer considers the waiver appropriate in the circumstances.

(c) REPORTING ON WAIVERS.—Each report on personnel and unit readiness submitted to Congress for a calendar year quarter pursuant to section 462 of title 10, United States Code, shall include a report on the number of each waiver, if any, issued pursuant to paragraph (1) during such calendar year quarter.
SEC. 355. EXTENSION OF TEMPORARY INSTALLATION REUTILIZATION AUTHORITY FOR ARSENALS, DEPOTS, AND PLAZES.

Section 355(d) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 10 U.S.C. 2867 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, determination, or finding regarding the limitation or prohibition of any food or beverage ingredient in military 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):

(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; and

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

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

SEC. 359. TECHNIQUES TO ADDRESS DEADLINES FOR DELAYED TRANSITION TO DEFENSE 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:

(a) Officers.

(b) Enlisted Personnel.

(-) The number of realigned positions, if any, which has or has been converted or realigned to a position in an Active, Guard, and Reserve program of a reserve component under the full time support rebalancing plan of the Air National Guard concerned, regardless of whether such position is encumbered.

The term “Active, Guard, and Reserve program”, 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, recruiting, instructing, or training such reserve component.

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 Army, Air Force, Navy, and Marine Corps Reserve, as of September 30, 2020, the following number of Reserve 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:

(-) The Army National Guard of the United States, 390,000.

(-) The Air National Guard of the United States, 32,637.

(-) The Air Force Reserve, 4,331.

(-) The Air Force, 332,800.

(-) The Army Reserve, 189,500.

(-) The Army, 460,000.

(-) The Navy Reserve, 59,000.

(-) The Navy, 107,700.

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

(-) The Marine Corps, 179,100.

(-) The Marine Corps Reserve, 38,300.

(-) The Marine Corps, 186,200.

(-) The Coast Guard Reserve, 2,386.

(-) The Coast Guard, 1,260.

(-) The Air Force, 336,000.

(-) The Air Force Reserve, 8,938.

(-) The Air Force Reserve, 16,511.

(-) The Navy Reserve, 10,155.

(-) The Navy, 179,200.

(-) The Army Reserve, 6,492.

(-) The Army, 183,000.

(-) The Air National Guard of the United States, 22,294.

(-) The Navy Reserve, 2,900.

(-) The Marine Corps Reserve, 10,581.

(-) The Navy Reserve, 2,800.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 179,100.

(-) The Air Force Reserve, 6,492.

(-) The Air Force, 332,800.

(-) The Army Reserve, 6,492.

(-) The Army, 183,000.

(-) The Air National Guard of the United States, 22,294.

(-) The Navy Reserve, 2,900.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Air Force Reserve, 6,492.

(-) The Air Force, 332,800.

(-) The Army Reserve, 6,492.

(-) The Army, 183,000.

(-) The Air National Guard of the United States, 22,294.

(-) The Navy Reserve, 2,900.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Air Force Reserve, 6,492.

(-) The Air Force, 332,800.

(-) The Army Reserve, 6,492.

(-) The Army, 183,000.

(-) The Air National Guard of the United States, 22,294.

(-) The Navy Reserve, 2,900.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Air Force Reserve, 6,492.

(-) The Air Force, 332,800.

(-) The Army Reserve, 6,492.

(-) The Army, 183,000.

(-) The Air National Guard of the United States, 22,294.

(-) The Navy Reserve, 2,900.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Air Force Reserve, 6,492.

(-) The Air Force, 332,800.

(-) The Army Reserve, 6,492.

(-) The Army, 183,000.

(-) The Air National Guard of the United States, 22,294.

(-) The Navy Reserve, 2,900.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Air Force Reserve, 6,492.

(-) The Air Force, 332,800.

(-) The Army Reserve, 6,492.

(-) The Army, 183,000.

(-) The Air National Guard of the United States, 22,294.

(-) The Navy Reserve, 2,900.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Air Force Reserve, 6,492.

(-) The Air Force, 332,800.

(-) The Army Reserve, 6,492.

(-) The Army, 183,000.

(-) The Air National Guard of the United States, 22,294.

(-) The Navy Reserve, 2,900.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.

(-) The Marine Corps Reserve, 2,900.

(-) The Marine Corps, 186,200.
amended by striking that part of the title pertaining to the Marine Corps Reserve and inserting the following: "Marine Corps Reserve:"

SEC. 503. FURNISHING OF ADVERSE INFORMATION ON OFFICERS TO PROMOTION SELECTION BOARDS.

(a) EXPANSION OF GRADES FOR OFFICERS FOR WHICH INFORMATION IS FURNISHED.—Section 612(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 under subparagraph (A) 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, and 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 promotion selection boards 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 consideration 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 the proceedings of promotion selection boards convened under section 611(a) of title 10, United States Code, after that date.

SEC. 505. EXPANSION OF AUTHORITY FOR CONSTRUCTION RESERVE APPOINTMENT OF OFFICERS IN CERTAIN MILITARY SPECIALTIES AND CAREER TRACKS.

Section 670(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 PRIORITY ON OFFICERS TO PROMOTION.

(a) ADVICE AND CONSENT OF SENATE REQUIRED FOR HIGHER GRADE.—Section 1570 of title 10, United States Code, is amended—

(1) by redesigning paragraph (5) as paragraph (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 an 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 the retired pay for any period after 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 with respect to increases in the retired grade of any officer that occurs as a result of the determination or certification of the officer’s retired grade on or after that date, regardless of when the officer retired.

SEC. 507. AVAILABILITY ON THE INTERNET OF CERTAIN INFORMATION ABOUT OFFICERS SELECTED FOR 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 grade of army general officer, air force general officer, or flag officer specified in paragraph (3).

(b) INFORMATION.—The information on an officer specified by this section shall be made available pursuant to paragraph (1) in the information as follows:

(1) The officer’s name.

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

(3) A summary of the officer’s past duty assignments while serving in a general or flag officer grade.

(c) LIMITATION ON WITHHOLDING OF CERTAIN INFORMATION.—

(1) LIMITATION.—The Secretary of a military department may withhold from public availability any information or notice specified in subsections (a) and (b) from public availability pursuant to subsection (a), unless and until the Secretary certifies to the Committees of the Armed Services of the Senate and the House of Representative 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 withdraw from public availability any 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 ARM RESERVE OFFICER UNIT VACANCY PROGRAMS AND COMMANDERS OF ASSOCIATED ACTIVE DUTY UNITS.

Section 113a of the Army National Guard Board 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 MILITARY UNITS AND RELATED UNIT OPERATING AND PERSONNEL TEMPO MATTERS.

(a) LIMITING DURATION OF DEPLOYED UNITS.—Paragraph (3) of section 701 of title 10, United States Code, is amended—

(1) by striking shelf-endurance paragraphs (a) through (d) and inserting—

"(a)(1) in the matter following subsection (a),"; and

(2) by striking paragraphs (e) through (g) and inserting—

"(e)(1) in the matter following subsection (e),";

(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 to promote and maintain, and refresh internal capacity at the Department and members of the Armed Forces, including the development and maintenance of training, education, talent management, incentives, and promotion policies in support of members at all levels of such career tracks; and

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

(b) DIGITAL ENGINEERING.—For purposes of this section, digital engineering is the discipline of pursuing, creating, extending the creation, processing, transmission, integration, and storage of digital data.

(1) 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 maintenance of train-

and members of the Armed Forces, including civilian employees of the Department, which policy and all that follows and inserting “be delegated to—a civilian officer of the Department of Defense appointed by the President, by

(b) SEPARATE POLICIES ON DWELL TIME FOR REGULAR AND RESERVE MEMBERS.—Paragraph (2) of such subsection is amended by striking paragraph (2)(A) and (2)(B); and

(c) REPEAL OF AUTHORITY TO PRESCRIBE AL ternative Definitions of ‘Deployment’—Subsection (b) of such section is amended by striking paragraph (4).

SEC. 516. REPEAL OF REQUIREMENT THAT P A R ENTAL LEAVE BE TAKEN IN ONE INCREMENT.

(a) IN GENERAL.—Subsection (1) of section 701 of title 10, United States Code, is amend-

(b) CONFORMING AMENDMENTS.—Subsection (j)(4) of such section is amended by striking paragraph (6) and inserting—

(1) by striking paragraphs (a) through (d) and inserting—

(2) by striking paragraph (g) and inserting—

(b) CONFORMING AMENDMENTS.—Subsection (j)(4) of such section is amended by striking paragraphs (a) through (d) and inserting—

(c) 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 report setting forth an assessment of the Secretary of Defense's activities and actions to implement the Close Airman Support (CAS) team approach of the Air Force to other Armed Forces under the jurisdiction of such Committees.

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 Secretary of the military department concerned shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment of the Secretary of the military department concerned and the Air Force 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 emphasis of proactive pursuit of needed assistance.

(c) SCOPE OF REPORT.—If the Secretary determines 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 POLICIES AND PROGRAMS.

(a) POLICY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary 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 support roles of non-professionalized officers in the prevention of sexual assault.

(D) Elements for programs to foster social connectedness among members of the Armed Forces.

(E) Processes and mechanisms designed to address behaviors among members of the Armed Forces that are included in the continuum 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, mechanisms, and other matters as the Secretary of Defense considers appropriate.

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

(1) An offense under section 929 of title 10, United States Code (article 126 of the Uniform Code of Military Justice), relating to cruelty and maltreatment, if the offense constitutes sexual harassment.

(2) An offense under section 835a of title 10, United States Code (article 93a of the Uniform Code of Military Justice), relating to prohibited activity 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 119a of the Uniform Code of Military Justice), relating to manslaughter 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 death or injury of an unborn child, 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 119b of the Uniform Code of Military Justice), relating to child endangerment, if the offense is committed in connection with family abuse or other domestic violence.

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

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

(8) 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.

(9) 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.

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

(11) An offense under section 929b of title 10, United States Code (article 128 of the Uniform Code of Military Justice), relating to aggravation of an offense 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 aiding and abetting in 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 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.

(16) 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.

(17) An offense under section 936 of title 10, United States Code (article 136 of the Uniform Code of Military Justice), if the offense relates to cyberstalking.

(18) An offense under section 938 of title 10, United States Code (article 138 of the Uniform Code of Military Justice), if the offense relates to domestic violence.

2. 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 determination 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.

3. SCOPE OF DISPOSITION DETERMINATIONS PERMISSIBLE IN THE EXERCISE OF THE AUTHORITY UNDER THIS SECTION WITH RESPECT TO CHARGES AND SPECIFICATIONS AS FOLLOWS:

(a) No action.

(b) Administrative action.

(c) Imposition of non-judicial punishment.

(d) Preferred charges.

(e) Reduction of pay or rank.

(f) Dismissal from the service.

3. REVIEW OF CERTAIN DISPOSITION DETERMINATIONS.—

(a) IN GENERAL.—The review and recommendation—

(1) If a disposition determination under this section with respect to an offense is for a disposition specified in paragraph (1), (2), (3), (4), (5), or (6) of subsection (d) of section 648 of title 10, United States Code (relating to actions of a Senior Trial Counsel (RTC) or Regional Trial Counsel (RTC) not in the chain of command of the officer making the disposition determination shall be:

(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 referral under paragraph (2) with respect to an 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.

(4) TRAINING.—

(a) 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 subsection (a) shall include specific training on such matters in connection with the military justice process with respect to an original disposition determination whether such other member for alleged sexual assault.

(b) ELECTION OF VICTIM NOT TO RECEIVE.—A commander shall include in paragraph (1) to provide notifications to a victim as described in that paragraph if the victim elects not to be provided such notifications.

(5) DOCUMENTATION.—Each disposition 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).

(c) 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.

(d) COMMUNICATIONS.—Each recommendation described in paragraph (1) shall create and maintain appropriate documentation concerning the following:

(1) Final determination on further action on the recommendation.

(2) Identification of best practices.

(e) INCORPORATION OF BEST PRACTICES.—The Secretary of Defense shall ensure that the training provided pursuant to subsection (a) includes best practices on all matters covered by the training.

(f) UNIFORMITY.—The Secretary of Defense shall ensure that the training provided pursuant to subsection (a) is uniform, uniform across the Armed Forces.

SEC. 523. TRAINING FOR COMMANDERS IN THE ARMED FORCES ON THEIR ROLE IN ALL STATES 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 or on behalf of the Armed Forces, including investigation and prosecution.

(2) The role of commanders in assuring that victims of 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) afforded the due process rights and protections available to victims by law.

(b) DOCUMENTATION.—Each recommendation described in paragraph (1) shall create and maintain appropriate documentation concerning the following:

(1) Final determination on further action on the recommendation.

(2) Identification of best practices.

(c) COMMUNICATIONS.—Each recommendation described in paragraph (1) shall create and maintain appropriate documentation concerning the following:

(1) Final determination on further action on the recommendation.

(2) Identification of best practices.

(d) TRAINING FOR SEXUAL ASSAULT INSTRUCTIONAL AUTHORITIES ON EXERCISE OF DISPOSITION AUTHORITY FOR SEXUAL ASSAULT AND COLLATERAL OFFENSES.

(a) IN GENERAL.—The training provided to Sexual Assault Instructional Authorities (SAIDAs) on the exercise of disposition authority under chapter 47, United States Code (the Uniform Code of Military Justice), includes comprehensive training on the exercise of such authority pursuant to subsection (a) 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 or judicial proceeding of such other member for alleged sexual assault.

(2) ELECTION OF VICTIM NOT TO RECEIVE.—A commander shall include in paragraph (1) to provide notifications to a victim as described in that paragraph if the victim elects not to be provided such notifications.

(b) DOCUMENTATION.—Each recommendation described in paragraph (1) shall create and maintain appropriate documentation on the following:

(1) Any notification provided as described in paragraph (1).

(2) Any election made pursuant to paragraph (2).

(c) 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.

(d) COMMUNICATIONS.—Each recommendation described in paragraph (1) shall create and maintain appropriate documentation concerning the following:

(1) Final determination on further action on the recommendation.

(2) Identification of best practices.

(3) COMMUNICATIONS.—Each recommendation described in paragraph (1) shall create and maintain appropriate documentation concerning the following:

(1) Final determination on further action on the recommendation.

(2) Identification of best practices.

(3) COMMUNICATIONS.—Each recommendation described in paragraph (1) shall create and maintain appropriate documentation concerning the following:

(1) Final determination on further action on the recommendation.

(2) Identification of best practices.
(4) Such other misconduct as the Secretary of Defense shall specify in the regulations under subsection (a).

(d) AGGRAVATING CIRCUMSTANCES.—The regulation shall provide that the policy applies across the Armed Forces.

SEC. 529. PROPOSAL FOR SEPARATE PUNITIVE FORCES.

For forces.

(a) Unsafe to report policy.—The safe to report policy described in subsection (b) may be required to put into effect the findings and recommendations described in subsection (a).

(b) SAFE TO REPORT POLICY.—The safe to report policy described in this subsection is the policy, currently applicable in the Air Force, which a member of the Armed Forces who is the victim of an alleged sexual assault by another member of the Armed Forces, or who is committed minor collateral misconduct at or about the time of the alleged sexual assault, or whose minor collateral misconduct at or about the time of the alleged sexual assault was discovered only as a result of the investigation into such alleged sexual assault, may report such alleged sexual assault to proper authorities without fear of reprimand 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.

(a) EXCLUSION FROM FOIA.—Section 522 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 RECORD TO RESTRICTED REPORT ON SEXUAL ASSAULT FOR VICTIMS OF SEXUAL ASSAULT FOLLOWING CERTAIN VICTIM OR THIRD-PARTY REPORT.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report making findings and recommendations on the feasibility and advisability of a policy that would permit a victim of a sexual assault, that is or may be investigated as a result of a communication 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 treated as a restricted report without regard to the party initiating or receiving such communication.

SEC. 532. REPORT ON EXPANSION OF AIR FORCE SAFE TO REPORT POLICY ACROSS ARMED FORCES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments and the Secretary of Homeland Security, 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 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, which a member of the Armed Forces who is the victim of an alleged sexual assault committed by another member of the Armed Forces, or who is committed minor collateral misconduct at or about the time of such alleged sexual assault, or whose minor collateral misconduct at or about the time of such alleged sexual assault was discovered only as a result of the investigation into such alleged sexual assault, may report such alleged sexual assault to proper authorities without fear of reprimand in connection with such minor collateral misconduct.

SEC. 532. REPORT ON EXPANSION OF AIR FORCE SAFE TO REPORT POLICY ACROSS ARMED FORCES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report 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, which a member of the Armed Forces who is the victim of an alleged sexual assault committed by another member of the Armed Forces, or who is committed minor collateral misconduct at or about the time of such alleged sexual assault, or whose minor collateral misconduct at or about the time of such alleged sexual assault was discovered only as a result of the investigation into such alleged sexual assault, may report such alleged sexual assault to proper authorities without fear of reprimand in connection with such minor collateral misconduct.

SEC. 532. REPORT ON EXPANSION OF AIR FORCE SAFE TO REPORT POLICY ACROSS ARMED FORCES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report 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, which a member of the Armed Forces who is the victim of an alleged sexual assault committed by another member of the Armed Forces, or who is committed minor collateral misconduct at or about the time of such alleged sexual assault, or whose minor collateral misconduct at or about the time of such alleged sexual assault was discovered only as a result of the investigation into such alleged sexual assault, may report such alleged sexual assault to proper authorities without fear of reprimand in connection with such minor collateral misconduct.

SEC. 532. REPORT ON EXPANSION OF AIR FORCE SAFE TO REPORT POLICY ACROSS ARMED FORCES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report 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, which a member of the Armed Forces who is the victim of an alleged sexual assault committed by another member of the Armed Forces, or who is committed minor collateral misconduct at or about the time of such alleged sexual assault, or whose minor collateral misconduct at or about the time of such alleged sexual assault was discovered only as a result of the investigation into such alleged sexual assault, may report such alleged sexual assault to proper authorities without fear of reprimand in connection with such minor collateral misconduct.
(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 containing the activities of the Advisory Committee pursuant to this section during the preceding year.

(e) SEXUAL ASSAULT CONTINUUM OF HARM.—In this section, “sexual assault continuum of harm” includes—

(1) inappropriate actions (such as sexist jokes), sexual harassment, gender discrimination, 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 SEXUAL ASSAULT IN THE ARMED FORCES.

(a) REVIEWS AND ASSESSMENTS BY DAC-IPAD.—The independent committee established by the Secretary of Defense under section 594 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 made pursuant to the jurisdiction of such Secretary under this Act.

(b) INFORMATION FROM FEDERAL AGENTS.—

(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 consider necessary to conduct reviews and assessments required by subsection (a), including 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.

(c) REPORT.—Not later than one year after the date of 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 Representatives a report setting forth the results of the reviews and assessments required by subsection (a). The report shall include such recommendations for legislative or administrative action as the committee considers appropriate in light of such results.

(d) DEFINITIONS.—In this section:

(1) The term “case” means an unrestricted report involving a sexual assault offense or contact sexual assault offense made against a member of the Armed Forces pursuant to Department of Defense Instruction 6495.02, including any unrestricted report involving a spouse or intimate partner for which an investigation has been opened by a criminal investigative agency.

(2) The term “completed”, with respect to a case, means that the case was tried to verdict, dismissed without further action, or dismissed without further action by non-judicial or administrative proceedings.

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 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 and military criminal investigators may be involved. If the proposed mechanisms require legislative or administrative action for implementation, the report shall include such recommendations for such action as the Secretary of Defense considers appropriate.

SEC. 537. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON IMPLEMENTATION BY THE ARMED FORCES OF RECENT STATUTORY REQUIREMENTS ON SEXUAL ASSAULT PREVENTION 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 Representatives a report setting forth the results of the reviews and assessments required by paragraph (1), the following:

(1) An assessment of the extent to which such statutory requirement is still in force; and

(2) If such statutory requirement is no longer in force or after the repeal or expiration of such requirement.

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


(2) Each statutory requirement required by subsection (a) shall include the following:

(A) whether such statutory requirement is still in force; and

(B) if such statutory requirement is no longer in force or after the repeal or expiration of such requirement.

(3) Each statutory requirement listed pursuant to paragraph (1), the following:

(A) An assessment of to which such requirement was implemented, or is currently being implemented, as applicable, by each Armed Force to which such requirement 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 considers appropriate.

(c) BRIEFINGS.—Not later than May 1, 2020, the Comptroller General shall provide to the congressional Armed Services committees 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 COUNSEL BY SPECIAL VICTIMS’ COUNSEL FOR VICTIMS OF ALLEGED DOMESTIC VIOLENT OFFENSES.

(a) CONDITIONAL EXPANSION OF ELIGIBILITY FOR VICTIMS OF ALLEGED DOMESTIC VIOLENT OFFENSES.—Subsection (a) of section 1046e of the Uniform Code of Military Justice is amended by adding at the end the following paragraph:

"(c) Legal counsel designated as described in paragraph (1) may also provide legal assistance to any individual described in paragraph (2)(B) or (2)(C) who is the victim of an alleged domestic violent offense if 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 provision of such assistance to the individual which permit the Secretary to provide assistance under paragraph (1) to victims of alleged sex-related offenses described in paragraph (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) 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.

(3) The term ‘general domestic violence offense’ means any allegation of—

(A) A violation of section 928, 928b(1), 930b(5), or 932 of this title (article 120, 120b(1), 120b(5), or 130 of 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 section 520 of this title; or

(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 under section 520 of this title.

(c) CONFORMING AMENDMENTS.—Such section—

(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) in subsection (a)(2) each place it appears and inserting "paragraph (2) or (3) of subsection (a)"); and
(B) in paragraph (1), by striking "an alleged covered offense" and inserting "an alleged covered offense".
(d) Clerical Amendments.
(1) Headings Amendment. The heading of each 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 of chapter 88 of title 10 is amended by striking "1044e only" and inserting "title 10."
(3) Legal Consultation and Assistance in Connection with Potential Victim Benefits. Paragraph (b)(3) of subsection 1044e(a) of title 10, United States Code, is amended by striking "and other" and inserting "section 1048(b) of this title".
(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, which 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.—
(i) In General. Such section is further amended—
(A) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively;
(B) by inserting after subsection (c) 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 general. The Secretary of Defense 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 536(b) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1044e only). In other processes 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 (b)" and inserting "subsection (a)".
(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 Victims' Counsel services for victims of alleged domestic violence offenses 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 1044a(a) 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 1094e(g) of title 10, United States Code.
(B) The term "alleged domestic violence offense" means any allegation of—
(1) a violation of section 928(b), 928b(1), 928b(5), or 930 of title 10, United States Code (article 128(b), 128(b)(1), 128(b)(5), or 130 of the Uniform Code of Military Justice), when committed against a spouse, intimate partner, or, in the case of a 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
(2) an attempt to commit an offense specified in clauses (i) through (iii) of subparagraph (B) of paragraph (9) of section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice), when committed against a spouse, intimate partner, or, in the case of a 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).
(C) The term "Secretary concerned" has the meaning given in section 101(a)(9) of title 10, United States Code.
SEC. 543. AVAILABILITY OF SPECIAL VICTIMS' COUNSEL AT MILITARY INSTALLATIONS.
(a) Boards for the Correction of Military Records and Discharge Review Boards.—Section 1553(a) of title 10, United States Code, is amended by striking "five" and inserting "not fewer than three".
(b) Discharge Review Board Matters.—Section 1559 of title 10, United States Code, is amended by inserting "and 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" after "a civilian health care provider"; and
(b) Discharge Review Boards.—Section 1533 of title 10, United States Code, is amended by inserting "and 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 (e), by inserting "social worker with training on mental health issues connected with post-traumatic stress disorder or traumatic brain injury or other trauma, after "psychiatrist".".
SEC. 544. TRAINING FOR SPECIAL VICTIMS' COUNSEL ON CIVILIAN CRIMINAL JUSTICE MATTERS IN THE STATES OF THE UNITED STATES IN WHICH SUCH INSTALLATIONS ARE LOCATED.
(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 justice matters specified in subsection (a), 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 offenses.

PART III—BOARDS FOR CORRECTION OF MILITARY 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 BOARD MATTERS.
(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" after "a civilian health care provider"; and
(b) Discharge Review Boards.—Section 1533 of title 10, United States Code, 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 (e), by inserting "social worker with training on mental health issues connected with post-traumatic stress disorder or traumatic brain injury or other trauma, after "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) Boards for Correction of Military Records.—Section 1552(h)(1) of title 10, United States Code, is amended by striking ‘‘or military sexual trauma’’ and inserting ‘‘, intimate partner violence, or spousal abuse’’.

(b) Discharge Review.—Section 1553(d)(3)(B) of such title is amended by striking ‘‘sexual trauma, intimate partner violence, or spousal abuse’’.

SEC. 550. ADVICE AND COUNSEL OF TRAUMA EXPERIENCE 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 ‘‘(c)’’ 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 subparagraph (A) who claims that he or she is separated, discharged, or released from the Armed Forces based solely on such condition not amounting to a physical disability, the board shall seek advice and counsel from a health care professional at the peer level or a civilian health care provider that is provided by the former member, including electronic communications. For members of the Armed Forces, ‘‘advice and counsel’’ has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(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 paragraph:

‘‘(2) If a board established under subsection (a) 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 a psychologist, psychiatrist, 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 a health care professional at the peer level or a higher level of the health care professional making the diagnosis, and 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) by inserting ‘‘(1)’’ after ‘‘(c)’’; and

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

‘‘(2) A board established under this section shall—

‘‘(A) review all evidence and information provided by the former member, including evidence and information and medical evidence of the Secretary 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 pertaining to, the former member; and

‘‘(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.

PART IV—OTHER MILITARY JUSTICE MATTERS

SEC. 555. EXPANSION OF PRE-REFERRAL MATTERS REVIEW BY MILITARY JUDGES AND MILITARY MAGISTRATES IN THE INTEREST OF EFFICIENCY IN MILITARY JUSTICE.

(a) IN GENERAL.—(Subsection (a) of section 880a of title 10, United States Code (article 30a of the Uniform Code of Military Justice), is amended—

(1) 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.

(2) 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.

(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 a board is under the jurisdiction of such Secretary on each of the following:

(A) Sexual trauma.

(B) Intimate partner violence.

(C) Spousal abuse.

(2) The various responses of individuals to trauma.

(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 930 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).

(2) 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.

(b) 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, on or after that date.

(c) CORRECTION OF MILITARY RECORDS.—

(1) IN GENERAL.—Each Secretary concerned shall correct any record of discharge, dismissal, or separation, or part thereof, or a record of punishment, or a punishment, if the record of discharge, dismissal, or separation, or part thereof, or such record of punishment, or such punishment, was the result of an illegal, improper, or unauthorized action of the Secretary, or of an executive, disciplinary, or supervisory official, of the military department concerned.

(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) IN GENERAL.—Section 1553 of title 10, United States Code, is amended—

(1) by inserting ‘‘(1)’’ after ‘‘(c)’’; and

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

‘‘(2) A board established under this section shall—

‘‘(A) review all evidence and information provided by the former member, including evidence and information and medical evidence of the Secretary 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 pertaining to, the former member; and

‘‘(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.

(b) IN GENERAL.—(Subsection (a) of section 880a of title 10, United States Code (article 30a of the Uniform Code of Military Justice), is amended—

(1) 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 866b of this title (article 68a of the Uniform Code of Military Justice), or by the military justice system or military judge.

"(E) Pre-referral matters relating to the following:

(i) Pre-trial confinement of an accused.

(ii) The potential capacity or responsibility of an accused.

(iii) A request for an individual military counsel.

(iv) 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 refer to 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 (chapter 30a) and inserting the following new item:

"§ 830a. Art 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 ON THEIR EXPERIENCES: 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 1565b the following new section:

"§ 481a. 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 every 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) The experience of the individual 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.

(b) INAPPLICABILITY TO CERTAIN DOCKETS AND RECORDS.—Nothing in this section shall be construed to provide public access to dockets or records that are classified, subject to a judicial protective order, or ordered sealed."
military departments.
are, to the extent practicable, uniform
sure that the personnel and activities of de-
visitability of defense investigators as an ele-
military justice system under the jurisdic-
justices similar to the military justice sys-
the Secretary of Defense, in consultation with the
Secretary of Homeland Security, prescribes
vised standards and criteria for conduct under
ment of the amendments made by subsection (a) of this

SEC. 560. PILOT PROGRAMS ON DEFENSE INVESTIGATORS IN THE MILITARY JUSTICE SYSTEM.
(a) IN GENERAL.—Each Secretary of a military department shall carry out a pilot program on defense investigators within the military justice system under the jurisdiction 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 fair and efficient.
(B) make such military justice system more fair and efficient.
(2) Otherwise assess the feasibility and advisability of establishing and maintaining defense investigators as an element of such military justice system.
(b) ELEMENTS.—
(I) 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.
(II) IN GENERAL.—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.
(III) 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) The feasibility 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.

SEC. 561. REPORT ON MILITARY JUSTICE SYSTEM INVOLVING ALTERNATIVE AUTHORITIES FOR DETERMINING WHETHER TO PREFER OR REFER CHARGES FORcertain 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 Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives 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 subject to the charges rather than by a commanding officer 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 timely 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 non-judicial 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 respect to the alternative military justice system of the United States and the alternative military justice system, including whether or not approaches of the military justice systems 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 impacts on the alternative military justice system, and, if the pilot program is determined to be feasible and advisable—
(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 960a 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, in consultation with the Committees on Armed Services of the Senate and the House of Representatives, 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 exploitation in order to protect the best interests of such dependents in a court-martial of such Hearings.
(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) Such other considerations as the Secretary considers appropriate.
(3) 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 authorities required for purposes of the program.
(ii) Best practices for the program (as determined in consultation with appropriate civilian experts on child advocacy).
(iii) Such recommendations for legislative and administrative action to implement the program as the Secretary considers appropriate.
SEC. 566. CONSEQUENTIAL 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 provision 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 education that are entered into on or after that date.

SEC. 567. AUTHORITY FOR DETAIL OF CERTAIN ENLISTED MEMBERS OF THE ARMED FORCES AS STUDENTS 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 "officer";

(B) by striking paragraph (1) and inserting the following new paragraph (1):

"(1) each—";

"(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) in inserting after paragraph (1), as amended by subparagraph (B), the following new paragraph (2):

"(2) in the case of an enlisted member, meet the requirements for acceptance of a commission as a commissioned officer in the armed forces; and;";

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 Officers" 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 enlisted members" after "officers";

(5) in subsection (e), by inserting "or enlisted member" after "officer"; and

(6) in subsection (f), by inserting "or enlisted member" after "officer";

(b) CONFORMING CLERICAL AMENDMENTS.—

(1) Heading Amendment.—The heading of such section is amended to read as follows: "2004. Detail as students at law schools; commissioned officers; certain enlisted members;"

(2) Clerical Amendment.—The table of sections 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. CONSECUTIVE SERVICE 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 memorandum of understandings or other agreements with State veterans agencies under which information from Department of Defense Forces Medical Programs and DOD-2696, Beneficiary Identification and Authentication, 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.

(b) Use of Certain Amount.—Of the amount available under subsection (a) for payments as described in that subsection, $3,000,000 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. 572. RIKATAK 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 at United States Army Garrison—Kwajalein Atoll.

(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 RELICENSING STATE LICENSES OR CERTIFICATIONS OF MILITARY DEPENDENTS THROUGH INTERSTATE COMPACTS.

Section 748(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 LICENTURE PORTABILITY FOR MILITARY SPOUSES THROUGH INTERSTATE COMPACTS.

Section 784 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(b) Improvement of Occupational License Portability Through Interstate Compacts.—

(i) 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 to license or relicense in any particular State the occupation of any military spouse in that State, as authorized in section 748.

(ii) Assistance to Schools with Significant Numbers of Military Dependent Students.—The amount authorized to be appropriated for fiscal year 2020 pursuant to section 748 shall be available only for the purpose of providing assistance to local educational agencies under section (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–183; 20 U.S.C. 7003).

(b) Local Educational Agency Defined.—In this section, the term "local educational agency" has the meaning given that term in section 701(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 578. 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 section 4301, $10,000,000 shall be available for payments under section 363 of the Ford 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. 7003(a).

(b) Use of Certain Amount.—Of the amount available under subsection (a) for payments as described in that subsection, $3,000,000 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. 579. CONGRESSIONAL RECORD — SENATE

June 24, 2019

S4238

Subtitle E—Member Education, Training, Transition, and Resilience
SEC. 580. PILOT PROGRAM ON INFORMATION SHARING BETWEEN DEPARTMENT OF DEFENSE AND DESIGNATED RELATIVES AND FRIENDS OF MEMBERS OF THE ARMED FORCES REGARDING THE CAREER PROGRESSION OF MEMBERS OF THE ARMED FORCES.

(a) PILOT PROGRAM REQUIRED.—

(1) General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall enter into an agreement with the American Red Cross to carry out a pilot program under which the American Red Cross—

(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; (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) toll-free number through which 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.

(2) Privacy and confidentiality.—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).

(3) Types of information.—The types of information to be shared under the pilot program shall be—

(A) information regarding—

(i) the health and medical conditions of the Armed Forces; and (ii) the career progression of members of the Armed Forces; (B) information regarding—

(i) the military service of such member and the employment in connection with such service; (ii) the results of a family needs assessment for each military family member with special needs; (iii) the designation under the pilot program, a member seeking to make a modification to such designation; (iv) the enrollment of such member under paragraph (1)(B); and (v) the ability to modify designations made by such member under paragraph (1)(B); and (C) information regarding—

(i) the military service of such member and the employment in connection with such service; (ii) the results of a family needs assessment for each military family member with special needs; (iii) the designation under the pilot program, a member seeking to make a modification to such designation; (iv) the enrollment of such member under paragraph (1)(B); and (v) the ability to modify designations made by such member under paragraph (1)(B); and (D) information regarding—

(i) the military service of such member and the employment in connection with such service; (ii) the results of a family needs assessment for each military family member with special needs; (iii) the designation under the pilot program, a member seeking to make a modification to such designation; (iv) the enrollment of such member under paragraph (1)(B); and (v) the ability to modify designations made by such member under paragraph (1)(B); and (E) a toll-free telephone number through which the American Red Cross—

(i) ensure that such member is notified of the ability to modify designations made by such member under paragraph (1)(B); and (ii) upon the request of a member, authorize such member to modify such designations at any time.

(4) Contact information.—In making a designation under paragraph (3), the Secretary of Defense shall provide the American Red Cross with necessary contact information, specifically including an email address, to facilitate the dissemination of information regarding the military service of the member.

(5) 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 a decision shall be free to make such election in any manner, and 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 conduct a survey to persons who elected to receive such information to measure 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, in consultation with the American Red Cross, 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 permanent.

SEC. 581. BRIEFING ON USE OF FAMILY ADVOCACY TOOLS PROGRAMS TO ADDRESS DOMESTIC VIOLENCE.

Not later than 180 days after the date of the enactment 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 mechanisms 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.—Notwithstanding the time limitations specified in section 3741 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 for which he was previously awarded the Distinguished-Service Cross.

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the acts of the John J. Duffy on April 14 and 15, 1968, in Vietnam for which he was previously awarded the Distinguished-Service Cross.

SEC. 586. STANDARDIZATION OF HONORABLE SERVICE REQUIREMENT FOR AWARD OF MILITARY DECORATIONS.

No military decoration, including a medal, cross, or star, 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.

Subsection (a) of section 3741 of title 10, United States Code, is further amended as follows:

(1) In general.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

“1136. Honorably service requirement for award of military decorations.

“No military decoration, including a medal, cross, or star, 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.”

SEC. 587. MODIFICATION OF RESPONSIBILITY OF THE OFFICE OF SPECIAL NEEDS FOR INDIVIDUALIZED SERVICE PLANS FOR MEMBERS OF MILITARY FAMILIES WITH SPECIAL NEEDS.

Notwithstanding the time limitations specified in section 3741 of title 10, United States Code, is amended by adding at the end the following new section:

“1136. Honorably service requirement for award of military decorations.

“No military decoration, including a medal, cross, or star, 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.”

SEC. 588. PILOT PROGRAM ON INFORMATION SHARING BETWEEN DEPARTMENT OF DEFENSE AND DESIGNATED RELATIVES AND FRIENDS OF MEMBERS OF THE ARMED FORCES REGARDING THE CAREER PROGRESSION OF MEMBERS OF THE ARMED FORCES.

(a) PILOT PROGRAM REQUIRED.—

(1) 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 30 persons to whom information regarding the military service of such member shall be disseminated using contact information obtained during such enlistment or appointment; (B) provides such persons, within 30 days after the date on which such persons are designated under subparagraph (A), the option to elect whether to receive such information regarding military service.

(2) DISSEMINATION.—The Secretary shall disseminate information described in paragraph (1) under the pilot program on a regular basis.

(3) TYPES OF INFORMATION.—The types of information to be disseminated under the pilot program for 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; (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) toll-free 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 AND CONFIDENTIALITY.—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 paragraph (3), the Secretary of Defense shall provide the American Red Cross with 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 be free to make such election in any manner, and 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, in consultation with the congressional defense committees 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 permanent.
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 1530 of title 10, United States Code, is amended—

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

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

“(d) 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 (c) the following new subsection (d):

“(d) A student who is a member of a unit under this subsection who are ordered to the locality that maintains a unit under this section is amended to read as follows:

“§ 11563. Consideration of proposals for posthumous and honorary promotions and appointments: procedures for review and promotion or appointment.”.

(b) CLERICAL AMENDMENT.—The table of sections 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 CERTAIN VETERANS.—Section 1491(b) of title 10, United States Code, is amended by adding at the end the following:

“(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; and

“(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(b) of title 10, United States Code, is required to ensure that such installation is ready to provide full military honors in a timely fashion: procedures for review and award or presentation.

(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 amended).

(B) Mechanisms to ensure compliance with the requirements for ceremonies for funerals in section 1491(c) of such title.

(3) 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 perform honors duties, and members of veterans organizations or other organizations referred to in section 1491(b)(2) of such title.

(D) Mechanisms to ensure compliance with the requirements for funeral honors for funerals in section 1491(b) of such title.

(4) 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.

SEC. 592. INCLUSION OF HOMESCHOoled STUDENTS RESIDING IN THE UNITED STATES.

Section 3231 of title 10, United States Code, is amended by adding after 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 such membership). Such membership may be extended to homeschooled students residing in the area served by the institution who are qualified for membership in the unit (but for lack of such membership).

“(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 instills 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; and

(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 115–222), 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 EXEMPTION FROM COMMERCE DEPARTMENT INQUIRIES CONCERNING MILITARY PERSONNEL.

Section 1009(m) of title 10, United States Code, is amended—

(1) in the subsection heading, by inserting “Michigan” after “‘Micronesian’”;

(2) by inserting “member or” before “former member” each place it appears; and

(3) by redesigning 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 subsection the term ‘member of the reserve components’ shall mean a former member of the reserve components of the Armed Forces who—

(A) is the date a reserve component member was discharged, retired, or separated; and

(B) the date the court-martial sentence was 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 EXEMPTIONS FROM THE COMMERCE DEPARTMENT INQUIRIES CONCERNING MILITARY PERSONNEL.

(a) AUTHORITIES RELATING TO RESERVE FORCES.—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve 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 Selective Reserve.

(c) **Authority Relating to Title 37 Conсолidated 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(b), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 334(n), 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(k), relating to contracting bonus for cadet and midshipmen enrolled in the Selective Reserve Officers’ Training Corps.

(6) Section 315(h), relating to hazardous duty pay.

(7) Section 325(g), relating to assignment pay or special duty pay.

(8) Section 331(i), relating to skill incentive pay or proficiency bonus.

(9) Section 335(h), relating to retention incentives for officers qualified in critical military skills or assigned to high priority units.

(d) **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. 622. **Reinvestment of Travel Refunds by the Department of Defense.**—(a) **Refunds for Official Travel.**—Subchapter I of chapter 6 of title 37, United States Code, is amended by adding at the end the following new section:

“**§ 456. Managed travel program refunds.**—(a) Credit card refunds. —The Secretary of Defense may credit refunds attributable to the 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, and the Secretary shall use such refunds to make improvements for improved financial management of official travel.

(c) Definitions. —In this section:

(1) **Point of Sale 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 Government Purchase Card, or Government travel arranged by Government Contracted Travel Management Centers.

(2) **Refund.**—The term ‘refund’ includes miscellaneous receipts credited to the Department or agency, a refund, rebate, rebate, or other similar amounts collected.

(b) **Clerical Amendment.**—The table of sections at the beginning of chapter 6 of such title is amended by inserting the following new section:

“§ 456. Managed travel program refunds."

(c) **Clarification on Retention of Travel Promotional Items.**—Section 1116(a) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 10 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 Retirement Fund Based on Pay Costs Per Armed Force Rather Than on a Per Diem Rate 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)—

(i) in the matter preceding subparagraph (B), by striking “product” and inserting “aggregate of the products”;

(ii) in subparagraph (B), by striking “level” and inserting “aggregate of the products”;

(iii) in subparagraph (C), by striking “level” and inserting “aggregate of the products”; and

(iv) by striking “(paid pursuant to section 206 of title 37)” and inserting “(paid pursuant to section 206 of title 37) for each armed force (other than the Coast Guard)”;

(2) in paragraph (2), by striking “level” and inserting “aggregate of the products”; and

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

(3) “The ‘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) **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 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” and in the matter preceding paragraph (1);

(2) in subsection (b), by striking “the widow and to each parent” and inserting “the widow and to each parent”;

(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 redesigning 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 and exchange store systems.
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, acting through the Secretary, implement the operations of the defense commissary system and the exchange stores system.

(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) Systems that increase efficiencies across the defense resale system, including in transportation of goods, application-based marketing initiatives and other mobile and electronic-commerce programs, facilities construction, back-office information technology systems, human resource management, legal services, financial services, and accounting.
      (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:
         (1) Field new technologies and best business practices for information technology for the defense resale system.
         (2) Develop 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.";
   (f) 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 commissary 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. CONTRACTION COVERAGE ELIGIBILITY UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Section 1074b(b)(3) of title 10, United States Code, is amended by inserting before the period at the end the following:

"(4) For all beneficiaries under this section, there is no cost-sharing for any prescription contraceptive provided by a network provider.

(b) NON-COST-SHARING FOR CERTAIN SERVICES.—
   (1) TRICARE SELECT.—Section 1075(c) of such title is amended by adding at the end the following new paragraph:
      "(d) For all beneficiaries under this section, there is no cost-sharing for any prescription contraceptive provided under TRICARE Prime.".
   (2) TRICARE PRIME.—Section 1075a(b) of such title is amended by adding at the end the following new paragraph:
      "(d) For all beneficiaries under this section, there is no cost-sharing for any prescription contraceptive provided under TRICARE Prime.

(c) PHARMACY BENEFITS PROGRAM.—Section 1074g(a)(5) of such title is amended by adding at the end the following new subparagraph:
      "(d) For all beneficiaries under this section, there is no cost-sharing for any prescription contraceptive on the uniform formulary provided by a retail pharmacy described in subsection (a)(2)(E) or the national mail-order pharmacy program.".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2020.

SEC. 702. TRICARE PAYMENT OPTIONS FOR TREATMENTS AND THEIR DEPENDENTS.

(a) IN GENERAL.—Section 1097a 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 under section 1074(b) or 1076 of this title shall pay a premium for coverage under this Act.
      (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 paragraphs (d), (e), and (f) as subsections (c), (d), and (e), respectively.
   (2) HEADLINE 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."

(c) 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.".
(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 FIREFIGHTERS OF DEPARTMENT OF DEFENSE DURING EXPOSURE TO-perfluoroalkyl and polyfluoroalkyl substances.

(a) In General.—On October 1, 2020, the Secretary of Defense shall provide blood testing to determine and document potential exposure to perfluoroalkyl and polyfluoroalkyl substances (commonly known as “PFAS”) for each firefighter of the Department of Defense during the annual physical exam conducted by the Department for each 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 TREATMENT FACILITIES.—Subsection (a) of section 1072c of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by redesigning subparagraphs (A), (B), (C), (D), (E), and (F) as subparagraphs (C), (D), (E), (F), 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 such facility;"

(C) inserting the following new subparagraphs—

"(F) supply and equipment;"

(2) in paragraph (2)—

(A) by redesigning 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 military medical treatment facility to support clinical readiness standards of health care providers established by the Secretary of a military 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) 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) of section 1072c of that title is amended—

(1) by redesigning (b)(1) and (b)(2) as paragraphs (2) and (3), respectively, and by moving such paragraphs so as to appear at the end of section 1072c; and

(2) by redesigning paragraphs (5) through (7) as paragraphs (6) through (8), respectively; and

(3) by inserting after subparagraph (a)(4) of that section the following:

"(5) to oversee mobilization and demobilization in connection with the operational deployment of medical and dental personnel of the Armed Forces 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)."

(c) DHA DEPUTY ASSISTANT DIRECTORS.—Subsection (b) of section 1072c of that title is amended—

(1) in paragraph (2), by adding "whenever" after "The Director of the Defense Health Agency, in coordination with the Assistant Secretary of Defense for Health Affairs, shall—"

(2) in subparagraph (A) of paragraph (4), by inserting "The Assistant Secretary of Defense for Health Affairs, in coordination with the Assistant Secretary of Defense for Health Affairs, shall—"

"(3) To assign personnel to the military departments, the Defense Health Agency, and the Joint Staff, implement an organizational framework of the military health system that effectively implements the operational control of the military forces to 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.";

(3) by redesigning paragraph (5), as redesignated by paragraph (4) of this subsection—

(A) in the heading, by inserting "whenever" after "Research"; and

(B) in the matter preceding paragraph (1), by striking "Defense Health Agency" and inserting "Defense Health Affairs";

(C) in paragraph (3), by striking "subparagraph (b)" and inserting "subparagraph (c)"; and

(4) in subsection (e), as redesignated by paragraph (4) of this subsection—

(A) in paragraph (1), 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 and medical authorities required to support the warfighter, including joint and deployable medical or dental personnel and deployable medical or dental teams or units of the Armed Forces or Armed Forces concerned;"

(B) in paragraph (2), by striking "agency" before "regions"; and

(C) in paragraph (3), by redesigning paragraph (4), as redesignated by paragraph (3) of this subsection—

(1) by inserting "whenever" before "Research"; and

(2) in subparagraph (A), by inserting "Defense Health Affairs" before "regions";

"(A) To support requirements related to readiness and operational medicine support that are established by the combatant commands and validated by the Joint Staff;"

(3) in subparagraph (B), in the matter preceding clause (i), by striking "Based on" and all that follows through "activities specific to such military department;"

"(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 Forces 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 of the military department concerned;"

"(5) To oversee mobilization and demobilization in connection with the operational deployment of medical and dental personnel of the Armed Forces 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)."

"(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 military medical treatment facilities, 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 FOR MILITARY TREATMENT FACILITIES.”

(2) CLERICAL AMENDMENT.—The table of contents 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 who is a commander or director of a military treatment facility.

(b) TOUFS OF DUTY.—
(1) IN GENERAL.—Except as provided in paragraph (2), the tour of duty of an individual who is a commander or director of a military treatment facility may not be for 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 ACCESS OF MANAGED CARE SUPPORT CONTRACTS UNDER TRICARE PROGRAM.

Section 714 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 medical support contracts”.

SEC. 715. ESTABLISHMENT OF REGIONAL MEDICAL HUBS TO SUPPORT COMBATANT COMMANDS.

(a) IN GENERAL.—The Secretary of Defense shall establish not more than four regional medical hubs, consistent with the operational and environmental health requirements of the combatant commands.

(b) TIMING.—Establishment of regional medical hubs under subsection (a) shall commence not later than October 1, 2022, and shall be completed not later than October 1, 2023.

(c) LEADERSHIP.—Each regional medical hub established 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, maritime.

(1) selected by the Secretary 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 positions.

(d) DESIGNATION OF PRIMARY CENTER.—
(1) IN GENERAL.—Each regional medical hub established under subsection (a) shall include a primary center designated by the Secretary to serve as the primary center for the provision of specialized medical services in that region.

(B) CAPABILITY.—The primary medical center may not be designated under paragraph (1) unless the center—

(A) includes one or more large graduate medical education programs; 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 DEBAR- KATION POINTS.—In designating major military medical centers under paragraph (1), the Secretary shall give consideration to the location of such centers with major aerial debarcation points of the medical evacuation system of the United States Transportation Command.

(c) MAJOR HEALTH CARE DELIVERY PLATFORM.—The Secretary may designate a regional medical center designated under paragraph (1) as a 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.

(d) 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 populations.

(2) Locations that serve as the primary readiness 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 and coordination among local or regional high-performing health systems 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.

SEC. 716. MONITORING OF ADVERSE EVENT DATA ON DIETARY SUPPLEMENT USE BY MEMBERS OF THE ARMED FORCES.

(a) INCLUSION IN MEDICAL TRACKING SYSTEM OF OCCUPATIONAL AND ENVIRONMENTAL HEALTH RISKS IN DEPLOYED PERSONNEL WHILE DEPLOYED OVERSEAS.

(1) ELEMENTS OF MEDICAL TRACKING SYSTEM.—Subsection (b)(1)(A) of section 1074f of title 10, United States Code, is amended by inserting after “(1)” the following:

“(2) The Secretary, to the extent practicable, shall ensure that the electronic medical record of each member who includes a dietary supplement use by members of the Armed Forces.''

(b) POSTDEPLOYMENT MEDICAL EXAMINATION AND REASSURANCE.—In the case of a member of the military service, the term “burn pit registry” includes the burn pit registry maintained in accordance with 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:

"(1) The Secretary shall establish a method that is 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 each member who includes a dietary supplement use by members of the Armed Forces.''

(c) ACCESS TO INFORMATION IN BURN PIT REGISTRY.

(1) IN GENERAL.—The Secretary of Defense shall ensure that all medical personnel of the 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 1074f of title 10, United States Code, as amended by the Dignified Burials Improvement Act of 2012 (Public Law 112–295; 38 U.S.C. 519 note).
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 Advancement of Military Medicine who were in the military health system as the Secretary determines at the date of the enactment of this Act pursuant to an appointment 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 708a(d) of title 10, United States Code, is amended by striking ‘‘Dental Corps’’ 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 10402 of that title 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 described in subsection (b) and are in addition to similar leadership positions for members of the armed forces.

‘‘(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 of Defense may appoint or require such authorities under this chapter relevant to the health care, health professions education, and health research activities of the military health system as the Secretary determines to be necessary 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.

‘‘(e) 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 after 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 (a) in any State, the District of Columbia, or a territory or possession of the United States, without regard to where such veterinary professional or the animal requiring such services is located or to the provision of such services is within the scope of the authorized duties of such veterinary professional for the Department of Defense.

‘‘(b) Veterinary Professional Described.—A veterinary professional described in this subsection is an individual who—

‘‘(1) is a member of the armed forces, a civilian employee of the Department of Defense, or otherwise credentialed and privileged at a Federal veterinary institution or location designated by the Secretary of Defense for purposes of this section; or

‘‘(2) certified as a veterinary professional by a certification recognized by the Secretary of Defense;

‘‘(3) currently licensed by a State, the District of Columbia, or a territory or possession of the United States to provide veterinary services;

‘‘(4) an academic veterinary professional described in section 471 of the Public Health Service Act (42 U.S.C. 247d).

‘‘(b) Repeal.—Section 7007 of title 10, United States Code, is repealed.

‘‘(c) Evaluation Metrics.—The Secretary of Defense shall evaluate the provision of services under subsection (a).

(a) Appointment.—The Secretary of Defense may carry out a pilot program to establish partnerships with public, private, and nonprofit entities to diagnose, treat, and medicate those with infectious diseases and other acute or chronic medical conditions in any emergency declared by the Secretary of Defense. Such partnerships shall be known as the ‘‘National Medical System.’’

(b) Repeal.—Section 7007 of title 10, United States Code, is repealed.
(f) REPORTS.—
   (1) INITIAL REPORT.—
      (A) IN GENERAL.—Not later than 180 days after the commencement of the pilot program as the Secretary considers appropriate in light of the pilot or administrative action as the Secretary considers appropriate.
      (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 Secretary considers appropriate.
   (g) Period beginning on 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 valuation and associated license rights, including commercially available intellectual property valuation analysis and techniques, in acquisition programs and on Government property. The Secretary is responsible to better understand the benefits associated with these techniques on—
      (1) the development of cost-effective intellectual property assets;
      (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 Defense and private sector subject matter experts to identify, to the maximum extent practicable at each milestone for a selected acquisition programs, intellectual property valuation, and associated technical and qualitative analysis related to the value of intellectual property during the procurement, production and deployment, and operations and support of the acquisition of the systems under the program.
         (2) Assessment of commercial valuation techniques for intellectual property for use by the Department of Defense.
         (3) Assessment of the feasibility of agency-level oversight to standardize intellectual property evaluation and 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 managers 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-developemental 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-developemental items, products, and services.
      (d) ASSESSMENTS.—Not later than November 1, 2020, the Secretary of Defense, in coordination with the Secretaries of the military departments, 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) an assessment 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 aligned with the criteria used for the most effective acquisition strategy to achieve those requirements.

   The Secretary shall develop metrics for tracking progress of the program at improving quality and acquisition cycle time.

(b) DEVELOPMENT OF CRITERIA AND INITIATIVES.—Not later than May 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 REQUIREMENT FOR TASK AND DELIVERY ORDER SINGLE CONTRACT AWARDS

Section 2304(a)(d)(3) of title 10, United States Code, is amended—

(1) in paragraph (B), by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(2) by redesignating subparagraphs (A), (B), (C), and (D) as clauses (I), (II), (III), and (IV), respectively;

(3) by striking ‘‘No task or delivery order contract’’ and inserting ‘‘(A) Except as provided under subparagraph (B), no task or delivery order contract’’;

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

‘‘(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 determination pursuant to section 2304(c) of this title that other than competitive procedures may be used for the awarding of such contract.’’.

SEC. 804. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

Section 803(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399), as most recently

SEC. 805. MODIFICATION OF DIRECTOR OF OPERATIONAL TEST AND EVALUATION REPORT.

Section 139(h)(b) 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 summarize the comments in the report. The Director shall determine the time available in the Secretaries to comment on the draft report on a case by case basis, and consider the extent to which substantive discussions have already occurred 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, at least every four years, the Department of Defense processes for making decisions to use fixed-price contracts to support 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 January 1, 2020, the Under Secretary shall brief the congressional defense committees on the findings of the review required under paragraph (1).

(b) CONTROLLER GENERAL REVIEW.—

(1) IN GENERAL.—Not later than February 1, 2021, the Comptroller General of the United States shall submit to the Congress a report on the acquisition programs identified under subparagraph (A) of paragraph (3) that are not used to support acquisition objectives.

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

(A) A description of how the diversity of fixed-price contracts affects the contract closeout process;

(B) A description of how the decision makers evaluate the benefits of using fixed-price contracts in the acquisition process; and

(C) A description of how the diversity of fixed-price contracts affects the contract closeout process.

SEC. 807. PILOT PROGRAM TO ACCELERATE CONTRACT TRADING AND PRICING PROCESSES.

Section 800 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; and

(3) in subsection (b), as redesignated by paragraph (2), by striking “and an assessment of whether the program should be continued or expanded” and inserting “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, 2021”.

SEC. 808. PILOT PROGRAM TO STREAMLINE DECISION-MAKING PROCESSES FOR WEAPONS 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 for Acquisition and Sustainment at least one candidate acquisition program for a pilot program to include tailored measures to streamline the milestone decision process for weapon systems, including 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 information to the milestone decision authority by—

(1) including any reviews between the program office and the different functional staff offices within each chain of command level; and

(2) establishing frequent, regular interaction between the program office and milestone decision makers, in lieu of documentation 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 conforms to the requirements set forth in subsection (a)(2).

SEC. 809. DOCUMENTATION OF MARKET RESEARCH RELATED TO COMMERCIAL ITEM DETERMINATIONS.

(a) IN GENERAL.—Section 2377(c) 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) 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 SOURCING REQUIREMENTS.—Section 2366b(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.

(a) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall provide to the acquisition activities and Sustainment shall provide to the acquisition activities and the different functional staff offices within each chain of command level; and

(b) BRIEFING.—Not later than January 1, 2020, the Under Secretary shall brief the congressional defense committees on the findings of the review required under paragraph (1).

(c) CONTROLLER GENERAL REVIEW.—

(1) IN GENERAL.—Not later than February 1, 2021, the Comptroller General of the United States shall submit to the Congress a report on the acquisition programs identified under subparagraph (A) of paragraph (3) that are not used to support acquisition objectives.

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

(A) A description of how the diversity of fixed-price contracts affects the contract closeout process.

(B) A description of how the decision makers evaluate the benefits of using fixed-price contracts in the acquisition process; and

(C) A description of how the diversity of fixed-price contracts affects the contract closeout process.

SEC. 811. MODERNIZATION OF ACQUISITION PROCESSES TO ENSURE INTEGRITY OF INDUSTRIAL BASE.

(a) DIORITIZATION AND CONTRACTUALIZATION.—The Secretary of Defense shall streamline and digitize the existing Department of Defense acquisition processes and procedures, including those relating to—

(i) fraud;

(ii) workers’ health and safety;

(iii) cybersecurity of contractors;

(iv) vendor vetting in contingency or operational environments;

(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) other risk areas as determined 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); and

(iii) other risk areas as deemed appropriate.

SEC. 812. MODIFICATION TO SMALL PURCHASE THRESHOLD.

(a) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall provide to the acquisition activities and the different functional staff offices within each chain of command level; and

(b) BRIEFING.—Not later than January 1, 2020, the Under Secretary shall brief the congressional defense committees on the findings of the review required under paragraph (1).

(c) CONTROLLER GENERAL REVIEW.—

(1) IN GENERAL.—Not later than February 1, 2021, the Comptroller General of the United States shall submit to the Congress a report on the acquisition programs identified under subparagraph (A) of paragraph (3) that are not used to support acquisition objectives.

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

(A) A description of how the diversity of fixed-price contracts affects the contract closeout process.

(B) A description of how the decision makers evaluate the benefits of using fixed-price contracts in the acquisition process; and

(C) A description of how the diversity of fixed-price contracts affects the contract closeout process.

SEC. 813. MODERNIZATION OF ACQUISITION PROCESSES TO ENSURE INTEGRITY OF INDUSTRIAL BASE.

(a) DIORITIZATION AND CONTRACTUALIZATION.—The Secretary of Defense shall streamline and digitize the existing Department of Defense acquisition processes and procedures, including those relating to—

(i) fraud;

(ii) workers’ health and safety;

(iii) cybersecurity of contractors;

(iv) vendor vetting in contingency or operational environments;

(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) other risk areas as determined 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); and

(iii) other risk areas as deemed appropriate.

SEC. 814. MODIFICATION TO SMALL PURCHASE THRESHOLD.

(a) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall provide to the acquisition activities and the different functional staff offices within each chain of command level; and

(b) BRIEFING.—Not later than January 1, 2020, the Under Secretary shall brief the congressional defense committees on the findings of the review required under paragraph (1).

(c) CONTROLLER GENERAL REVIEW.—

(1) IN GENERAL.—Not later than February 1, 2021, the Comptroller General of the United States shall submit to the Congress a report on the acquisition programs identified under subparagraph (A) of paragraph (3) that are not used to support acquisition objectives.

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

(A) A description of how the diversity of fixed-price contracts affects the contract closeout process.

(B) A description of how the decision makers evaluate the benefits of using fixed-price contracts in the acquisition process; and

(C) A description of how the diversity of fixed-price contracts affects the contract closeout process.
(vii) contract audit for closeout; (ix) contractor business system reviews; and (x) other relevant processes and procedures.

(B) Elements.—The assessment required under subparagraph (A) shall include the following elements:

(1) Identification of the necessary source data, which include data from contractors, intelligence and security activities, program offices, and commercial research entities.

(2) A description of the modern data infrastructure tools, and applications and what changes would improve the effectiveness and efficiency of mitigating the risks described in subsection (b)(2).

(3) An assessment of the following systems owned or operated outside of the Department of Defense:

(I) The Federal Awardee Performance and Accountability System.

(II) The System for Award Management.

(III) The Federal Procurement Data System—Next Generation.

(IV) An assessment of systems owned or operated by the Department of Defense, including the Defense Security Service (or successor entity), the Department of Defense Industrial Base, and commercial research entities.

(V) Corporate governance, leadership, and culture of performance; and

(VI) 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.

(1) The Under Secretary of Defense for Acquisition and Sustainment, including the Office of Defense Pricing and Contracting and the Office of the Under Secretary for Acquisition and Sustainment, shall submit to the congressional defense committees on Department of Defense contractors to disclose to the Defense Security Service (or successor entity) the following systems owned or operated outside of the Department of Defense:

(I) Data analytics and business intelligence tools and methods; and

(II) Continuous development and continuous delivery of software to implement the activities.

(2) Reports.—

(I) 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.

(II) 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.

(III) Continuous Review.—The Comptroller General shall review the implementation of the requirements of this section and submit to the congressional defense committees a report on the effectiveness of those efforts.

(D) 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 risks related to foreign ownership, control, or influence, 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) Process and Procedures.—The process and procedures for the assessment and mitigation of risk related 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.

(B) Responsibility Determination.—Consistent with section 3817(c)(4) of title 10, Code of Federal Regulations, the Secretary of Defense shall designate an official entitled to prescribe regulations to carry out this section. For purposes of determining FOCI risks as part of responsibility determinations, including—

(i) whether to establish a standard of responsibility related to FOCI for covered contractors or subcontractors, and the extent to which the policies and procedures consistent with or similar to those required under FOCI under the National Industrial Security Program shall be applied to covered contractors or subcontractors;

(ii) procedures for contractor 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 denial or revocation of a contract or subcontract or for a determination that a contractor or subcontractor is not responsible.

(3) Report.—The Secretary of Defense shall brief the congressional defense committees on Department of Defense progress in implementing the framework required under subsection (b).

(4) Foreign Ownership, Control, or Influence.—The term "foreign ownership, control, or influence" and "FOCI" have the same 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.

(E) Covered Contractors and Subcontractors.—The term "covered contractor or subcontractor" means 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 (c).

(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, systems, tools, and methods for record, data sources and collection methods, and data exposure mechanisms. The unified set of activities should feature—

(1) the ability to collect data on, assess, and mitigate risks;

(2) data analytics and business intelligence tools and methods; and

(3) continuous development and continuous delivery of software to implement the activities.

(F) 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.

(3) Continuous Review.—The Comptroller General shall review the implementation of the requirements of this section and submit to the congressional defense committees a report on the effectiveness of those efforts.
the contract, consistent with subparagraph (A), and necessitating the effective mitigation of risks related to FOCI throughout the duration of the contract or subcontract.

(p) Full cooperation by the Secretary of Defense, and the appropriate Department of Defense official responsible to approve and to take actions relating to award, modification, termination, or direction of FOCI on any or all appropriate associated FOCI 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.

(q) Other measures as necessary to be consistent with other relevant practices, policies, regulations, and actions, including those under the National Industrial Security Program.

(r) Applicability to Contracts and Subcontracts for Commercial Products and Services, and Other Forms of Acquisition Agreements.—

(1) Commercial Products and Services. —The disclosure requirements under section 841 of such Act shall apply to a contract or subcontract for commercial products or services, unless a designated senior official specifically requires the disclosures described in such section to the extent that such contract or subcontract is determined to be exempt from the requirements of such section.

(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 1306(b) of title 10, United States Code.

(s) Availability of Resources. —The Secretary of Defense may not have sufficient resources, including subject matter expertise, are allocated to execute the functions necessary to carry out this section, including the assessment, negotiation, contract administration, and oversight functions.

(t) 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 use 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; and

(B) made available via the FAPIIS and CAGE database.

(C) made available to appropriate government departments or agencies.

SEC. 834. EXTENSION AND REVISIONS TO NEVER CONTRACT WITH THE ENEMY.


(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”; and

(2) in the matter preceding paragraph (1), by striking “establish in” and all that follows and inserting “establish a program to mitigate risk to department or agency 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 at the end and inserting “and”;

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

(5) 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

(6) pose an unacceptable national security risk.

(c) Inclusion of All Contracts. —Sections 841 and 842 of such Act are further amended by striking “covered contract” each place it appears and inserting “contract”.

(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 841(b) of such Act is amended to read as follows:

“(b) 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 subparagraph (A);

(6) engaging in foreign intelligence activities against the United States or against coalition forces;

(D) engaging in transnational organized crime or criminal activities; or

(E) engaging in 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 Persons. —Sections 841 and 842 of such Act are further amended by striking “specified deputys” each place it appears and inserting “designees”.

(2) Removal of Limitations on Delegation. —Section 841(c) of such Act is amended by inserting “ or subcontractor” after “ the contractor”, and inserting “(c) in paragraph (2), by striking the period at the end and inserting “or subcontractor”.

(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 person or entity has been identified under the program established under subsection (a)”;

(4) by redesignating paragraphs (d) through (g), respectively.

(h) Contract Clause. —Section 841(d)(2)(B) of such Act is amended by inserting “and receiving a 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)”.

(1) 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”;

(2) in subsection (f)(1), by striking “in consultation with”;

(3) by striking “Sharing of Information on Supporters of the Enemy. — Section 840(h)(1) of such Act is further amended by inserting “may be providing” and all that follows through “entity” and inserting “have been identified under the program established under subsection (a)”.

(k) Inapplicability to Certain Contracts, Grants, and Cooperative Agreements. —Section 841(q) of such Act is amended by striking “contracts, grants, and cooperative agreements” and all that follows through the period at the end and inserting “contracts, grants, 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 (a) (1) by striking “; or” except as provided in subsection (c)(1);”;

(2) 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)”;

(3) 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)”;

(4) in paragraph (4), by striking “may be provided to such country” and inserting “may be provided to such country at the request of such country”;

(5) in subsection (c), by striking “(A)”. and all that follows through the period at the end and inserting “(A) by subsections (a) through (n) of this section (as amended by subsections (a) through (n) of this section), respectively”;

(m) Additional Access to Records. —Section 842 of such Act is further amended—

(1) in subsection (a) —

(A) by striking “, except as provided under subsection (c)(1);”;

(B) in paragraph (2), by striking “in the case of funds referred to in section 841(a)”; and

(2) by striking subsection (m).

(n) Technical and Conforming Amendments.—

(1) Section Heading.—The heading of section 842 of such Act is amended by striking “PROVIDING FUNDS TO” and inserting “SUPPORTING”.

(2) Definitions.—Section 842 of such Act is further amended by redesignating paragraphs (b) through (g), respectively.

(3) Additional Access to Records. —Section 842 of such Act is amended by striking paragraphs (b) through (g), respectively.
**Subtitle D—Small Business Matters**

**SEC. 841. REAUTHORIZATION AND IMPROVEMENT OF DEPARTMENT OF DEFENSE MENTOR-PROTEGE PROGRAM.**

(a) **PERMISSION.—** Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note) is amended by striking subsection (j),

(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) **EVALUATION 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-Protege 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 performance goals and metrics, based on periodic reviews of the procedures used to approve mentor-protege agreements.

(c) **MODIFICATION OF DISADVANTAGED SMALL BUSINESS CONCERN DEFINITION.—** Subsection (c)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 101–510; 10 U.S.C. 2302 note), as redesignated by subsection (b)(1) of this section, is amended by striking "less than half the size standard corresponding to its North American Industry Classification System code" and inserting "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 submit to the Congressional Small Business Board to which such report evaluating the effectiveness of the Mentor-Protege 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.—** The term "Congressional defense committees" has the meaning given that term in section 10(a)(16) of title 10, United States Code.

**SEC. 842. MODIFICATION OF JUSTIFICATION AND APPROVAL REQUIREMENT FOR CERTAIN DEPARTMENT OF DEFENSE ACQUISITION 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 award to purchase 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 award by the Department of Defense for a contract or subcontract thereunder shall not exceed $100,000,000; is the official designated in section 2304(f)(1)(B)(i) 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 this subsection.

(c) **COMPTROLLER GENERAL REVIEW.—**

(1) **DATA TRACKING AND COLLECTION.—** The Department of Defense shall, in accordance with 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 pursuant to subsection (a) through the end of fiscal year 2021.

**Subtitle E—Provisions Related to Software-Driven Capabilities**

**SEC. 851. IMPROVEMENTS OF INFORMATION TECHNOLOGY AND CYBERSPACE INVESTMENTS.**

(a) **IMPROVEMENTS REQUIRED.—**

(1) **IN GENERAL.—** The Secretary of Defense shall—

"(i) establish performance goals consistent with the stated purpose of the Mentor-Protege Program and outcome-based metrics to measure progress in meeting those goals; and

"(ii) submit to the congressional defense committees, not later than February 1, 2020, a report on progress made toward implementing performance goals and metrics, based on periodic reviews of the procedures used to approve mentor-protege agreements.

(b) **REMOVAL OF PILOT PROGRAM REFERENCE.—** Section 831 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 "less than half the size standard corresponding to its North American Industry Classification System code" and inserting "not more than the size standard corresponding to its primary North American Industry Classification System 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 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 software capability companies to engineer and deliver capabilities in software.

(2) **OBJECTIVES.—** The objectives of using the acquisition authority under this section shall be to bring new capabilities quickly, to demonstrate viability and effectiveness of those capabilities in operation, and to continue updating and delivering new updates and fixes afterwards.

(3) **TREATMENT NOT AS ACQUISITION PROGRAM.—** 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 Directive 5000.01, except to the extent specifically provided in the guidance required under subsection (a) or by the Under Secretary of Defense for Acquisition and Sustainment or a Senior Acquisition Executive.

**SEC. 853. IMPROVED MANAGEMENT OF INFORMATION TECHNOLOGY SYSTEMS.**

(a) **IMPROVED MANAGEMENT.—** The guidance required by subsection (a) shall provide the following with respect to requirements:

(1) Requirements for covered acquisitions and upgrades on an annual basis or more that will enhance 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.

(b) **PROCESS.—**

(1) **IN GENERAL.—** The guidance required by subsection (a) shall provide for the streamlining and coordination of requirements, budget, and acquisition process that results in the rapid fielding of software applications and software upgrades to embedded systems in a period of more than 15 days after the time that the process is initiated. It shall also require 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) **EXEMPLARY SOFTWARE REQUIREMENTS PROCESS.—**

(A) **INAPPLICABILITY OF EXISTING GUIDANCE.—** Software acquisitions conducted under the authority of this provision shall be subject to the Joint Capabilities Integration and Development System (JCIDS) Manual and Department of Defense Directive 5000.01, except to the extent specifically provided in the guidance required under subsection (a) or by the Under Secretary of Defense for Acquisition and Sustainment or a Senior Acquisition Executive.

(B) **APPLICATIONS REQUIRED.—** The guidance required by subsection (a) shall provide for the following with respect to requirements:

(i) Requirements for covered acquisitions and upgrades on an annual basis or more that will enhance 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 or includes the acquisition 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 performance objectives that are developed on an evolutionary process through discussions with users that may continue throughout the development and implementation period.

(iv) Issues related to lifecycle costs and systems interoperability are continuously considered.

(v) Issues of logistics support in cases where the software developer may stop supporting the software system are addressed.

(vi) Issues of logistics support in cases where the software developer may stop supporting the software system are addressed.
(vii) Execution processes, including support-
ning development and test infrastructure, 
automation and tools, data collection and 
sharing, the role of developmental and opera-
tional testing and evaluation, and legal con-
tracting and oversight events, and supporting 
processes and activities such as independent 
costing activity, operational demonstration, 
and product quality assurance.

(xi) Administrative procedures, including 
procedures related to the roles and responsi-
bilities of the implementing project or produc-
tion entities, including the roles of the con-
tractor, the prime contractor, or other manufac-
turing disruption of 15 calendar days or more, 
by the prime contractor or other manufacturing 
activity.

(d) QUARTERLY REPORTS.—The Secretary 
of the Navy shall require prime contractors 
domiciled in a covered foreign country; or 

(e) WAIVER.—The Secretary of Defense may 
waive the restrictions under subsection (a) on 
the basis that—

(i) Counter-UAS surrogate testing and 
training;

(ii) intelligence, electronic warfare, and in-
formation assurance operations, testing, analy-
sis, and training.

(4) Exceptions.—The Secretary of Defense 
shall—

(a) PROHIBITION.—Except as provided under 
subsection (b), the Secretary of Defense may 
not enter into a contract for the procurement of 
goods or services with any person that has business 
operations with an foreign country that is not recognized as the legiti-
mate Government of Venezuela by the United States.

(b) DEFINITION.—In this section:

(1) BUSINESS OPERATIONS.—The term “busi-
ness operations” means engaging in com-
merce in any form, including acquiring, de-
veloping, maintaining, owning, selling, pos-
sessing, leasing, or operating equipment, fa-
cilities, personnel, products, services, per-
sonal 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, or instrumentality of the Govern-
ment of Venezuela.

(B) For purposes of subparagraph (A), the term “agency,” “instrumen-
tality,” and “governmental entity” mean an 
agency or instrumentality of a foreign state as 
defined in section 1609(b) of title 28, United 
States Code, with each reference in such 
section to a foreign state deemed to be a refer-
ce to “Venezuela”.

(c) PERSON.—The term “person” means—

(A) an individual, corporation, com-
pany, business association, partnership, soci-
ety, trust, or any other nongovernmental en-
tity, organization, or group;

(B) any governmental entity or instrumen-
tality of a government, including a multilat-
eral development institution (as defined in 
section 1701(c)(3) of the International Finan-
cial Institutions Act (22 U.S.C. 262r(c)(3)); and

(C) any successor, subunit, parent entity, 
or subsidiary of, or any entity under com-
mand ownership or control with any entity 
described in subparagraph (A) or (B).

(d) EXCEPTIONS.—

(1) 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 preparing humanitarian 
assistance or disaster relief; or

(ii) for purposes of providing disaster 
relief and other urgent life-saving measures;

(b) EXCEPTION.—The Secretary of Defense is 
exempt from the restriction under subsec-
tion (a) if the operation or procurement is for the 

(1) Counter-UAS surrogate testing and 
training;

(2) intelligence, electronic warfare, and in-
formation assurance operations, testing, analy-
sis, and training.

(c) WAIVER.—The Secretary of Defense may 
waive the restrictions under subsection (a) on 
the basis that—

(i) Counter-UAS surrogate testing and 
training;

(ii) intelligence, electronic warfare, and in-
formation assurance operations, testing, analy-
sis, and training.

(4) Exceptions.—The Secretary of Defense 
shall—

(a) PROHIBITION.—Except as provided under 
subsection (b), the Secretary of Defense may 
not enter into a contract for the procurement of 
goods or services with any person that has business 
operations with an foreign country that is not recognized as the legiti-
mate Government of Venezuela by the United States.

(b) DEFINITION.—In this section:

(1) BUSINESS OPERATIONS.—The term “busi-
ness operations” means engaging in com-
merce in any form, including acquiring, de-
veloping, maintaining, owning, selling, pos-
sessing, leasing, or operating equipment, fa-
cilities, personnel, products, services, per-
sonal 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, or instrumentality of the Govern-
ment of Venezuela.

(B) For purposes of subparagraph (A), the term “agency,” “instrumen-
tality,” and “governmental entity” mean an 
agency or instrumentality of a foreign state as 
defined in section 1609(b) of title 28, United 
States Code, with each reference in such 
section to a foreign state deemed to be a refer-
ce to “Venezuela”.

(c) PERSON.—The term “person” means—

(A) an individual, corporation, com-
pany, business association, partnership, soci-
ety, trust, or any other nongovernmental en-
tity, organization, or group;

(B) any governmental entity or instrumen-
tality of a government, including a multilat-
eral development institution (as defined in 
section 1701(c)(3) of the International Finan-
cial Institutions Act (22 U.S.C. 262r(c)(3)); and

(C) any successor, subunit, parent entity, 
or subsidiary of, or any entity under com-
mand ownership or control with any entity 
described in subparagraph (A) or (B).

(d) EXCEPTIONS.—

(1) 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 preparing humanitarian 
assistance or disaster relief; or

(ii) for purposes of providing disaster 
relief and other urgent life-saving measures;

(iii) to carry out noncombatant evacua-
tions; or

(iv) to carry out stabilization activities; or

(B) is vital to the national security inter-
ests of the United States.
"(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) conduct an enterprise-wide assessment of the Department of Defense (other than the Defense Intelligence Agency) and the military departments to identify duplicative programs, functions, and activities, and其中包括

and inserting “1,600”.

(b) RETURN OF RESPONSIBILITY.—Section 142(b)(1) of title 10, United States Code, is amended by striking “systemic” each place it appears in subparagraphs (A), (B), and (C).

(2) OFFICERS ELIGIBLE FOR DESIGNATION.—Section 142(b)(3) of such title is amended by striking “4,000” and inserting “3,000”.

(3) CHIEF DATA OFFICER RESPONSIBILITY FOR DATA MANAGEMENT.—Section 8014(f) of such title is amended—

military leaders are informed on cyber policy decisions.

(2) DUTIES AS DEPUTY PRINCIPAL CYBER ADVISOR.—The duties of the officer designated pursuant to section 932(c)(3) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 134 note) are 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 Cybersecurity and Information 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 on cyber programs, projects, and activities, including with respect to resources, personnel, manpower, and acquisitions and technology.

(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 functional teams established pursuant to section 932(c)(3) of the National Defense Authorization Act for Fiscal Year 2014 (10 U.S.C. 2224 note) in order to synchronize and coordinate military and civilian cyber forces and activities of the Department.

SEC. 903. 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 its organizational structure or activities, 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, submits to the Under Secretary of Defense for Research and Engineering and in consultation with the United States Indo-Pacific Command, United States European Command, and Special Operations Command, submits the report required by subsection (b)(1).

(b) REPORT.—

(I) 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 Secretary may identify.

(II) SUBMISSION.—The report submitted under paragraph (I) shall include, for each option evaluated under such paragraph, an evaluation of whether the option considered will provide for:

(1) responding to the critical needs of combatant commanders;

(2) continuous engagement of cross-Department of Defense efforts with respect to developing strategic capabilities;

(3) developing new and innovative ways to counter emerging threats;

(4) providing sound technical and program management for activities of the Strategic Capabilities Office;

(5) coordinating appropriately with other research and technology development activities of the Department; and

(6) partnering with and responding to senior leadership across the Department on cyber programs, projects, and activities, including with respect to resources, personnel, manpower, and acquisitions and technology.

SEC. 1001. GENERAL TRANSFER AUTHORITY

(a) AUTHORITY TO TRANSFER AUTHORITIES.—

(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 $1,000,000,000.

(b) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer made between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(c) 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.

(d) 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.

(e) 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 OPERATIONS AND DEFENSE EXPENSES OF THE DEPARTMENT OF DEFENSE

Paragraph (2) of section 217(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) An identification of the approving authority for such expenditure;

(C) A justification why other authorities available to the Department could not be used for such expenditure;

(D) Any other matters the Secretary considers appropriate.

SEC. 1003. INCLUSION OF MILITARY CONSTRUCTION PROJECTS AMONG UNFUNDED PRIORITIES.—

(a) INCLUSION OF MILITARY CONSTRUCTION PROJECTS AMONG UNFUNDED PRIORITIES.—

(1) LIMITATION.—Subsection (a) of section 223a 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 require-
ment”.

(b) DURATION OF AVAILABILITY OF PRE-
VIOUSLY DEPOSITED FUNDS.—Nothing in the amends made by this section shall modi-
fy the availability of amounts in the Department of Defense Acquisition Workforce Development Fund that were ap-
proved or credited to, or deposited in, the Fund, before October 1, 2019, as permitted in section 1706(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 COUNTERTERROISM CAM-
PAIGN USE VESSELS USING FUNDS
IN NATIONAL DEFENSE SEALIFT
FUND.

(a) IN GENERAL.—Section 221A(f)(3)(E) of title 10, United States Code, is amended—

(1) in paragraph (3), by striking “of the Secretary of State, determines
the Secretary of Defense, with the concur-
rence of the Secretary of State, determines
whether authority for each class of naval vessels as fol-
loows:

(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
submit to the congressional defense committees on the status of the con-
solidated corrective action plan referred to in paragraph (3)(B)(i) as of the end of the most
recent calendar half-year ending before such briefing.

(B) ELEMENTS.—Each briefing under sub-
paragraph (A) shall include the following:

(i) A description of audit activities and
results for classified programs, including a
description of the use of procedures and re-
quirements to prevent unauthorized disclosure of
classified information in such activi-
ties; and

(ii) With respect to each finding and rec-
ommendation regarding the Department of Defense as a whole, or the corrective action plan of the Department
of Defense as a whole, a corrective action plan or
plan, as so modified.

(III) A determination of the funds re-
quired to procure, obtain, or otherwise im-
plement each process, system, and tech-
nology identified pursuant to subsection (II).

(IV) An identification of 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 strik-
ing “section 258a” and inserting “section 240c”.

(c) EFFECTIVE DATE.—The amend-
ment 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
RE- 
NING OF DEPARTMENT OF DE-
FENSE ACQUISITION WORKFORCE
DEVELOPMENT ACCOUNT.

(a) RENAMING AS ACCOUNT.—

(1) IN GENERAL.—Section 1705 of title 10,
United States Code, is amended—

(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 ap-
pears (other than subsection (e)(6)) and in-
serting “Account”.

(2) CONFORMING AND CLERICAL AMEN-
DEMENTS.—

(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 end of chapter 29 of subchapter
chapter 87 of such title is amended by strik-
ing the item relating to section 1705 and in-
serting the following new item:

“1705. Department of Defense Acquisition
Workforce Development Account”.

(c) MANAGEMENT.—Such section is fur-
ther amended—

(A) by redesigning subsections (b), (c),
and (d) as subsections (c), (d), and (e), re-
spectively;

(b) by redesigning subsections (b), (c),
and (d) as subsections (c), (d), and (e), re-
spectively;

(c) by inserting after subsection (a) the fol-
lowing new clause:

“(b) PROHIBITION OF DELEGATION OF SUB-
MITTAL 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 con-
cerned.”;
and

(d) by redesigning subsection (b), (c),
and (d) 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 AC-
TIVITIES WITH RESPECT TO CLASSI-
FIED PROGRAMS.

Section 226(b) of title 10, United States Code, is amended—

(1) in section (b)(1), by striking “as of
the last day of the calendar
half-year covered by such briefing.”;

(2) by redesigning subsections (b), (c),
and (d) as subsections (c), (d), and (e), re-
spectively;

(3) by inserting after subsection (a) the fol-
lowing new clause:

“(a) IN GENERAL.—Section 1705 of title 10,
United States Code, is amended—

(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 ap-
pears (other than subsection (e)(6)) and in-
serting “Account”.

(c) EFFECTIVE DATE.—The amend-
ment 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. 1006. MODIFICATION OF SEMIANNUAL
BRIEFINGS ON THE CONSOLIDATED
CORRECTIVE ACTION PLAN OF THE
DEPARTMENT OF DEFENSE FINAN-
CIAL INFORMATION.

(a) In General.—Paragraph (2) of section
240b(b)(1) of title 10, United States Code, is amended to read as following:

“(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
submit to the congressional defense committees on the status of the consoli-
dated 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 sub-
paragraph (A) shall include the following:

(i) A description of audit activities and
results for classified programs, including a
description of the use of procedures and re-
quirements to prevent unauthorized disclosure of
classified information in such activi-
ties; and

(ii) With respect to each finding and rec-
ommendation regarding the Department of Defense as a whole, or the corrective action plan of the Department
of Defense as a whole, a corrective action plan or
plan, as so modified.

(III) A determination of the funds re-
quired to procure, obtain, or otherwise im-
plement each process, system, and tech-
nology identified pursuant to subsection (II).

(IV) An identification of 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.—Section 240b(b)(1) of title 10, United States
Code, as in effect on the day before such date.

(c) Technical Amendment.—Paragraph
(1)(B)(i) of such section is amended by strik-
ing “section 258a” and inserting “section 240c”.

(d) Effective Date.—The amend-
ment 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. 1001. MODIFICATION OF AUTHORITY TO
PURCHASE NON-MILITARY VESSELS USING FUNDS
IN NATIONAL DEFENSE SEALIFT
FUND.

(a) In General.—Section 8669b of title 10, United States Code, is amended—

(1) in clause (i), by striking “ten new sea-
lift 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) 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.

(b) Designation of Each Class Required.—The Secretary of the Navy shall designate, in writing, a Senior Technical
Authority for each class of naval vessels as fol-
loows:

“(A) In the case of a class of vessels which has received Milestone A approval, an ap-
proval 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 described in subparagraph (A) of section 1706(e)(6) of title 10, United States
Code, as in effect on the day before such date.

“(B) In the case of any class of vessels which has not received any approval de-
scribed in subparagraph (A) of such date

“IN NATIONAL DEFENSE SEALIFT
PURCHASE VESSELS USING FUNDS
IN NATIONAL DEFENSE SEALIFT
FUND.”

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“IN NATIONAL DEFENSE SEALIFT
PURCHASE VESSELS USING FUNDS
IN NATIONAL DEFENSE SEALIFT
FUND.”
of enactment, at or before the first of such approvals.

“(2) PROHIBITION ON DELEGATION.—The Secretary may not delegate designations under paragraph (1) unless the Secretary certifies as described in paragraph (2).

“(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 3 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 for cause or in the event of voluntary removal. 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, modify, or approve any 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 that the Secretary shall provide, in writing, to the congressional defense committees, shall include a certification that—

“A means any group of similar undersea or surface craft procured with Shipbuilding and Conversion, Navy funds, including manned, unmanned, and optionally-manned craft; and

“B includes—

“i a substantial new class of craft (including craft procured using ‘new start’ procurement); and

“(A) the term ‘class of naval vessels’—

“C The designation by the Senior Technical Authority of a critical hull, mechanical, and 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 the expected 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.

“(3) INDIVIDUALS ELIGIBLE FOR DESIGNATION.—The Secretary may not delegate designations under paragraph (1) unless the Secretary certifies as described in paragraph (2).

“D A certification by the Secretary that the plans described in such paragraph (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) INDIVIDUALS ELIGIBLE FOR DESIGNATION.—(1) 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 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.

“(A) The term ‘class of naval vessels’—

“(A) possesses the technical expertise required to carry out the responsibilities specified in subsection (b); 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 change in the 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.

“C The table of sections at the beginning of chapter 636 of such title is amended by inserting after the item relating to section 8659a the following new item:

“8660b. Senior Technical Authority for each naval vessel class...”

“SEC. 1018. PERMANENT AUTHORITY FOR SUSTAINING OPERATIONAL READINESS OF LITTORAL COMBAT SHIPS ON EXTENDED DEPLOYMENT.

Section 8660a(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 CERTAIN COUNTRIES.

Section 1035 of the John S. McCain National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–232) is further amended by striking “‘2019’” and inserting “‘2019, or 2020’”.

“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 another official of the Department of Defense at the level of Under Secretary of Defense for Intelligence.

“(c) CONDITIONS OF TRANSFER.—An individual who is temporarily transferred under the authority in subsection (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 consultation with the Commander, Joint Task Force-Guantanamo...
Bay, Cuba, that any necessary follow-up medical care may reasonably be provided the individual at United States Naval Station, Guantanamo Bay.

(4) TRANSFER WHILE IN UNITED STATES.—An individual 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 respects to be in the uninterrupted custody of the Secretary of Defense, as though the individual remained physically at United States Naval Station, Guantanamo Bay, Cuba; (2) shall not at any time be subject to, and may not be confined, to, or be held 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 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, Guantanamo Bay; and (4) 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 applicable law and regulations.

(f) LIMITATION ON JUDICIAL REVIEW.—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.

Limitations

(j) LIMITATION ON JUDICIAL REVIEW.—(1) LIMITATION.—Except as provided in paragraph (i), no judicial officer shall have jurisdiction to hear or consider any claim or action against the United States or its states, 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.

(k) EXCEPTION FOR HABERS CORPUS.—The United States District Court for the District of Columbia shall have exclusive jurisdiction to consider an application for writ of habeas corpus relating to 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), if such transfer is permitted 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).

(l) ORDER.—If an order in a proceeding covered by paragraph (2) (A) may not order the release of the individual within the United States; and (B) may not order to an order of 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), if such transfer is permitted 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).

(m) NOTIFICATION.—Whenever a temporary transfer of an individual detained at Guantanamo pursuant to the authority of this section (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.

(n) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—(1) INDIVIDUAL DETAINED AT GUANTANAMO.—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").

(o) GRADE.—The individual serving as Chief Medical Officer shall be an officer of the Armed Forces who is at least the grade of colonel, or captain in the Navy.

(p) CHAIN OF COMMAND.—The Chief Medical Officer shall report to the Assistant Secretary of Defense for Health Affairs in the performance of the powers of the Chief Medical Officer under this section.

(q) DUTIES.—(1) IN GENERAL.—The Chief Medical Officer shall oversee the provision of medical care to individuals detained at Guantanamo, including—

(A) decisions regarding assessment, diagnosis, and treatment; and

(B) determinations concerning medical accommodations, conditions and operating procedures for detention facilities.

(q) SECURITY CLEARANCES.—The appropriate departments or agencies of the Federal Government shall, to the extent practicable in accordance with existing procedures and requirements, process expeditiously any application for security clearance required by the Chief Medical Officer to carry out the Chief Medical Officer’s duties and powers under this section.

(q) REVIEW.—(1) A punishment under this section:

(2) ADMINISTRATIVE AUTHORITY OF THE CHIEF MEDICAL OFFICER TO PUNISH CONTEMPT.—(a) AUTHORITY TO PUNISH.—(1) With respect to any proceeding under this chapter, a judicial officer specified in paragraph (2) may punish for contempt any person who—

(A) uses any menacing word, sign, or gesture in the presence of the judicial officer during the proceeding; or

(B) willfully disobeys a lawful writ, process, order, rule, decree, or command issued with respect to the proceeding.

(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 expeditiously any application for a security clearance required by the Chief Medical Officer to carry out the Chief Medical Officer’s duties and powers under this section.

(q) REVIEW.—(1) A punishment under this section:

(2) ADMINISTRATIVE AUTHORITY OF THE CHIEF MEDICAL OFFICER TO PUNISH CONTEMPT.—(a) AUTHORITY TO PUNISH.—(1) With respect to any proceeding under this chapter, a judicial officer specified in paragraph (2) may punish for contempt any person who—

(A) uses any menacing word, sign, or gesture in the presence of the judicial officer during the proceeding; or

(B) willfully disobeys a lawful writ, process, order, rule, decree, or command issued with respect to the proceeding.

(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 expeditiously any application for a security clearance required by the Chief Medical Officer to carry out the Chief Medical Officer’s duties and powers under this section.

(q) 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 of the court subject to review 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) Reviewing a punishment for contempt imposed under this section, the reviewing court shall affirm such punishment unless the court finds that imposing such punishment was an abuse of the discretion of the judicial officer 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 judgment is based has been transmitted to the reviewing court. Any contempt proceedings conducted by the judicial officer are served on the person punished for contempt.

Self-Defense for 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 proceedings conducted by the officer of the Department of Defense on the issuance of authorizations for, and the provision by members, units of the United States Armed Forces 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 to the President, and the process by which the President renders a final decision on a proposal by such official 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 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 applied.

(6) A description of the process through which policy guidance pertaining to the authorization for, and the provision by members, units 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 policies described in 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 with any briefing on the policies prescribed pursuant to subsection (a). The briefing shall make use of vignettes designed to illustrate real world application of the policy in each of 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 with a 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 appropriate 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 weighty duties of oversight 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 officer of the Department of Defense described in subsection (a) 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 officer of the Department of Defense described in this paragraph is any current Department of Defense official described by section 846(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 if the company 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 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.

(3) Administrator for Federal Funds.—For purposes of this section, publicly-traded stock does not include a widely-held investment fund described in section 102(a)(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

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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 of the Department, develop a enterprise-wide policy and implementing instructions regarding the transition of data and applications to the cloud under the Department’s cloud strategy in accordance with subsection (b).

(b) Design.—The policy required by subsection (a) shall be designed to dramatically improve support 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 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 accessed by others to enable new insights and capabilities; and

(4) ensuring that data and applications are readily portable and not tightly coupled to specific hardware or platform.

SEC. 1036. MODERNIZATION OF INSPECTION AUTHORITY APPLICABLE TO THE NATIONAL GUARD.

(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 of the Army and the Secretary of the Air Force shall have”;

(B) by striking “; and” and inserting “; or”;

(C) by striking “The Regular Army or the Regular Air Force”; and

(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.—Subsection (a) of section 105 of title 32, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection (a):

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(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):

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(1) An officer assigned, designated, or detailed to the National Guard Bureau under section 323 of this title.

(2) The Secretary of the Army or the Secretary of the Air Force, as applicable, a qualified commissioned officer ordered to active duty in the Regular Army or the Secretary of the Air Force, as applicable, a qualified commissioned officer of each State, Territory, and the District of Columbia under section 707(a) of this title.

(2) The Secretary of the Army or the Secretary of the Air Force for Personnel and Readiness may appoint to active duty, to the grade of colonel or above, a qualified commissioned officer of each State, Territory, and the District of Columbia for the purpose of providing a qualified equal opportunity officer for the National Guard of each State, Territory, or the District of Columbia.

(2) The Secretary of the Army or the Secretary of the Air Force may waive the assignment, designation, or detail of an officer if the Secretary considers the waiver to be in the best interests of the State, Territory, or the District of Columbia, as applicable, concerned.

(3) An officer assigned, designated, or detailed to the National Guard Bureau under section 323 of this title.

(2) The Secretary of the Army or the Secretary of the Air Force for Personnel and Readiness may appoint to active duty, to the grade of colonel or above, a qualified commissioned officer of each State, Territory, and the District of Columbia for the purpose of providing a qualified equal opportunity officer for the National Guard of each State, Territory, or the District of Columbia.

(2) The Secretary of the Army or the Secretary of the Air Force for Personnel and Readiness may appoint to active duty, to the grade of colonel or above, a qualified commissioned officer of each State, Territory, and the District of Columbia for the purpose of providing a qualified equal opportunity officer for the National Guard of each State, Territory, or the District of Columbia.

(b) Support Staff.—Section 323 of title 32, United States Code, is amended by—

(1) by redesigning subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a), as amended by subsection (b), the following new subsection (b):

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(b) Support Staff.—The Chief of the National Guard Bureau shall assign, designate, or detail, as appropriate, such personnel to the National Guard Bureau to serve as the Federal support staff for the property and fiscal officer for the National Guard of each State, Territory, or the District 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)”; and

(2) in paragraph (1), by striking “he” and inserting “such officer”; and

(3) in paragraph (2), by inserting “the Chief of the Staff of the Army or the Chief of the Staff of the Air Force (as applicable), or the Chief of the National Guard Bureau” before “began”.

(d) Other Matters.—Section 323 is further amended—

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

(2) in subsection (d), as so redesignated—

(A) by inserting “in the discretion of the Secretary of the Army or the Secretary of the Air Force”;

(B) by striking “an officer” and inserting “‘Federally recognized officer’;”;

(C) by striking “him” and inserting “such agent officer”; and

(D) by striking “the” 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 delegate to any person or entity, or to any joint venture with a federally funded research and development center (FFRDC) until the Under Secretary submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of 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 DEPARTMENTAL FACILITY ACCESS CLEARANCES FOR JOINT VENTURES OF PREVIOUSLY-CLEARED ENTITIES.

A clearance for access to a Department of Defense installation or facility may not be required for a joint venture that if that joint venture were a Department of Defense entity that is currently cleared for access to such installation or facility.
(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 ice points within the region and understand the potential for power projection from the Arctic into multiple regions.


(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; (B) has prioritized the creation of a new Arctic Command and the construction or refurbishment of 16 deepwater ports and 14 airfields in the region; (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 it is in an ice-free territory to the Arctic 900 miles away; (B) has publicly stated that it seeks to expand its “Belt and Road Initiative” to the Arctic by developing current infrastructure in the natural gas fields in the Yamal Peninsula in Russia, rare-earth element mines in Greenland, and the real estate, alternative energy, and mining industries 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 through ice; (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, and 12 percent of all undiscovered surface deposits of natural gas liquids, rare earth minerals, gold, diamonds, and millions of square miles of untapped resources, including abundant fisheries.

(8) The Arctic 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 trip 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 North-West Passage as being of particular interest to the Suez Canal and has publicly stated plans to invest $114,000,000,000 along the Northern Sea Route.

(11) Increases in human, maritime, and resource development activity in the Arctic region are expected to create additional military requirements for the Department of Defense and the Department of Homeland Security, given—

(A) the strategic focus of the Government of the Russian Federation on the region; (B) 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 is 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 114–223; 128 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 116–26; 134 Stat. 92) authorized the award of a contract for the first new polar-class icebreaker vessel 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; and

(C) preserving freedom of the seas in the Arctic.

(D) evolving the infrastructure and capabilities of the Department in the Arctic consistent with changing conditions and needs.

(18) The 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] has not made similar investments in ice-capable surface maritime security assets. This limits the ability of the Coast Guard, and the United States, 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 an important strategic term for the United States making aggressive steps to increase its presence there . . . I will prioritize the development of an integrated strategy for the Arctic. I believe our integrity 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 northerly approach to the United States, as well as a critical location for projecting American power, its geo-strategic significance is difficult to oversrate.”

(21) On February 26, 2019, General John Hyten, Commander of the United States Strategic Command, stated, “In particular, the Arctic is an area we 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 commuicate 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, that we are 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 capable of flying through the northern approach 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 player 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 energy 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 Arctic because we’ve updated our intelligence agencies 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 nation. They’re not publicly uphold sovereign Arctic nations, so for me, for the service, its presence equals influence”.

(24) On May 6, 2019, Secretary of State Mike Pompeo stated:

(A) the Arctic “has become an arena for power and for competition”, and the United States is “entering a new age of strategic engagement in the Arctic”.

(B) the Arctic region “is experiencing increased 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 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 Russian behavior here in the Arctic” and “we know Russian territorial intentions can turn violent”;

(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 environment exposed to the same ecological devastation caused by China’s fishing fleet in the seas off its coast, or unregulated industrial activity 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 have doing FONOPs in the northwest in the future... peace through presence with a submarine is a little tough”. Meanwhile, the two closest strategic seaports, as designated by the Department of Defense, are Anchorage and the Port of Tacoma, located approximately 1,500 nautical miles and 2,400 nautical miles away, respectively, and approximately 1,900 nautical miles and 2,800 nautical miles respectively from Barrow, Alaska.

(26) The distance from Bangor, Maine, to Key West, Florida, is approximately 1,450 nautical miles.

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

(1) the Arctic is a region of strategic importance 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 Arctic operations and construction projects, the Department of Defense must better align its presence, force posture, and capabilities to meet the growing array of challenges in the region.

(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, the report required under paragraph (1) shall include—

(A) 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;

(B) 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 deplaning and supporting large aircraft for operations designated in subparagraph (B);

(C) 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);

(D) an identification of the sites that the Secretary recommends as potential sites for designation as Department of Defense Strategic Arctic Ports;

(E) the estimated cost of sufficient construction necessary to initiate and sustain expected operations at such sites; and

(F) 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 for the construction of Strategic Arctic Ports from the sites identified under subsection (c)(2)(E).

(e) Extension.—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 by striking paragraph (1) and inserting the following:—

(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, 2020”;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (1) the following new paragraph:

“(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 221 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 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 carry out section 205 of the Welfare and Institutions Act of 1962 (42 U.S.C. 671 et seq.) shall be used to house a child separated from a 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 Reports Into Annual Profile Reports.—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 of each fiscal 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 (c), by striking “the following:” and all that follows and inserting “the manpower required for support and overhead functions within the armed forces and the Department of Defense for the fiscal year”;

(4) by striking subsections (e) and (h); and

(5) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(b) Conversion of Annual Report Elements into Separate, Modified Reports.—Such section is further amended—

(1) in subsection (a), by redesignating subsection (a)(5) of this section—

(A) in the matter preceding paragraph (1), by striking “The Secretary shall also include in such report” and inserting “The Secretary shall submit to Congress a report that sets forth”;

(B) in paragraph (1), by striking “and” and inserting “of numbers for the current fiscal year and subsequent fiscal years”;

(C) in paragraph (2), by striking “the manpower required for support and overhead functions within the armed forces and the Department of Defense for the fiscal year” and inserting “the manpower required for support and overhead functions within the armed forces and the Department of Defense for the fiscal year”;

(D) by striking paragraph (3).

(c) Technical Amendments.—The amendments made by this section are technical amendments to clarify the existing reporting requirements.
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 the following: ‘‘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 fiscal year and’’; and
(B) by striking ‘‘the year’’ each place it appears and inserting ‘‘the fiscal year’’.

SEC. 1052. REPORT ON DEPARTMENT OF DEFENSE EFFORTS TO IMPLEMENT A FORWARD-THINKING PROCESS AND SUPPORT OF IMPLEMENTATION OF THE 2018 NATIONAL DEFENSE STRATEGY.

(a) REPORT.—Not later than 270 days after January 1, 2020, the Under Secretary of Defense for Policy shall submit to the congressional defense committees a report setting forth the plan 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 size, shaping, capability, and concepts developed during the fiscal year; and
(b) ELEMENTS.—The report required by subsection (a) shall include 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.
(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 ‘‘the date of the enactment of this Act’’.

SEC. 1054. REPORT ON JOINT FORCE PLAN FOR IMPLEMENTATION OF STRATEGIES OF THE DEPARTMENT OF DEFENSE IN 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 an updated Arctic strategy to improve and enhance joint operations 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 strategy.

(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:
(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 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 Defense, in coordination with the Secretary of the Air Force, shall submit to the congressional defense committees a report basing on the northern latitudes, including Northern Tier bases, may be used in the implementation of the strategy.

(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 Authorization Act for Fiscal Year 2019 (Public Law 115–232).

(b) INCLUSION OF MISSION SETS.—The report under subsection (a) shall include a description of current and future mission sets at Northern Tier bases that may further the Arctic strategy of the United States.

(c) NORTHERN TIER BASES DEFINED.—In this section, the term ‘‘Northern Tier bases’’ means installations in the continental United States that are located in States bordering the Arctic.

SEC. 1056. REPORT ON THE DEPARTMENT OF DEFENSE PLAN FOR MASS-CASUALTY DISASTER RESPONSE OPERATIONS IN THE ARCTIC.

(a) SENSE OF SENATE.—It is the sense of the Senate that—
(1) the Department of Defense may be called upon to support the Coast Guard and other agencies of the Department of Homeland Security in responding to any mass-casualty disaster response operations in the Arctic;

(2) coordination between the Department of Defense and the Coast Guard might be necessary in responding to a mass-casualty event in the Arctic; and

(3) prior planning for Arctic mass-casualty disaster 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 Security, 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 departments of the Federal Government for mass-casualty disaster response operations in the Arctic.

(2) A description and assessment of the command, 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 communications 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.

(4) A description of any cooperative arrangements with Canada and other regional partners to provide 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-loading locations and onward movement requirements.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘appropria—
(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 Secretary of the Department of Defense 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 Majority 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 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 30 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 Senate and the House of Representatives a report on the Defense Counterintelligence and Security Agency, 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 appropriate 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 EMPLOYMENT OF FORMER DEPARTMENT OF DEFENSE OFFICIALS.

Not later than 90 days after the date of the enactment 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 Accountability 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 Contaminated Water Near Military Installations

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 by paragraphs (2) and (3) of section 2802 of title 10, United States Code, the Secretary concerned may provide water sources uncontaminated with perfluoralkyl 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 contamination on a military installation under the jurisdiction of the Secretary concerned.

(b) APPLICABLE STANDARD.—For purposes of paragraph (1), the term "contaminated water" specifically means water that is uncontaminated with PFOA or PFOS.

SEC. 1074. ACQUISITION OF REAL PROPERTY BY AIR FORCE.

(a) AUTHORITY.—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 critical infrastructure and runways.

(b) 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.

(c) FUNDING.—Funds for the land acquisitions authorized under subsection (a) shall be derived from amounts authorized to be appropriated for fiscal military construction or the unobligated balances of appropriations for military construction that are enacted after the date of the enactment of this Act.

(d) RULE OF CONSTRUCTION.—The authority under this section constitutes authority to carry out military construction at a military installation.

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 contaminated 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 for a fiscal year after the date of the enactment of this Act provides funding for activities described in section 1202(d) 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 AUTORITIES 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 period of 90 days or more; 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 paragraph (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 1602 of title 10; or

(B) a civilian employee of the Department of Defense or a military department who is providing support to military operations.

SEC. 1088. 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 who perform functions in support of military operations of the Armed Forces; and

(ii) if the Secretary makes a written determination that such use is consistent with the interests of the Department of Defense; and

(B) if the Secretary makes a written determination that such use is consistent with the 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. 1089. GUARANTEE OF RESIDENCY FOR SPEUSES OF SERVICEMEMBERS.

SEC. 707. GUARANTEE OF RESIDENCY FOR SPEUSES 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.

(a) GENERAL.—Section 3401 of title 39, United States Code, is amended by adding at the end the following:

“(g) As subsections (c), (d), (e), and (f), respectively, and by redesignating subsection (g) as subsections (h), (i), and (j), respectively; and

(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 service members.”

SEC. 1084. EXTENSION OF REQUIREMENT FOR BRITISH 120-DAY NATIONAL BIO-DEFENSE STRATEGY.

Section 1084(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2423; 5 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.

(a) EXTENSION OF DEADLINE FOR REPORT.—


(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 1085 the following new item:

“SEC. 1085. Commission on Military Aviation Safety.”

SEC. 1101. MODIFICATION OF TEMPORARY ASSIGNMENTS OF DEPARTMENT OF DEFENSE EMPLOYEES TO PRIVATE-SECTOR ORGANIZATION.

Section 1599(e)(2)(A) of title 10, United States Code, is amended by inserting “private” after “the”.

SEC. 1102. MODIFICATION OF NUMBER OF AVAILABLE APPOINTMENTS FOR CERTAIN AGENCIES UNDER PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

Section 1599(f)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking “40” and inserting “100”;

(2) in subparagraph (B), by striking “100” and inserting “150”;

SEC. 1103. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1600(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–294; 120 Stat. 772) is amended by striking “September 30, 2007” and inserting “September 30, 2008”.

SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMUM 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.—Section 501(f) of title 5, United States Code, is amended—

(1) in the section heading by striking “of employees transferred”;

(2) in subsection (a)(1), by striking “employee” and inserting “individual, or the individual’s spouse (if filing jointly), for any moving expenses incurred on or after that date”;

(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) CLERICAL AMENDMENT.—The table of contents in section 4107 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.”

SEC. 1106. 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 WARE.

Section 1203(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1508) is amended by striking “December 31, 2019” and inserting “December 31, 2020”.

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 (b), by striking “September 30, 2019” and inserting “September 30, 2021”; and

(2) in subsection (c)—

(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 COOPERATION PROGRAM 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) Respect to military, institutional 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 institutional legal capacity that address weaknesses for institutional legal capacity determined are in the national security interest of the United States.

(C) SUPPORT TO OTHER AGENCIES.—The Department of State, the United States Agency for International Development, and other Federal agencies specified under subsection (c) may, with the concurrence of the Secretary of State, provide support for the stabilization activities of foreign countries specified under subsection (a).
Further amended by striking ‘‘December 31, 2020’’ each place it appears and inserting ‘‘December 31, 2021’’.

SEC. 1212. AFGHANISTAN SECURITY FORCES FUND

(a) Authorization of Appropriations.—There is authorized to be appropriated for fiscal year 2020, 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. 249), as most recently amended by section 1225(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), $4,803,978,000.

(b) Effect on 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 ‘‘such 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 in the Act for transfer to the security forces of Afghanistan, but is not accepted by such security forces.

(2) Conditions on Acceptance of Equipment.—Notwithstanding any provision 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 Defense and copies of the determinations made under paragraph (2), as required by paragraph (3).

(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 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 paragraph (3).

(C) Security of Afghan Women.—

(i) 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:

(ii) This subsection.


(E) An explanation of the assessment, monitoring, and evaluation mechanisms in place to assess the relevance, effectiveness, and sustainability of each specific initiative and related programs funded or approved under this section, and a description of how the Secretary of Defense may provide covered support within Afghanistan.

SEC. 1213. EXTENSION OF COMMANDERS’ EMERGENCY RESPONSE PROGRAM

Section 1301 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619), as most recently amended by the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), is further amended—

(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 1220(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 2020 (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 of Defense 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.
SEC. 1216. SENSE OF SENATE ON SPECIAL IMMIGRATION 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, and other services;

(3) Afghan allies routinely risk their lives to assist United States military and diplomatic personnel;

(4) holding 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 Afghans of Iraq and the Levant Act of 2009 (6 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.

(a) Nature of Assistance.—Subsection (a) of section 1238 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 114-92) is amended by inserting the following:

"(A) A description of the appropriately vetted Syrian groups and individuals that have enabled progress toward establishing inclusive, representative, accountable, and civilian-led governance and security structures in territories liberated from the Islamic State of Iraq and Syria.;"

(b) Scope of Quarterly Progress Reports.—Subsection (d) of such section 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 appropriate congressional committees and the Senate a report on the status of Syria stabilization objectives and activities including significant projects and funding associated with such projects.

"(2) TYPES OF SUPPORT.—The support provided under paragraph (1) may consist of—

"(A) logistic support, supplies, and services; or

"(B) equipment.

"(3) Limitation on Cost of Construction and Repair Projects.—"(l) LIMITATION ON COST OF CONSTRUCTION AND REPAIR PROJECTS.—Such section is further amended by striking subsection (f).

"(m) ELIMINATION OF REPURPOSING REQUIREMENT.—Such section is further amended by inserting after paragraph (e) the following:

"(f) Inclusion of Support for Stabilization Activities.—Such section is further amended by inserting after paragraph (e) the following:

"(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 Development, provide support for the stabilization activities of the Department of State, the United States Agency for International Development, other Federal agencies, and other entities to appropriately vetted recipients.

"(2) Types of Support.—The support provided under paragraph (1) may consist of—

"(A) equipment.

"(B) $4,000,000 per project; or

"(C) $12,000,000 in the aggregate.

"(3) Limitation on Cost of Construction and Repair Projects.—"(l) In general.—The cost of construction and repair projects carried out under this section may not exceed $4,000,000 per project and $12,000,000 in the aggregate.

"(2) Inclusion of Limitation Pending Report.—Such section is further amended by inserting after paragraph (e) the following:

"(f) Inclusion of Limitation Pending Report.—Such section is further amended by inserting after paragraph (e) the following:
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 to be provided under this section, and timelines for delivery;

"(2) A description of the planned posture of United States forces and the planned level of engagement by such forces with appropriately vetted Syrian groups and individuals, including the oversight of equipment provided under this section and the activities conducted by such appropriately vetted Syrian groups and individuals under this section, and timelines for delivery;

"(3) A detailed description of planned capabilities, including categories of training, equipment, financial 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 engagement by such forces with appropriately vetted Syrian groups and individuals, including the oversight of equipment provided under this section and the activities conducted by such appropriately vetted Syrian groups and individuals under this section, and timelines for delivery;

"(5) An explanation of the processes and mechanisms for local commanders of such forces to exercise command and control of the equipment of the appropriately 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 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 2015 (10 U.S.C. 113 note) is amended—

"(1) in subsection (c)—

"(A) by striking ''fiscal year 2019'' and inserting ''fiscal year 2020''; and

"(B) by striking ''$30,000,000'' and inserting ''$30,000,000'';

"(2) in subsection (d), by striking ''fiscal year 2019'' and inserting ''fiscal year 2020'';

"(3) in subsection (e), by striking ''fiscal year 2019'' and inserting ''fiscal year 2020'';

"(4) by redesigning subsection (g) as subsection (f); and

"(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";

"(2) in subsection (d), by striking "fiscal year 2019" and inserting "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 2015 (10 U.S.C. 113 note) is amended—

"(1) in subsection (c)—

"(A) by striking "fiscal year 2019" and inserting "fiscal year 2020"; and

"(B) by striking "$30,000,000" and inserting "$30,000,000";

"(2) in subsection (d), by striking "fiscal year 2019" and inserting "fiscal year 2020";

"(3) in subsection (e), by striking "fiscal year 2019" and inserting "fiscal year 2020";

"(4) by redesigning subsection (g) as subsection (f); and

"(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";

"(2) in subsection (d), by striking "fiscal year 2019" and inserting "fiscal year 2020";

"(3) in subsection (e), by striking "fiscal year 2019" and inserting "fiscal year 2020";

"(4) by redesigning subsection (g) as subsection (f); and

"(5) A detailed plan for the obligation and expenditure of the funds requested for fiscal year 2020 for the Department of Defense;

"(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. 1224. COORDINATOR OF UNITED STATES GOVERNMENT ACTIVITIES AND MATTERS IN CONNECTION WITH DETAINEES WHO ARE MEMBERS OF THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) 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 the Coordinator of United States Government activities and other international efforts or proposals that would assist in the prosecution of ISIS detainees described in paragraph (1), and an assessment of any measures available to mitigate such releases.

"(1) in paragraph (1)—

"(A) by striking "fiscal year 2019" and inserting "fiscal year 2020";

"(B) by striking "$30,000,000" and inserting "$30,000,000";

"(C) U.S. citizens believed to be a victim of a criminal act by an ISIS detainee.

"(2) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Intelligence, and the Committee on Oversight and Government Reform.

"(3) F ORM.—The report under paragraph (1)

"(4) by redesigning subsection (g) as subsection (f); and

"(5) a classified annex.

"(6) any other high-value ISIS detainee that may hinder such efforts.

"(b) RETENTION OF AUTHORITY.—The appointment of a senior-level coordinator pursuant to subsection (a) shall not deprive any individual designated under subsection (a) to perform functions of that agency.

"(c) 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 designated under subsection (a) shall submit to the appropriate committees of Congress a detailed report regarding the following ISIS detainees:

"(A) Alexandra Kotev.

"(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.

"(d) ELEMENTS.—The report under paragraph (1) shall include, at a minimum, the following:

"(1) A detailed description of the facilities where ISIS detainees described in paragraph (1) are being held.

"(2) An analysis of all United States efforts to prosecute ISIS detainees described in paragraph (1) and the efficacy of such efforts.

"(3) 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).

"(E) 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.

"(F) 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).

"(G) An analysis of any United States Government communications 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.

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

"(2) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.
SEC. 1225. REPORT ON LESSONS LEARNED FROM EFFORTS TO LIBERALIZE MUSAUL AND RAQQA 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 liberalize Mosul, Iraq, and Raqqa, 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 ground forces.

(7) Use of command, control, communications, computer, intelligence, surveillance, and reconnaissance systems and techniques.

(8) Logistics.

(9) Information operations.

(10) Targeting and weaponizing, 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.

(c) 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 for 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 TURKEY'S WITHDRAWAL FROM THE NORTH ATLAN TIC TREATY.

Notwithstanding any other provision of law, if the President provides notice of withdrawal of United States forces 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 COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.


SEC. 1234. MODIFICATION AND EXTENSION OF UKRAINE SECURITY ASSISTANCE PROGRAM.


(1) in subsection (a), in the matter preceding paragraph (1), by striking “in coordination with the Secretary of State” and inserting “with the concurrence of the Secretary of State”;

(2) in subsection (b), by amending paragraph (11) to read as follows:

“(11) Air defense and coastal defense radars, and systems to support effective command and control and integration of air defense and coastal capabilities;”;

(3) in subsection (c), by amending paragraph (5) to read as follows:

“(5) National security forces in training for Eastern European exercises.”;

SEC. 1235. EXTENSION OF AUTHORITY FOR TRAINING OF 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”;

(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 for 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;

(4) Provide support to Turkey for activities to liberate Mosul, Iraq, and Raqqa, Syria, from control of the Islamic State of Iraq and Syria (ISIS); and

(5) For fiscal year 2020, $300,000,000.

(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 a report on lessons learned from coalition operations to liberate Mosul, Iraq, and Raqqa, Syria, from control of the Islamic State of Iraq and Syria (ISIS), and a justification of the reason for seeking the waiver to—

(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.
(2) by inserting after paragraph (4) the following new paragraph (5): ‘‘(5) Command, control, communications, computers, intelligence, surveillance, and reconnaissance 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 the following:

(1) The number of units North Atlantic Treaty Organization allies have pledged to provide an additional commitment of personnel, equipment, combat vessels, and 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 for 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 certifies, reports, and ensures that 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 readiness and capacity of the United States Armed Forces in Europe.

(4) An assessment of the progress of each member country of the North Atlantic Treaty Organization in meeting the readiness and capacity targets 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.

(5) An assessment of North Atlantic Treaty Organization capability development and capability 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 multinational 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 recommendations for future reforms or initiatives to enhance the readiness of the United States Armed 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.—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) MATTTERS TO BE INCLUDED.—The plan required under subparagraph (a) shall include the following:

(1) A description of the objectives of the European Deterrence Initiative, including a description of—

(I) the intended force structure and posture 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.

(2) An assessment of capabilities requirements to achieve the objectives of the European Deterrence Initiative.

(3) An assessment of logistics requirements, including personnel, equipment, supplies, and maintenance needs, to achieve the objectives of the European Deterrence Initiative.

(4) An identification of required infrastructure investments, including potential infrastructure investments by host nations.

(5) An assessment of security cooperation investments required to achieve the objectives of the European Deterrence Initiative.

(b)(6) A detailed timeline to achieve the objectives of the European Deterrence Initiative.

(c) FORM.—Each report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) 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 by—

(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’’; and

(2) in paragraph (2), by striking ‘‘through such fiscal year’’ and inserting ‘‘through 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 (c) 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.—Subsection (b) of such section is further amended, by striking the 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.
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.

(4) The United States should increase the persistent presence of United States forces in the Republic of Poland, including key combat-enabled units such as warfighting headquarter elements—

(A) to enhance deterrence against Russian aggression; and

(B) to reduce the risk of executing Department of Defense contingency plans.

SEC. 1244. SENSE OF SENATE ON UNITED STATES PARTNERSHIP WITH THE REPUBLIC OF POLAND

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 Poland;

(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 aggression 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 frequency, scale, and scope of North Atlantic Treaty Organization and other multinational 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 and other multinational exercises in the Black Sea region, 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 ARMED FORCES IN THE TERRITORY OF THE REPUBLIC OF KOREA

None of the funds authorized 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 the levels specified on 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 conventional military forces of the Democratic People's Republic of Korea.

(3) The Secretary has appropriately consulted with allies of the United States, including the Republic of Korea and Japan, regarding such a reduction.

SEC. 1252. EXPANSION OF INDO-PACIFIC MARITIME SECURITY INITIATIVE

Section 263(b) of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 135 note) is amended by adding at the end the following new paragraphs:

(8) The Federated States of Micronesia.

(9) The Republic of Palau.

(10) Papua New Guinea.

(11) The Republic of Fiji.


(13) The Federated States of Micronesia.

(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 2020 (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 in the region likely, or that have significant potential, to be converted into military assets of the People's Republic of China;

(B) an assessment of Chinese investments in the region likely to have a significant impact on 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 agreements, that represents 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, including the Belt and Road Initiative and the Digital Silk Road, over the period from fiscal year 2019 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 required 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 forces in the region; and

(III) to support a robust exercise, experimentation, and innovation program; and

(ii) the 2018 National Defense Strategy identified the need for joint competitive competition with the Russian Federation as a principal priority for the Department of Defense that requires increased and sustained investment; and

(ii) the need for strategic competition with the Russian Federation as a principal priority for the Department of Defense that requires increased and sustained investment; and

(iii) to support the National Defense Strategy identified as a principal priority for the Department of Defense that requires increased and sustained investment; and

(iv) to support the National Defense Strategy identified as a principal priority for the Department of Defense that requires increased and sustained investment; and

(v) to support the National Defense Strategy identified as a principal priority for the Department of Defense that requires increased and sustained investment.
(IV) to strengthen cooperation with allies and partners; and
(ii) a detailed timeline to achieve the intended force structure and posture described in subsection (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 assessment 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, 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 assessment 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, the Australians, and any other foreign governments as necessary, shall conduct a review of the planned distribution of forces of the United States Armed Forces in Okinawa, Japan, and points of the Pacific region, with an eye to determining the nature and quantity of United States forces in the region.
(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 support the complete and verifiable implementation of the distributed lay-down.
(c) Certification.—Not later than 15 days after the completion of the review required by subsection (b), the Secretary of Defense shall submit to the congressional defense committees—
(1) a certification that the Department of Defense will complete 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 (b), 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 administration of Japan and experimental 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 and analysis of the current status of the distributed lay-down, the review described in subsection (a), and the report described in subsection (d).
SEC. 1256. SENSE OF SENATE ON ENHANCEMENT OF THE UNITED STATES-JAPAN ALLIANCE AND DEFENSE COOPERATION.
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; and
(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 expresses any unilateral actions that would seek to undermine their administration by Japan; but
(3) the unilateral actions by a third party will not affect United States acknowledgment of the administration of Japan over the Senkaku Islands, and the United States remains committed to the establishment of a Mutual Cooperation and Security with Japan to respond to any armed attack in the territories under the administration of Japan; and
(4) Japan continues to make contributions to regional security and prosperity that make the United States safer and more prosperous; but
(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 efforts concerning trade, investment, energy, rule of law, and good governance; and
(6) the Government of Japan has been instrumental in 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 Guidelines and the Mid-Term Defense Program, and record investments 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 alliance cooperation, which increased use of combined bases for allied operations, further integration of allied command structures, consideration of the establishment of a combined, enhanced combined contingency planning for both conventional conflict and so-called "gray zone" incidents, and opportunities for co-development of defense equipment and technology cooperation.
SEC. 1257. SENSE OF SENATE ON ENHANCEMENT OF THE UNITED STATES-TAIWAN DEFENSE RELATIONSHIP.
It is the sense of the Senate that—
(1) the Taiwan Relations Act (22 U.S.C. 3301 et seq.) and the "Six Assurances" are both commitments 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 eye to maintaining, 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 need of Taiwan as required by the Taiwan Relations Act; and
(5) the United States should continue efforts to improve the predictability of United States arms sales to Taiwan by ensuring a 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; and
(ii) include the implementation of Section 3(a) of the Taiwan Relations Act (22 U.S.C. 3302(a)); and
(B) exchanges between senior defense officials and general officers of the United States and Taiwan.
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 Armed Forces.

(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 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 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 Asia;

(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 partnership agreement among the United States, Japan, and India, 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 Indo-Pacific region.

(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 COOPERATION WITH JAPAN, THE REPUBLIC OF KOREA, AND THE UNITED STATES.

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) essential for 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 international law; and

(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; and

(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 should expand the conventional and ballistic missile programs, 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 is strong because they face common threats, including from the Democratic People’s Republic of Korea, the United States welcomes and encourages deeper trilateral defense and cooperation, including through expanded exercises, training, senior-level exchanges, and information sharing.

SEC. 1260. SENSE OF SENATE ON ENHANCED CO-OPERATION 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 consider establishing one or more open-source intelligence fusion centers in the Indo-Pacific region to enhance cooperation with Pacific Island countries, which may include increasing access to 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 COOPERATION AND SECURITY PARTNERSHIPS.

It is the sense of the Senate that—

(1) the United States and the Republic of Singapore have built a strong, enduring, and forward-looking strategic partnership based on enduring and mutually beneficial cooperation, including through security, defense, economic, and people-to-people ties;

(2) robust security cooperation between the United States and the Republic of Singapore is crucial to promoting peace and stability in the Indo-Pacific 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 Framework Agreement between the United States and the Republic of Singapore, is an important role in the global network of strategic partnerships, especially in promoting maritime security and countering piracy;

(4) the United States should continue to welcome the presence of the Singapore Armed Forces in the United States for exercises and training, and should consider opportunities to expand their activities at additional locations in the United States, as appropriate; and

(5) as the United States and the Republic of Singapore negotiate renewal of the 1990 Memorandum of Understanding Regarding the United States Use of Facilities in Singapore, the United States should—

(A) 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

(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 Indo-Pacific region; 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 STRATEGIES.

(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, including—

(A) political, economic, monetary, human capital, and technology costs; and

(B) costs associated with military efficiency and effectiveness.

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

(1) A description of the manner in which the future-years defense program and current operational concepts of the Department are designed to impose costs on the People’s Republic of China and the Russian Federation, including—

(A) political, economic, monetary, human capital, and technology costs; and

(B) costs associated with military efficiency and effectiveness.

(2) A description of the policies and processes of the Department relating to the development and execution of cost imposition strategies.

(c) FORM.—The report under subsection (a) shall be submitted in classified form, and shall include an unclassified summary.

Subtitle G—Other Matters

SEC. 1281. NATO SPECIAL OPERATIONS HEADQUARTERS.

Section 124H 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; 128 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 (c).

SEC. 1282. MODIFICATIONS OF AUTHORITIES RELATING TO ACQUISITION AND CROSS-SERVICING AGREEMENTS.

(a) REIMBURSEMENT FOR COST OF LOGISTIC SUPPORT, SUPPLIES, AND SERVICES.—Subsection (a) of section 2342 of title 10, United States Code, is amended—

(1) in paragraph (2), by striking “in return for all that shall have been done 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 recognized not less frequently than 30 days before the date on which the transaction occurs, at which time the Secretary of Defense shall seek written agreement for the full 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 may not create any accrued credits or liabilities resulting from an unequal exchange of logistic support, supplies, and services to be liquidated not less frequently than every two fiscal years.

(b) DESIGNATION AND NOTICE OF INTENT TO ENTER INTO AGREEMENT WITH NON-NATO COUNTRIES—Subsection (b) of section 1283(a) 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 notification that the Secretary intends to enter into such an agreement not less than 30 days before the date on which the Secretary enters into the agreement.

(c) 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) 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.

"(1) 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.

"(2) In General.—Subsection (g) of such section, as redesignated by subsection (c)(1), is amended to read as follows:

"(g) No later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to ensure that—

"(1) 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;

"(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 in providing for the accurate management and oversight of an agreement under subsection (a)(3); 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"—

"(i) 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 "that the Secretary notified Congress—"

"(B) pursuant to subsection (b)(1) 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, and 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 logistic support, supplies, and services, and 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 paid within one year after the date on which the transaction occurred, a description of the transaction that includes the following:

"(A) The date on which the transaction occurred.

"(B) The country or organization to which logistic support, supplies, and services were provided.

"(C) The value of the transaction.

"(6) An explanation of any waiver granted under section 2347(c) during the preceding fiscal year in connection with the occurrence of the relevant contingency operation or non-combat operation.".

SEC. 1283. MODIFICATION OF AUTHORITY FOR 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 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 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 identification of entities that expended the funds.

(b) SUPPORT IN CONNECTION WITH THE PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense is authorized to provide maintenance and sustainment support to Israel for the research, development, and evaluation of activities authorized in subsection (a)(1). Such authority includes authority to install equipment necessary to carry out such research, development, and evaluation.

(2) REPORT.—Support may not be provided under paragraph (1) until 15 days after the Secretary 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 provided to the program, 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 Department of Defense pursuant to subsection (a) of this section for support described in such subsection (a) for purposes of 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 EDRAT ACTIVITIES.—Amounts provided 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) ASSESSMENT.—The Secretary of Defense shall submit to the appropriate committees of Congress a report that contains a copy of the most recent Department of Defense 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) to provide support described in subsection (b) shall expire on December 31, 2024.

SEC. 1285. MODIFICATION OF INITIATIVE TO SUPP- ORT SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND NATIONAL SECURITY THREATS

Section 1286(c) 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 other information regarding the connection 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 HON- DURAS.

(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 funded research and development center to conduct an analysis and assessment of the compliance of the military and security forces of Honduras with international human rights laws and standards.

(2) MATTERS TO BE INCLUDED.—The assessment under paragraph (1) shall include the following:

(A) A description of the military-to-military activities between the United States and Honduras, including the manner in which Department of Defense engagement with the military 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 activ-

(C) An analysis and assessment of the activities of the military and security forces of Honduras with respect to human rights activ-

(D) An analysis of—

(i) the security assistance provided to Honduras by the Department of Defense during the 5-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 with 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 relevant.

(b) REPORT.—

(1) IN GENERAL.—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 subsection (a).

(c) DEPARTMENT OF DEFENSE SUPPORT.—

The Secretary shall provide the entity selected under subsection (a) with timely access to appropriately declassified 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 re-

(b) 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 conducting the fiscal year 2019 Saudi or Saudi-led coalition 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 there are no longer obligations for the purposes specified:

(A) in subparagraph (C), by striking the deadline for obligations contained in subparagraph (C) of section 1253(d) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), and

(B) in subparagraph (D), by striking the deadline for obligations contained in subparagraph (D) of section 1253(d) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

SEC. 1309. 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 funding table in division D of the National Defense Authorization Act for Fiscal Year 2020 (P.L. 116–92), $255,000,000 is hereby authorized to be appropriated to the Department of Defense for Cooperative Threat Reduction Program activities.

(b) Reserve.—Of the amount appropriated to the Department of Defense for Cooperative Threat Reduction Program activities under paragraph (a), $25,000,000 is hereby authorized to be appropriated for emergency military operations and the rescue of United States citizens who are American hostages, or are trying to escape from captivity in hostile environments, under section 1206(a) of title 10, United States Code.

(c) Reporting.—The Secretary of Defense shall submit to the appropriate committees of Congress a detailed report containing an accounting of each obligation and expenditure of funds under paragraphs (a) and (b) of this section at the end of each fiscal year.

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 operation 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 the 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.

SEC. 1403. DRUG INTERDICATION AND COUNTER- DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of the Navy for the 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 4501.

SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for the 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 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Defense Health Program for the fiscal year 2020 for expenses, not otherwise provided for, for the Office of the Secretary of Defense, for the Defense Health Agency, and for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

Title XV—U.S. Arms Control and Disarmament Activities

Subtitle A—Military Programs

SEC. 1411. MORATORIUM ON PROHIBITION ON ACQUISITION OF SENSITIVE MATERIALS FROM NON-ALLIED FOREIGN NATIONS.

(a) EXPANSION OF MATERIALS COVERED BY PROHIBITION ON SALE FROM NON-ALLIED FOREIGN NATIONS.—Subsection (a)(2) of section 2533c of title 10, United States Code, is amended —

(1) by striking "persons who are eligible for retired pay under chapter 55 of title 38, United States Code" and

(b) EXPANSION OF ELIGIBILITY TO CERTAIN RESIDENTS.—The Administrator of each federal agency that—

(1) in paragraph (1), by striking "60 years of age or over" and

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

"(b) APPROPRIATE COMMITTEES OF CONGRESS.

AMENDMENTS.—Subsection (a) of section 1412 of the Department of Defense Appropriations Act, 1994 (24 U.S.C. 412(c)) is amended to read as follows:

"(1) The Secretary shall make a determination, in consultation with the Secretary of the Treasury, to determine if the proceeds of sanctions imposed under paragraph (1) shall include the following:

(A) the total 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, that have not been reimbursed by members of the Saudi-led coalition.

(B) the extent to which such expenses have been reimbursed by members 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.

(d) ADMISSION FEES FOR RESIDENTS.—Subsection (a) of section 1710a of title 38, United States Code, is amended—

(1) by inserting "or compensation, as applicable, after "pay"; and

SEC. 1421. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for the Armed Forces Retirement Home for fiscal year 2020 in the sum of $64,300,000 for the operation of the Armed Forces Retirement Home.
Title XV—Authorization of Additional Appropriations

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, being carried out by the Armed Forces, as specified in the funding table in section 4502.

Sec. 1503. Procurement.

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 4502.

Sec. 1504. Research, Development, Test, and Evaluation.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the research, development, test, and evaluation activities of the Department of Defense, as specified in the funding table in section 4502.

Sec. 1505. Employment and Maintenance.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the employment and maintenance of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, as specified in the funding table in section 4502.

Sec. 1506. Military Personnel.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the Armed Forces personnel activities and activities of the Department of Defense for expenses, not otherwise provided for, as specified in the funding table in section 4502.

Sec. 1507. Working Capital Funds.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the working capital funds of the Department of Defense, as specified in the funding table in section 4502.

Sec. 1508. Drug Interdiction and Counterdrug 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 counterdrug activities defense-wide, as specified in the funding table in section 4502.


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 Department of Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under section 1018 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2010, Public Law 111–81; 123 Stat. 2571.

Subtitle B—Financial Matters

Sec. 1521. Treatment as Additional Authorization.

The amount appropriated to be provided under this title is 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) in the amounts available for those same purposes as the authorization to which transferred.

(b) Limitation.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $2,500,000,000.

(c) Terms and Conditions.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(d) 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:

"(6) 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 warfighting capabilities."
(a) **Redesignation of the Air Force Space Command as United States Space Force.**

1. **Redesignation of the Air Force Space Command** is hereby redesignated as the **United States Space Force (USSF).**

2. **Commander and Authorities.**

   (1) **In General.** Section 272b of title 10, United States Code, is—

   (A) transferred to chapter 907 of such title; and
   (B) inserted after section 9062, and as so inserted and amended, read as follows:

   **§ 9063. United States Space Force**

   (a) **United States Space Force.** There is in the Air Force a council known as the **Space Force Acquisition Council** (in this section referred to as the “Council”).

   (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 Space Force.**—After the term described in subparagraph (A), the Commander of the United States Space Force shall be the Commander of the United States Space Force under section 169 of this title, as so transferred and inserted, amended by this subsection within military and civilian personnel of the Air Force to serve concurrently as the Commander of the United States Space Force and as 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 602(b) of this title. The officer serving as Vice Commander, while so serving, has the grade of general or admiral without vacating the permanent grade of the officer.

   (e) **Duties.**—(1) Subject to the authority, direction, and control of the Secretary of the Air Force, the Commander of the United States Space Forces shall perform the following:

   (A) Exercise authority, direction, and control of all space operations-peculiar administrative matters relating to the organization, training, and equipping of the space forces of the Air Force.

   (B) Exercise the authorities and responsibilities assigned to the Commander by the Air Force Space Command before December 12, 2017.

   (C) Carry out such other duties as the Secretary 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 Secretary of the Air Force through the Chief of Staff of the Air Force.

   (B) After the period described in subparagraph (A), to the Secretary of the Air Force, directly.

   (3) During the one-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020, to the Secretary of the Air Force, through the Chief of Staff of the Air Force.

   (4) After the period described in subparagraph (A), directly to the Secretary of the Air Force.

   (5) No Authorization of Additional Military Billets or Civilian Personnel. The Secretary of the Air Force shall carry out the functions described in section 9063 of title 10, United States Code, as amended by paragraphs (1) and (2) of such section, including an assessment of the progress of the cadre in establishing and maintaining the ethos and culture described in that subsection.

   (6) In General. Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report setting forth an assessment of the advisability of appointing the Commander of the United States Space Force a cadre of military and civilian personnel to serve concurrently as Commander of the United States Space Command as authorized by subsection (c) of section 9063 of title 10, United States Code.

   (b) **Secretary of Defense Report on Concurrency of Command.**

   (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 congressional defense committees a report setting forth an assessment of the advisability of appointing the Commander of the United States Space Force a cadre of military and civilian personnel to serve concurrently as Commander of the United States Space Command as authorized by subsection (c) of section 9063 of title 10, United States Code.

   (c) **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 current status of the missions and manpower of the United States Space Force under section 9063 of title 10, United States Code, including the current status of the assumption by the United States Space Force of the elements to constitute the United States Space Command, including the elements of the Air Force Space Command as of the date of the enactment of this Act, and the progress of the cadre in establishing and maintaining the ethos and culture described in that subsection.

   (d) **Outreach.**—The Secretary of the Air Force shall carry out the functions described in section 9063 of title 10, United States Code, as amended by paragraphs (1) and (2) of such section, including an assessment of the progress of the cadre in establishing and maintaining the ethos and culture described in that subsection.

   (e) **No Authorization of Additional Military Billets or Civilian Personnel.**—The Secretary of the Air Force shall carry out the functions described in section 9063 of title 10, United States Code, as amended by paragraphs (1) and (2) of such section, including an assessment of the progress of the cadre in establishing and maintaining the ethos and culture described in that subsection.

(2) **Service of Incumbent Commander of Air Force Space Command as Commander of United States Space Force.**—The individual existing 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 as Commander of the United States Space Command under subsection (b) of section 9063 of title 10, United States Code (as added by paragraph (1) of such section).

(3) **Secretary of Defense Report on Concurrency of Command.**

   (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 congressional defense committees a report setting forth an assessment of the advisability of appointing the Commander of the United States Space Force a cadre of military and civilian personnel to serve concurrently as Commander of the United States Space Command as authorized by subsection (c) of section 9063 of title 10, United States Code.

   (2) **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 current status of the missions and manpower of the United States Space Force under section 9063 of title 10, United States Code, including the current status of the assumption by the United States Space Force of the elements to constitute the United States Space Command, including the elements of the Air Force Space Command as of the date of the enactment of this Act, and the progress of the cadre in establishing and maintaining the ethos and culture described in that subsection.

   (3) **Outreach.**—The Secretary of the Air Force shall carry out the functions described in section 9063 of title 10, United States Code, as amended by paragraphs (1) and (2) of such section, including an assessment of the progress of the cadre in establishing and maintaining the ethos and culture described in that subsection.

   (4) **No Authorization of Additional Military Billets or Civilian Personnel.**—The Secretary of the Air Force shall carry out the functions described in section 9063 of title 10, United States Code, as amended by paragraphs (1) and (2) of such section, including an assessment of the progress of the cadre in establishing and maintaining the ethos and culture described in that subsection.
additional civilian personnel for the purposes of, or in connection with, the establishment of the United States Space Force.

(c) CONFORMING AMENDMENT TO US SPACE FORCE COMMANDER AUTHORITY

SEC. 1604. Commander of the United States Space Force—

(1) In general.—Section 162 of title 10, United States Code, is amended by striking subsection (a) and inserting the following subsection (a):—

‘‘(a) The Commander of the United States Space Force.’’.

(2) Authorization of payment.—Under section 9063 of title 10, United States Code, as added by section 1604(b) of this Act, the Secretary of the Air Force shall be responsible for the assignment of personnel of the United States Space Force, to the National Reconnaissance Office and the Under Secretary of the Air Force for Space Acquisition and Integration for purposes of, or in connection with, the establishment of the United States Space Force.

(b) ASSIGNMENT OF PERSONNEL TO THE NATIONAL RECONNAISSANCE OFFICE.—Effective as of the date of the enactment of this Act, the Secretary of the Air Force shall be responsible for the assignment of personnel of the United States Space Force to the National Reconnaissance Office.

(c) CONFORMING AMENDMENT TO US SPACE FORCE COMMANDER AUTHORITY

SEC. 1605. ASSIGNMENT OF PERSONNEL TO THE NATIONAL RECONNAISSANCE OFFICE FOR MISSION NEEDS.

(a) USSF AS PRIMARY SOURCE OF PERSONNEL.—Effective as of the date of the enactment of this Act, and until the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020—

Subject to the authority, direction, and control of the Secretary of the Air Force and such other matters as the Secretary may prescribe, 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.

(b) ASSIGNMENT BY COMMANDER, USSF.—Effective as of the date of the enactment of this Act, and until the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020, 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 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 under the 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 required by subsection (a), the Secretary of the Air Force shall take into consideration the tasks and operations of the staff of the Air Force in support of the space warfare mission of the Air Force and such other matters as the Secretary considers appropriate.


Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Director of National Intelligence, submit to the congressional defense committees a report setting forth the results of a review, conducted in accordance with section 1105 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended, in the second subsection, by inserting ‘‘TRUSTED SIGNALS’’ after ‘‘TRUSTED SIGNALS’’.

SEC. 1608. LIMITATION ON AVAILABILITY OF FUNDS.

None of the amounts authorized to be appropriated under 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 Integration 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).

SEC. 1611. REPEAL OF REQUIREMENT TO ESTABLISH SPACE COMMAND AS A SUBORDINATE 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 1694.

PART II—OTHER SPACE MATTERS

SEC. 1612. PROGRAM TO ENHANCE AND IMPROVE LAUNCH SUPPORT AND INFRASTRUCTURE.

(a) In General.—In support of the policies described in section 2279 of title 10, United States Code, the Secretary of the Air Force may carry out a program to enhance infrastructure and improve support activities for the processing and launch of Department of Defense and commercial space assets.

(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 contract 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 CAPABILITIES OF THE NATIONAL NAVIGATION Satellite System (GNSS) signals to permit the United States Space Command for joint operations.

A description of any modification to the metrics established by the Secretary in the acquisition strategy for the program.

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.

(E) REVIEW OF REPORTS AND BRIEFING BY COMPTROLLER GENERAL.—With respect to
each report submitted under this section, the Comptroller General shall review and pro-
vide 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 AC-
QUISITION STRATEGY FOR NA-
TIONAL 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
(A) may not—
(A) modify the acquisition schedule or mis-
mission performance requirements; or
(B) award missions to more than two
launch service providers; and
(C) ensure the launch services are procured only from launch service providers that use launch vehicles meeting each Gov-
ernment requirement with respect to re-
quired payloads to reference orbits.

Subtitle B—Defense Intelligence and Intelligence-related Activities

SEC. 1621. REDESIGNATION OF UNDER SEC-
RETARY 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.

(b) SERVICE OF INCIDENT IN POSITION.—The individual serving as Under Secretary of Defense for Intelligence as of the date of the en-
actment of this Act may serve as Under Sec-
retary of Defense for Intelligence and Secu-
rity commencing as of that date without furt-
her appointment under section 137 of title 10, United States Code (as amended by sub-
section (c)(1)(A)(i)).

(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 Defense for Intelligence and Security”:

(i) Section 432(a).

(ii) In section 137A(c)(6), by striking “Dep-
uty Under Secretary of Defense for Intel-
ligence” and inserting “Deputy Under Sec-
retary of Defense for Intelligence and Secu-
rity”.

(C) The heading of section 137 is amended to read as follows:

“137. Under Secretary of Defense for Intel-
ligence 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 fol-
lowing new item:

“137. Under Secretary of Defense for Intel-
ligence and Security.”.

(b) TITLE 5.—Title 5, United States Code, is amended as follows:

(A) In section 5314, by striking “Under Sec-
retary of Defense for Intelligence” and in-
serting “Under Secretary of Defense for In-
teligence 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 DEF-
PENSE INTELLIGENCE, SURVEILLANCE, AND RE-
CONNAISSANCE CAPABILITIES.

(a) REPEAL.—Section 137, title 10, United States Code, is hereby repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 21 of title 10, United States Code, is hereby amended by striking the item relating to section 126.

SEC. 1623. IMPROVING THE ONBOARDING METH-
ODOLOGY FOR CERTAIN INTEL-
LIGENCE PERSONNEL.

(a) IN GENERAL.—The Secretary of Defense and the Director of National Intelligence shall, in cooperation with the Department of Defense Instruction 1400.25, as in effect on the day be-
fore 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 ap-
propriate 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, submit to the ap-
propriate committees of Congress a report on the activities carried out by the report on the activities carried out by the Secretary in the implementa-
tion of this Act; and

(B) take such actions as the Secretary con-
siders necessary to standardize deployed cy-
bersecurity applications, products, and sen-
sors and the routing of data laterally and vertically from Department of De-
partment of Defense Information Network (DODIN) to enable the discovery, tracking, and remediation of cybersecurity threats.

(c) REQUIREMENTS.—In carrying out para-
graph (b), the Secretary shall—
(A) take such actions as the Secretary con-
siders necessary to standardize deployed in-
frastucture, including the Department of Defense perimeter capabilities at the Inter-
Net Access Points and the Joint Regional Sec-
urity Stacks, and the routing of data later-
ally and vertically from Department of De-

(b) RECAOMPATIBILITY 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 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 in-
clude only the following:

(1) Training and education.

(2) Outreach to State, local, and tribal au-
thorities.

(3) Direct assistance.

(c) 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 PLAT-
FORM PROGRAM.

(a) REORGANIZATION 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) COMMON BASELINE AND SECURITY CLAS-
SIFICATION SCHEME.

(A) 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, availability of a common and comprehensive set of metadata from sensors, applications, appliances, products, and systems deployed across the De-
partment of Defense Information Network (DODIN) to enable the discovery, tracking, and remediation of cybersecurity threats.

(B) REQUIREMENTS.—In carrying out para-
graph (a), the Secretary shall—
(A) take such actions as the Secretary con-
siders necessary to standardize deployed in-
frastucture, including the Department of Defense perimeter capabilities at the Inter-
Net Access Points and the Joint Regional Sec-
urity Stacks, and the routing of data later-
ally and vertically from Department of De-

(b) DEFENSE INFORMATION NETWORK SEGMENTS AND TIERS.

SEC. 1624. DEFENSE COUNTERINTELLIGENCE AND SECURITY PERSONNEL, IMPLEMENTATION OF THIS ACT, the Director shall submit to the congres-
sional defense committees a report that de-
tails the 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.
(C) develop an enterprise-wide architecture and strategy for—
(1) where to place sensors or extract data from network information technology, operational cybersecurity appliance, applications, products, and systems for cybersecurity purposes;
(2) which metadata data records should be universally available in Big Data Platform instances and which metadata data records, if any, should be locally retained; and
(3) expeditiously and efficiently transmitting metadata records to the Big Data Platform instances, including the acquisition and installation of further data bandwidth;
(D) determine appropriate number, 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 Acropolis and United States Cyber Command’s Scarif Big Data Platforms as enterprise-wide cybersecurity situational awareness capabilities, as complements or replacements for component-level Big Data Platform instances;
(F) ensure Big Data Platform instances are engineered and approved to enable standard access and query capabilities by the Unified Platform, the network defense services providers, the Cyber Mission Forces, with centrally managed authentication and authorization services;
(G) prohibit barriers to information sharing, data analysis, and collaboration across Big Data Platform instances, such as incompatible interfaces, interconnection service agreements, and the imposition of accreditation boundaries;
(H) transition all Big Data Platform instances to a cloud computing environment in alignment with the cloud strategy of the Chief Information Officer of the Department of Defense;
(I) consider whether packet capture databases should continue to be maintained separately from the Big Data Platform instances, managed at the secret level of classification, and treated as malware-infected when the packet capture databases are on the Department of Defense Information Network;
(J) in the case that the Secretary decides to support data 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 Forces units can directly access packets and query the database; and
(K) consider whether the Joint Artificial Intelligence Center’s artificial intelligence national mission initiative should include an application for the metadata residing in the Big Data Platform instances.

(2) Limit on data and data indexing—
(a) REVIEW REQUIRED.—Not later than January 1, 2022, 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 review.

(b) Data and analysis—
(A) to guide prioritization of investment and funding;
(B) to assess the effectiveness and efficiency of current activities;
(C) to assess the necessity of increasing, reducing, or eliminating resources; and
(D) to guide prioritization of investment and funding;
(5) develop recommendations and objectives for organizational, personnel, and equipment changes that result from anticipated developments in information technologies, workload projections, automation and process enhancements, and Department requirements;
(6) develop a gap analysis, contrasting the current organization and the objectives developed pursuant to paragraph (5); and
(7) develop prioritized priorities and timeline for implementing the activities to close the gaps identified pursuant to paragraph (6).

(c) Limit on data and data indexing schema—The Secretary shall ensure that the Unified Platform program utilizes the data and data indexing schema that is native to the Big Data Platform rather than creating a duplicate index or data tagger.

(d) Analyses and application of computing 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) work 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, 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 DATA 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 review.

(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.

(c) 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 conducting interviews to quantify the current workload performed by military and civilian workforce;
(3) compare the Department’s manning with the manning of comparable industry organizations;
(4) conduct an evaluation of the utility of cyber- and information technology-focused missions, positions, and personnel within such component;
(5) assess the effectiveness and efficiency of current activities;
(6) assess the necessity of increasing, reducing, or eliminating resources; and
(7) consider 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.

(d) Furnishing data and analysis.—
(1) Data and analysis.—In carrying out subsection (a)(1), 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 pursuant to subsection (c)(7) 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 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 progress of in-progress reviews.

(h) In-progress reviews.—Not later than six months after the date of the enactment of this Act and not less frequently than once per 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), and 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 Officer, and the Under Secretary shall jointly provide to such defense committees a briefing on the findings of the Principal Cyber Advisor, the Chief Information Officer, and the Under Secretary, and 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 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.

(3) **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 the career development and civilian cyber career paths within the Navy; and

(2) submit to the congressional defense committees a report on the findings of the Secretary and Chief with respect to the study completed pursuant 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 civilian and military personnel tailored to develop expertise in cyber skill sets, including skills sets appropriate for offensive and defensive military cyber operations.

(2) A methodology for determining the processes that govern the identification of talent and career progression of the civilian and military workforce.

(3) A methodology for a cyber workforce assignment policy that deliberately builds depth and breadth of knowledge regarding the conduct of cyber operations throughout an entity.

(4) Possible enhancements to identifying, recruiting, training, and retaining the cyber workforce, both civilian and military, especially for Distributed, Multi-Node versions of cyber workforce.

(5) Recommendations for legislative and administrative actions to address the findings and recommendations of the Secretary and the Chief with respect to the study completed pursuant to subsection (a)(1).

(c) **CONSULTATIONS.—**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.

(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 addressed to the industrial base for the purpose of assessing the cybersecurity of individual contractors.

(2) The rules and responsibilities of various activities within the Department of Defense, across the entire acquisition process, beginning with market research, including response, 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 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.

(d) **BRIEFING.—**Establishing a secure software development environment (DevSecOps) in a cloud environment inside the perimeter of the Department for contractors to do their development work.

(e) **BRIEFING.—**Establishing a secure cloud environment where contractors could access the data of the Department needed for their contract work.

(f) **BRIEFING.—**Establishing a Cybersecurity Maturity Model Certification for defense industrial base companies, scoring companies on a rating scale, and requiring certain ratings for contract awards.

(g) **BRIEFING.—**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.

(h) **BRIEFING.—**Implementing enhanced security vulnerability assessments for contractors working on critical acquisition programs, technologies, manufacturing capabilities, and research areas.

(i) **BRIEFING.—**Identifying ways to better leverage artificial intelligence and machine learning on artificial intelligence capabilities, such as Internet Protocol monitoring and data integrity capabilities to be applied to contractor observations, adversary espionage including honeypotting and data obfuscation.

(j) **DEVELOPING TOOLS TO EASILY SEGREGATE—**Developing tools to easily segregate program data to only allow subcontractors access to their specific information.

(k) **APPROPRIATE COMMUNICATIONS—**Appropriate communications of threat assessments of the defense industrial base to the Secretary, 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 not redundant 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 the use of expanded acquisition practices and discouraging unnecessary customization and piecemeal 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, resiliency, and enterprise activity data-sharing across Department components;

(B) ensuring the cybersecurity architecture of the Department supports improved automaticity 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 technology from the Defense Advanced Research Projects Agency, the Strategic Capabilities Office, the Defense Innovation Unit, the laboratories of the military departments, and technologies 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. GENERAL 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 technology refresh, installation or acquisition of bandwidth, and the use of cloud computing power, to host and enable necessary cybersecurity capabilities; and

(B) is consistent with readiness reporting pursuant to section 482 of this title.".

(b) METRICS.—

(1) ESTABLISHMENT REQUIRED.—The Secretary of Defense shall establish metrics for the assessment 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 pursuant to paragraph (1).

(c) MODIFICATION OF READINESS REPORTING SYSTEM.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall take such actions as the Secretary considers appropriate to ensure that the comprehensive readiness reporting system established pursuant to section 117(a) of title 10, United States Code, covers matters relating to the readiness of the Cyber Mission Forces.

(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 processes, pursue agile development, incorporate machine learning, and foster reciprocity across authorizing officials.

SEC. 1639. EXTENSIONS OF AUTHORITY FOR CYBERSECURITY STANDARDS.

Section 1639 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 Security 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 1640(b)(2)(C) of the National Defense Authorization Act for Fiscal Year 2017 (130 Stat. 2901; Public Law 114–328) is amended—

(1) in clause (ii), by inserting “and national intelligence operations centers”; and

(2) by amending clause (iii) to read as follows:

"(iii) The tools, weapons, and access used in and available for military cyber operations are sufficient for achieving required effects and United States Cyber Command is capable of acquiring or developing these tools, weapons, and access; and

(3) by amending clause (vi) to read as follows:

"(vi) The cyber mission force has achieved full operational capability and has demonstrated the capability to execute the cyber missions of the Department, including—

(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 combatant command, including targeting of adversary military assets.”.

SEC. 1641. USE OF NATIONAL SECURITY AGENCY CYBERISR PRODUCTS AND SERVICES 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 augment to existing programs, to improve the acquisition by the Department of cybersecurity products and services.

(2) REQUIREMENTS.—Under the program established pursuant to paragraph (1), the Director shall, independently and at the request of components of the Department—

(A) test and evaluate commercially-available cybersecurity products and services under the following conditions:

(i) generally known cyber operations techniques; and
(ii) tools and cyber operations techniques and advanced tools and techniques available to the National Security Agency;

(B) develop and establish standard procedures and test 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 cybersecurity 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 credit cybersecurity products 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 CAPABILITIES 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 Department to carry out a study on the future cyber warfighting capabilities of the Department of Defense.

(b) PARTICIPANTS.—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 to have significant technical, policy, or military expertise;

(B) considers appropriate for the study.

(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 Engagement 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 underspecified 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 Combatant Command, including with respect to the following:

(i) 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.

(ii) Development of such recommendations as the Board may have for legislative or administrative action relating to the future cyber warfighting capabilities of the Department.

(F) ACCESS TO INFORMATION.—The Secretary shall provide the Board with timely access to appropriate information, data, and analysis so that the Board may conduct a thorough and independent analysis as required under this section.

(G) 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 Board shall transmit 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 Secretary of Defense may use amounts in title 10, United States Code, as added by subsection (a) to carry out projects described in subsection (d).

"(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.

"(5) LIMITATION.—In a fiscal year, the aggregate amount that may be used by a single covered official under subsection (a) may not exceed $1,000,000.

"(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 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 of title 10, United States Code, as added by subsection (a), during the prior 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 TO CONTRACT FOR CYBERWARFARE CAPABILITIES.

(a) IN GENERAL.—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 to—

(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"

(B) in subparagraph (B)—

(i) by striking ‘‘to determine whether information’’ and inserting ‘‘the following:’’;

(ii) by striking ‘‘the following:’’ and inserting ‘‘(i) information;’’;

(iii) in clause (i), as so redesignated—

(A) by inserting ‘‘or compromises’’ after ‘‘compromised from’’; and

(B) by inserting ‘‘or compromising or’’; and

(iv) by adding at the end the following new clause:

‘‘(iii) 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’’;

(3) in paragraph (5)(C), by inserting ‘‘or counterintelligence activities’’ after ‘‘investigations’’; and

(b) ELEMENTS.—The briefing required by subsection (a)(1) shall include—

(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 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).

SEC. 1646. STUDY TO DETERMINE THE OPTIMAL STRATEGY FOR STRUCTURING AND MANAGING ELEMENTS OF THE JOINT CYBER COMMAND.

(a) Study.—

(1) IN GENERAL.—The Principal Cyber Advisor shall conduct a study to determine the optimal strategy for structuring and managing elements of the joint cyber command.

(b) Requirements.—The study conducted under subsection (a) shall include assessment of the following:

(1) 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.

(2) 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) A plan to carry out the transfer described in subsection (a)(2)(B) and the associated costs.

(C) Such other matters as the Principal Cyber Advisor considers appropriate.

SEC. 1647. CYBER GOVERNANCE STRUCTURES AND PRINCIPAL CYBER ADVISORS OF THE 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 the Secretary of the military department, the Secretary of Homeland Security, and the Secretary of the Treasury, to serve as the Principal Cyber Advisor of the military department on the cyber forces, cyber programs, and cybersecurity matters of the military department, including matters respecting 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 strategic, sustainment, and plans on the following:

(1) The resourcing and training of the military cyber forces of the military department and ensuring the Department of Defense is prepared to meet 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 Advisor under subsection (a), the Secretary of a military department may designate an individual in an existing position in the military department for advising the Secretary.

(2) Coordination.—The Principal Cyber Advisor of a military department shall work in close coordination with the Principal Cyber Advisor of the Department of Homeland Security, the Chief Information Officer of the Department of Homeland Security, 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 acquisition executive of the military department and, as determined by the Secretary of the military department, for advising the Secretary of the military department, for advising the Secretary of Defense regarding matters relating to cybersecurity.

(e) Review of Cybersecurity Policies.—

(1) IN GENERAL.—Not later than January 1, 2021, each Secretary of a military department shall review the military department’s cybersecurity policies, practices, and strategies with respect to current authorities 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 Information Officer and Information Security Officer accountability;

(iii) are adequately consolidated so that the authority and responsibility for cybersecurity risk management is clear and at an appropriate level of seniority; and

(iv) provide 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 services, the Office of the Secretary of Defense, the Defense Information Systems Agency, and United States Cyber Command.

(3) 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.

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 the Defense Information Systems Agency, 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 test 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 Secretary of Defense, 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) Successive Terms.—No member of a consortium designated under paragraph (1) may serve as the administrative chair of that consortium for more than two consecutive terms.

(3) Responsibilities.—Each administrative chair designated under paragraph (1) for a consortium shall—
SEC. 1664. PROHIBITION ON REDUCTION OF THE INTERCONTINENTAL BALLISTIC MISILES OF THE UNITED STATES.
(a) Prohibition and fund available.—Nothing in 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 MISSILES.
Not later than 90 days after the date of enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on opportunities for—
(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.
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) commitments and crediting of defence 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 (as that provision 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 that 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 that is important to the current and future anti-access area denial environments.
Subtitle E—Missile Defense Programs
SEC. 1671. IRON DOMI SHORT-RANGE ROCKET DEFENSE PROGRAM COM- CO-OPERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO- PRODUCTION.
SEC. 1672. IRON DOMI co-OP-ERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.
SEC. 1673. IRON DOMI co-OP-ERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.
SEC. 1674. IRON DOMI co-OP-ERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.
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 the Arrow 3 Upper Tier Interceptor Program.

(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 for 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 components 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 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 arrangement otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(C) the United States has entered into a bilateral national agreement with Israel that establishes, with respect to the use of such funds—

(i) in accordance with subparagraph (D), the transfer 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 parts 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 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.

(e) NUMBER.—In carrying out paragraph (2) of subsection (b) and paragraph (2) of subsection (c), 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.

(f) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification and assessment under subsection (b) and the certification under subsection (c)(2) by not later than 30 days before the funds specified in paragraph (1) of subsection (a) for the respective system covered by the certification are provided to the Government of Israel.

(g) APPROPRIATE CONGRESSIONAL COMMITTEES.—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. 1675. ACCELERATION OF DEVELOPMENT AND DEPLOYMENT OF PERSISTENT SPACE-BASED SENSORS.

(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 enable the missile defense 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 command, control, communications, intelligence, surveillance, and reconnaissance systems;

(3) 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) systems under the jurisdiction 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—

(1) the United States must continue to pursue a comprehensive missile defense strategy that will enable the missile defense 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 command, control, communications, intelligence, surveillance, and reconnaissance systems;

(3) 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) systems under the jurisdiction 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.

(d) DEPLOYMENT DEADLINE.—Section 1683(a)(2) 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.—’’; and

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

‘‘(B) 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.’’.

(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 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 failing such deadline; and

(D) a plan, including a timeline, for beginning the required testing.’’.

(f) ECAST OF PRODUCER.—

(1) In GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense may waive the requirement 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 failing such deadline; and

(D) a plan, including a timeline, for beginning the required testing.’’.

SEC. 1676. ACCELERATION OF THE DEPLOYMENT OF PERSISTENT SPACE-BASED SENSORS.

(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 shall use the most recent enacted National Defense Authorization Act to accelerate the deployment of the missile defense sensor program for the United States as fast as possible;

(3) the responsibility for developing and deploying a hypersonic and ballistic tracking space sensor should remain within the Department of the United States Defense Agency; and

(4) the Director of the Missile Defense Agency should deploy a hypersonic and ballistic tracking space sensor as soon as technically feasible.

(b) ASSIGNMENT OF PRIMARY RESPONSIBILITY AND ACCELERATION OF DEVELOPMENT 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 development and deployment of a hypersonic and ballistic tracking space sensor; and

(2) submit to the congressional defense committees certification that the space-based missile defense sensor program is sufficiently funded in the future-years defense program for the Missile Defense Agency.

(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 Secretary of Defense will certify that the Hypersonic and Ballistic Tracking space sensor program is sufficiently funded in the future-years defense program for the Missile Defense Agency.
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 these Agency shall be commended for its numerous and rapid acquisition successes; (4) the recently completed Missile Defense Review, which identified threats, 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 (7) of the preceding subsection (a).

(c) FORM OF REPORT.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified appendix.

SEC. 1676. REPORT ON IMPROVING GROUND-BASED MIDCOURSE DEFENSE ELEMENTS OF THE BALLISTIC MISSILE DEFENSE SYSTEM.

(a) REPORT REQUIRED.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall submit to the Congress a report on—

(1) options and a capability, capacity, and reliability of the ground-based midcourse defense element of the United States ballistic missile defense system; and
(2) 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:


(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 infrastructure and components needed to field such interceptors.

(3) A cost estimate of such infrastructure and components.

(4) An estimated schedule for completing such construction as may be required for such infrastructure and components.

(5) An identification of environmental assessments or impact studies that would need to be conducted to expand missile fields at Cape Canaveral, Florida.

(6) A description of the additional mass 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 launchers, 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 Secretary of Defense.

(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—

(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 defense, passive missile defense, and attack operations;

(2) to counter the expanding offensive missile capabilities of potential adversaries and hedge against unanticipated missile threats, the Secretary of Defense should aggressively pursue new missile defense capabilities 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;

(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. 1678. PUBLICATION OF ENVIRONMENTAL IMPACT STATEMENT PREPARED FOR CERTAIN POTENTIAL FUTURE MISSILE DEFENSE ACTIVITIES.

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 (128 Stat. 1670; 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.—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

(1) 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 threats, to conduct military operations carried out against the United States or a United States person by a foreign power.

(2) The military operations referred to in paragraph (1) not less frequently than once per quarter, the Secretary 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 Information Operations Advisor, and the Principal Information Operations Advisor shall have the following responsibilities:

(A) The establishment of lines of effort, objectives, and tasks that are necessary to implement and achieve military operations capabilities.

(B) Coordination with the head of the Department of State, the intelligence community, the Department of Homeland Security, and other relevant agencies and departments of the Federal Government to support such purpose.

(C) Development of guidance for, and promulgation of policies to ensure adequate coordination and collaboration between the Department of Defense, the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), and other relevant agencies and departments of the Federal Government to support such purpose.

(D) Coordination with the head of the Global Engagement Center to support the purpose of the Center (as set forth by section 1287(a)(2) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2606 note)) and liaison with the Secretary on all aspects of information operations conducted by the Department.

(E) Promulgation of policies to ensure adequate coordination and collaboration between the Department of State, the intelligence community, and other relevant agencies and departments of the Federal Government to support such purpose.

(F) Establishing and supervising a rigorous risk management process to mitigate the risk of potential exposure of United States persons to information intended exclusively for foreign audiences.

(G) Development of guidance for, and promulgation of, policies of the Department to liaise with the private sector and academia on matters relating to the influence activities of malign actors.

(2) ELEMENTS.—(A) The Principal Information Operations Advisor shall have the following responsibilities:

(i) 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;

(ii) in support of hostilities or military operations involving the United States armed forces; or

(iii) as determined by the Secretary of Defense to be necessary.

(3) The term ‘clandestine military operation in the information environment’ means the following:

(A) An outline of any interagency activities and initiatives relating to the operations.

(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 considers appropriate.

(4) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit, expand, or otherwise alter the authority of the Secretary to conduct military operations, in response to threats, to conduct military operations carried out against the United States or a United States person by a foreign power.

(5) The military operations referred to in paragraph (1) shall include the conduct of military operations short of hostilities and in areas outside of areas of active hostilities for the purpose of preparing the information environment, influence, force protection, and deterrence of hostilities.

(b) TREATMENT OF CLANDESTINE MILITARY OPERATIONS IN THE INFORMATION ENVIRONMENT AS TRADITIONAL MILITARY ACTIVITIES.—

(1) In traditional military activity for the purposes of section 503(e)(2) of the National Security Act of 1947 (50 U.S.C. 3003(c)(2)), 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. 3003(c)(2)).

(c) QUARTERLY INFORMATION OPERATIONS BRIEFS AND REPORTS.—Each quarter, the Secretary of Defense shall provide the congressional defense committees a briefing on significant military 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 operations carried out by the commands.

(B) An overview of authorities and legal issues applicable to the operations, including any relevant legal limitations.

(c) CROSS-FUNCTIONAL TEAM.—

(1) PRINCIPAL INFORMATION OPERATIONS ADVISOR.—

(A) 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 Information Operations Advisor to act as the principal advisor to the Secretary on all aspects of information operations conducted by the Department.

(B) Responsibilities.—The Principal Information Operations Advisor shall have the following responsibilities:

(i) Oversight of policy, strategy, planning, resource management, operational considerations, personnel, and technology development across all elements of information operations of the Department.

(ii) Overall integration and supervision of the deterrence of, conduct of, and defense against information operations.

(iii) Coordination of policies to ensure adequate coordination and collaboration with the Department of State, the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), and other relevant agencies and departments of the Federal Government to support such purpose.

(iv) Establishing and supervising a rigorous risk management process to mitigate the risk of potential exposure of United States persons to information intended exclusively for foreign audiences.

(v) Development of guidance for, and promulgation of, policies of the Department to liaise with the private sector and academia on matters relating to the influence activities of malign actors.

(vi) Such other matters as determined by the Secretary of Defense to be necessary.

(2) ELEMENTS.—(A) The Principal Information Operations Advisor shall have the following responsibilities:

(i) Oversight of policy, strategy, planning, resource management, operational considerations, personnel, and technology development across all elements of information operations of the Department.

(ii) Overall integration and supervision of the deterrence of, conduct of, and defense against information operations.

(iii) Coordination of policies to ensure adequate coordination and collaboration with the Department of State, the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), and other relevant agencies and departments of the Federal Government to support such purpose.

(iv) Establishing and supervising a rigorous risk management process to mitigate the risk of potential exposure of United States persons to information intended exclusively for foreign audiences.

(v) Development of guidance for, and promulgation of, policies of the Department to liaise with the private sector and academia on matters relating to the influence activities of malign actors.

(vi) Such other matters as determined by the Secretary of Defense to be necessary.

(vii) Duties of the Principal Information Operations Advisor shall be performed in a manner consistent with section 1287(a)(2) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2606 note) and other relevant authorities and sections of title 10, United States Code.

(ii) STRATEGY AND POSTURE REVIEW.—

(A) STRATEGY AND POSTURE REVIEW REQUIRED.—The Secretary of Defense shall conduct, through the Principal Information Operations Advisor and the cross-functional team established under subsection (c)(1), a strategy and posture review, including an analysis of capability gaps that inhibit the Department’s ability to support the strategy developed or updated pursuant to subparagraph (A).

(B) Conduct an information operations posture review, including an analysis of capability gaps that inhibit the Department’s ability to support the strategy developed or updated pursuant to subparagraph (A).

Section 1301(1) of title 10, United States Code, is amended by striking ‘‘2020’’ both places it appears and inserting ‘‘2024’’.

SEC. 1582. EXTENSION OF AUTHORIZATION FOR PROTECTION OF CERTAIN FACILITIES AND AIRCRAFT FROM UNMANNED AIRCRAFT.

(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.

(b) Designation of offices of primary responsibility for implementing and achieving the missions and tasks as set forth in paragraph (1).

Section 1301(1) of title 10, United States Code, is amended by striking ‘‘2020’’ both places it appears and inserting ‘‘2024’’.

SEC. 1583. 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 Com-
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).

(c) 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 authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2024; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), 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 authorizing funds for military construction for fiscal year 2025.

Army: Inside the United States

<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>Hunter Army Airfield</td>
<td>$62,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Soldier Systems Center Natick</td>
<td>$51,300,000</td>
</tr>
<tr>
<td>Michigan</td>
<td>Detroit Arsenal</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Fort Drum</td>
<td>$23,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>$49,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Fort Sill</td>
<td>$13,500,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Carlisle Barracks</td>
<td>$73,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Fort Jackson</td>
<td>$98,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Corpus Christ Army Depot</td>
<td>$86,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>$50,500,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$46,000,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorizations 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 inside 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 as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pennsylvania</td>
<td>Tobyhanna Army Depot</td>
<td>Family Housing Replacement Construction</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 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 appropriated under subsection (a), as specified in the funding table in section 4601.
SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects 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>Arizona</td>
<td>Yuma</td>
<td>$189,760,000</td>
</tr>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>$229,010,000</td>
</tr>
<tr>
<td>California</td>
<td>Camp Miramar</td>
<td>$37,400,000</td>
</tr>
<tr>
<td>California</td>
<td>Coronado</td>
<td>$11,320,000</td>
</tr>
<tr>
<td>Florida</td>
<td>New London</td>
<td>$37,900,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Kaneohe Bay</td>
<td>$93,900,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$196,870,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Marine Corps Air Station Parris Island</td>
<td>$134,050,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Norfolk</td>
<td>$99,010,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Yorktown</td>
<td>$59,600,000</td>
</tr>
<tr>
<td>Unspecified CONUS</td>
<td>Zulu</td>
<td>$211,500,000</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></td>
<td>$33,360,000</td>
</tr>
<tr>
<td>Guam</td>
<td></td>
<td>$77,400,000</td>
</tr>
<tr>
<td>Italy</td>
<td></td>
<td>$59,600,000</td>
</tr>
<tr>
<td>Japan</td>
<td></td>
<td>$15,870,000</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 $5,885,000.

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 2553 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—AIRFORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIRFORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2504(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>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2504(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 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>Afghanistan</td>
<td>Hamid Karzai International Airport</td>
<td>$9,340,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Ramstein AB</td>
<td>$15,430,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Yokota AB</td>
<td>$59,600,000</td>
</tr>
<tr>
<td>South Korea</td>
<td>Osan AB</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>RAF Mildenhall</td>
<td>$33,360,000</td>
</tr>
</tbody>
</table>
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 115–329; 130 Stat. 1263) for Joint Base San Antonio, Texas—
(1) for construction of a dining and classroom facility the Secretary of the Air Force may construct a 720 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) ROYGGE.—In the case of the authorization contained in the table in section 2303 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1786) for Roygge, Norway, for repairing and expanding a quick reaction alert pad, the Secretary of the Air Force may construct a 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 2018 (division B of Public Law 115–329) for Royal Air Force Lakenheath, United Kingdom, for the construction of an aircraft dormitory, the Secretary of the Air Force may construct a 5,900 square meter dormitory.
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>CONUS Classified</td>
<td>Camp Pendleton</td>
<td>$17,700,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Elgin Air Force Base</td>
<td>$18,600,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Key West</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$67,700,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Fort Detrick</td>
<td>$27,816,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$13,400,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Fort Bragg</td>
<td>$64,103,000</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Tulsa International Airport</td>
<td>$18,900,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Quonset State Airport</td>
<td>$11,600,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>$21,800,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Dam Neck</td>
<td>$12,770,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Defense Distribution Depot Richmond</td>
<td>$59,800,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Expeditionary Base Little Creek-Fort Story</td>
<td>$45,604,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Pentagon</td>
<td>$28,882,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>General Mitchell International Airport</td>
<td>$35,900,000</td>
</tr>
<tr>
<td>Wisconsin</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:

<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>Guam</td>
<td>Joint Region Marianas</td>
<td>$66,880,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Yokota Air Base</td>
<td>$19,200,000</td>
</tr>
<tr>
<td>Worldwide Classified</td>
<td>Classified Location</td>
<td>$136,411,000</td>
</tr>
</tbody>
</table>

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>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Mountain View</td>
<td>$9,700,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Naval Air Weapons Station China Lake</td>
<td>$8,950,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Joint Reserve Base Naval Air Station New Orleans</td>
<td>$10,540,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>South Potomac</td>
<td>$18,460,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Naval Support Activity Bethesda</td>
<td>$13,340,000</td>
</tr>
<tr>
<td>Texas</td>
<td>White Sands Missile Range</td>
<td>$5,980,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Fort Hood</td>
<td>$16,500,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>National Reconnaissance Office Headquarters</td>
<td>$4,500,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy 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 outside the United States, and in the amounts, set forth in the following table:
TABLE XXV—INTERNATIONAL PROGRAMS
Subtitle A—North Atlantic Treaty Organization Security Investment Program
SEC. 2501. AUTHORIZATION OF APPROPRIATIONS, 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 construction projects for the North Atlantic Treaty Organization Security Investment Program as specified in the funding table in section 4601.

Using amounts appropriated pursuant to the authorization of appropriations in section 2502 as budgetary resources to incur obligations for the purposes of executing the NSIP project.

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 installation or locations, and in the amounts, set forth in the following table:

### Republic of Korea Funded Construction Projects

<table>
<thead>
<tr>
<th>Country</th>
<th>Component</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Camp Carroll</td>
<td>Army Prepositioned Stock-4 Wheeled Vehicle Maintenance Facility</td>
<td>$51,000,000</td>
</tr>
<tr>
<td></td>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Unaccompanied Enlisted Personnel Housing, P1</td>
<td>$154,000,000</td>
</tr>
<tr>
<td></td>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Unaccompanied Enlisted Personnel Housing, P2</td>
<td>$211,000,000</td>
</tr>
<tr>
<td></td>
<td>Air Force</td>
<td>Camp Humphreys</td>
<td>Satellite Communications Facility</td>
<td>$32,000,000</td>
</tr>
<tr>
<td></td>
<td>Air Force</td>
<td>Gwangju Air Base</td>
<td>Hydrant Fuel System Upgrade Electrical</td>
<td>$35,000,000</td>
</tr>
<tr>
<td></td>
<td>Air Force</td>
<td>Kunsan Air Base</td>
<td>Distribution System</td>
<td>$14,200,000</td>
</tr>
<tr>
<td></td>
<td>Air Force</td>
<td>Kunsan Air Base</td>
<td>Dining Facility</td>
<td>$21,000,000</td>
</tr>
<tr>
<td></td>
<td>Air Force</td>
<td>Suwon Air Base</td>
<td>Hydrant Fuel System</td>
<td>$21,000,000</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:

<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>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>New Ulm</td>
<td>$9,700,000</td>
</tr>
<tr>
<td>Minnesota</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>Bellevue</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>$25,000,000</td>
</tr>
<tr>
<td>Vermont</td>
<td>Camp Ethan Allen</td>
<td>$39,000,000</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:
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:

<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. 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:

<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. 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>$45,000,000</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. 2677 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 19 of title 10, United States Code, is amended by adding at the end the following new sections:

**82815. 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.—The Secretary of a military department, subject to the availability of appropriations, may develop and implement a military installation 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 2800(c) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–222; 10 U.S.C. 264 note), to the resilience of any project considered in the master plan for the installation under section 2804 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 mission of the installation and of members of the armed forces stationed at the installation; and

"(B) other assets or infrastructure and resources located outside the military installation that are—

"(i) critical to the accomplishment of the mission of the 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 measures to mitigate risks and threats; 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. 676a);

"(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 2911(b)(3) of this title.

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 Secretary of Defense certifies to the Congress that no longer a necessity 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) LIMITATION.—The Secretary concerned may not use the funds made available at any installation described in subsection (a) to carry out any project for which the Department of Defense has provided funds through the military construction and440

SEC. 2805. TECHNICAL CORRECTIONS AND IMPROVEMENTS TO INSTALLATION RESILIENCE.

"(a) DEFENSE ACCESS ROADS.—Section 210 of title 10, United States Code, is amended—

"(i) in subsection (a), by striking ""(a)(1) The"" and all that follows through the end of paragraph (1) and inserting 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).

"(ii) in subsection (b), by inserting after ""There is authorized to be appropriated for"" 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 RESILIENCE OR DEMOLISH PROTECTED AIRCRAFT SHELTER AT A MUNICIPAL 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 resilience or demolishes 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.
“(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 projected change in applicable environmental conditions, if the Secretary determines that the removal of such highways caused by—

(1) 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, 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 by the operations” and inserting the following: “condition for—

(1) that training; and

(2) the damage to those highways caused by—

(A) weather-related events, increases in mean high tide levels, recurrent flooding, or natural disasters;

(B) the operations”;

(4) in subsection (g), by striking “construction which has been completed” and inserting “construction and other activities”;

(5) by striking subsection (i) and inserting the following:

“(1) 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 is essential to mission requirements of the Armed Forces, equipment, or supplies, or to provide access to emergency or defense purposes or to any other site or location for which such an access is necessary.

(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”;

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

“(2) Fiscal Year 2020.—Not later than 30 days after the date of the adoption 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) Present weather projections from the National Weather Service.

(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 developed through the use of the Global Climate Research Program, including in the National Climate Assessment.

(4) DEFINITIONS.—In this section:

(A) CONSTRUCTION.—The term ‘construction’ includes the construction, maintenance, reconstruction, or improvement of, or enhancements to, a defense access road by recurrent or projected change in applicable environmental conditions, if the Secretary determines that the removal of such highways caused by—

(1) 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, 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 by the operations” and inserting the following: “condition for—

(1) that training; and

(2) the damage to those highways caused by—

(A) weather-related events, increases in mean high tide levels, recurrent flooding, or natural disasters;

(B) the operations”;

(4) in subsection (g), by striking “construction which has been completed” and inserting “construction and other activities”;

(5) by striking subsection (i) and inserting the following:

“(1) 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 is essential to mission requirements of the Armed Forces, equipment, or supplies, or to provide access to emergency or defense purposes or to any other site or location for which such an access is necessary.

(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”;

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

“(2) Fiscal Year 2020.—Not later than 30 days after the date of the adoption 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) Present weather projections from the National Weather Service.

(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 developed through the use of the Global Climate Research Program, including in the National Climate Assessment.

(4) DEFINITIONS.—In this section:

(A) CONSTRUCTION.—The term ‘construction’ includes the construction, maintenance, reconstruction, or improvement of, or enhancements to,
ENHANCEMENTS.

(a) DEFINITIONS.—In this section:


(2) MILITARY MUNITIONS.—The term “military munitions” has the meaning given in the section 10(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 Monument National Monument, New Mexico, established by Presidential Proclamation No. 2025 (54 U.S.C. 23201 note), dated January 18, 1933, and administered by the Secretary.

(5) MUNITIONS DEBRIS.—The term “munitions debris” has the meaning given in the section 8 of the Department of Defense Manual Number 5555.09-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).

(7) PUBLIC LAND ORDER.—The term “Public Land Order” means Public Land Order 665,5 entitled “DoD Ammunition and Explosives Safety Standards” and dated December 31, 2018.

(8) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(9) STATE.—The term “State” means the State of New Mexico.

(b) TRANSFER TO THE SECRETARY.— (1) MAP.—The Map means the map entitled “White Sands National Park Proposed Boundary Revision & Transfer of Lands Between National Park Service & Department of the Army,” numbered 142/156,271, and dated February 14, 2017.

(2) MILITARY MUNITIONS.—The term “military munitions” has the meaning given in the section 10(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 Monument National Monument, New Mexico, established by Presidential Proclamation No. 2025 (54 U.S.C. 23201 note), dated January 18, 1933, and administered by the Secretary.

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(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.

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(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 Monument National Monument, New Mexico, established by Presidential Proclamation No. 2025 (54 U.S.C. 23201 note), dated January 18, 1933, and administered by the Secretary.

(5) MUNITIONS DEBRIS.—The term “munitions debris” has the meaning given in the section 8 of the Department of Defense Manual Number 5555.09-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).


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(2) MILITARY MUNITIONS.—The term “military munitions” has the meaning given in the section 10(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 Monument National Monument, New Mexico, established by Presidential Proclamation No. 2025 (54 U.S.C. 23201 note), dated January 18, 1933, and administered by the Secretary.

(5) MUNITIONS DEBRIS.—The term “munitions debris” has the meaning given in the section 8 of the Department of Defense Manual Number 5555.09-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) TRANSFER TO THE SECRETARY.— (1) MAP.—The Map means the map entitled “White Sands National Park Proposed Boundary Revision & Transfer of Lands Between National Park Service & Department of the Army,” numbered 142/156,271, and dated February 14, 2017.

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(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) TRANSFER TO THE SECRETARY.— (1) MAP.—The Map means the map entitled “White Sands National Park Proposed Boundary Revision & Transfer of Lands Between National Park Service & Department of the Army,” numbered 142/156,271, and dated February 14, 2017.

(2) MILITARY MUNITIONS.—The term “military munitions” has the meaning given in the section 8 of the Department of Defense Manual Number 5555.09-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.
United States Code (commonly known as the “Antiquities Act of 1906”);
(B) President Hoover proclaimed that the Monument was established “for the preservation of white sand 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 serious 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;
(G) designation of the Monument as a national park would increase public recognition of it and thereby highlight an array of nationally significant resources at the Monument and visitation to the unit.

(2) ESTABLISHMENT OF WHITE SANDS NATIONAL MONUMENT.
(a) ESTABLISHMENT.—To protect, preserve, and restore its scenic, scientific, educational, natural, geological, historical, cultural, paleontological, hydrological, fish, wildlife, and recreational values and to enhance visitor experiences, there is established in the State of New Mexico a unit of the National Park System to be known as “White Sands National Monument”, a National Monument, and such Monument shall be administered by the Secretary of the Army under section 248b of title 54, United States Code.

(b) INCLUSION.—The land and interests in land that comprise the Monument 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 Park shall be available for the Park.

(e) ADMINISTRATION.—The Secretary shall administer the Park in accordance with—
(i) the subsection; and
(ii) the laws generally applicable to units of the National Park System, including section 10101(a), chapter 103, sections 10075(a), 10075(b), and 10201, and chapter 3201 of title 54, United States Code.

(f) WORLD HERITAGE LIST NOMINATION.—
(i) COUNTY CONCURRENCE.—The Secretary shall administer 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) ARMED FORCES.—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;
(v) the airshed classification of the Park under the Clean Air Act (42 U.S.C. 7401 et seq.).
(vi) MODIFICATION OF BOUNDARIES OF WHITE SANDS NATIONAL PARK AND WHITE SANDS MISSILE RANGE.—
(A) TRANSFERS OF ADMINISTRATIVE JURISDICTION.—
(i) IN GENERAL.—Administrative jurisdiction over the land described in clause (ii) is transferred from the Secretary of the Army to the Secretary of the Interior.

(ii) DESCRIPTION OF LAND.—The land referred to in clause (i) is—
(I) the approximately 2,863 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 referred to 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—
(I) the approximately 3,737 acres of land identified as “To DOA” on the Map;
(II) BOUNDARY MODIFICATIONS.—
(A) PARK.—The boundary of the Park is revised to reflect the boundary depicted on the Map.
(B) MAP.—The map and legal description under subclause (i) shall have the same force and effect as 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 establishment of the Park, the Secretary shall complete an official boundary survey of the Park.

(iv) MILITARY MUNITIONS AND MUNITIONS DEBRIS.—
(A) RESPONSE ACTION.—With respect to any Federal liability, the Secretary of the Army shall remain responsible for any response action addressing military munitions or munitions debris on any land transferred under subsection (b)(1)(A) to the same extent as on the day before the date of enactment of this Act.
(B) INVESTIGATION OF MILITARY MUNITIONS AND MUNITIONS DEBRIS.—
(i) IN GENERAL.—The Secretary may request that the Secretary of the Army conduct 1 or more investigations of military munitions or munitions debris on any land transferred under paragraph (1)(A) to the same extent as on the day before the date of enactment of this Act.

(ii) 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.); and
(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:

‘‘(1) Treatment of Insured Depository Institutions.—(A) 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.

(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’’;

(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’’.

(2) Certification.—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 OR PROVIDE AMENITIES OF DEPARTMENT OF DEFENSE.

No funds may be authorized to be appropriated to the Department of Defense for fiscal year 2020 for private, 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>Country</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cuba</td>
<td>Guantanamo Bay</td>
<td>$33,800,000</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified Worldwide Locations</td>
<td>$42,200,000</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>Country</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spain</td>
<td>Rota</td>
<td>$69,570,000</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:

<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:

<table>
<thead>
<tr>
<th>Country</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Gernersheim</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:

<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>North Carolina</td>
<td>Marine Corps Air Station Cherry Point</td>
<td>$64,561,000</td>
</tr>
<tr>
<td>Unspecified</td>
<td>Zulu</td>
<td>$50,000,000</td>
</tr>
</tbody>
</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>Florida</td>
<td>Tyndall Air Force Base</td>
<td>$1,278,700,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Zulu</td>
<td>$247,000,000</td>
</tr>
<tr>
<td>Unspecified</td>
<td>Zulu</td>
<td>$247,000,000</td>
</tr>
</tbody>
</table>

(c) 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>Panama City</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>MTA Fort Fisher</td>
<td>$35,000,000</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:

<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>North Carolina</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 instead used instead for military construction projects authorized by section 2806 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) REPLACEMENT 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 Defense 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 increase 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 2901.

TITLE XXX—MILITARY HOUSING PRIVATIZATION REFORM

SEC. 3001. DEFINITIONS.

(a) IN GENERAL.—In this title:

(1) the term ‘landlord’ has the meaning given that term in section 2871 of title 10, United States Code, as amended by subsection (b).

(2) MILITARY HOUSING.—The term ‘privatized military housing’ means housing provided under subchapter IV of chapter 169 of title 10, United States Code.

(b) DESIGNATIONS.—The district courts of the United States 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.

(c) OFFICE AND STAFF.—(1) The Chief Housing Officer shall establish and maintain an office staffed by 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 staff shall be paid from any moneys otherwise available for use in the provision of housing under this subchapter.

Title I—Tenant Bill of Rights for Privatized Military Housing

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 inserting after section 2872a the following new section:

SEC. 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 exercise all aspects of the provision of housing under this subchapter, including by exercising the following:

(1) Creation and standardization of policies and procedures.

(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 in the conduct of oversight.

(c) OFFICE AND STAFF.—(1) The Chief Housing Officer shall establish and maintain an office staffed by the Department of Defense 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:

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 2872b the following new section:

SEC. 2872b. Chief Housing Officer
that the performance evaluations of any individual described in subsection (b) under the jurisdiction of such Secretary indicates for purposes of this section.

(1) Improving conditions of privatized housing under the military privatized housing initiative under subsection (a) of section 2874 of title 37, United States Code.

(2) Concerning privatized military housing in the manner provided by subsection (a) of section 2874 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) A comprehensive, technical, and functional approach to the oversight and management of such agreements.

(4) Inclusion of categories for specific environmental hazards at privatized military housing units, including inspectors contracted by the Department.

(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 January 1, 2021, the Secretary of a military department shall develop, in coordination with the Department of Defense, a standard, uniform, and comparable credential for health and environmental inspectors of privatized military housing units.

(b) Clerical Amendment.—The table of sections at the beginning of this subchapter is amended by inserting section 3018 after section 3017 the following new item:

**S 3018. Standard for common credentials for health and environmental inspectors of privatized military housing.**

(a) In General.—Not later than January 1, 2021, the Secretary of a military department shall develop, in coordination with the Department of Defense, a standard, uniform, and comparable credential for health and environmental inspectors of privatized military housing units.

(b) Use of Funds in Connection with MHPIs.—(1) In General.—Each month beginning with the first month in a calendar year after the date of the enactment of this Act, the Secretary of a military department shall do the following:

(A) Payments to Lessors.—Use funds, in an amount equal to the amount calculated pursuant to paragraph (2)(A), for payments to lessors of covered housing in the manner provided by subsection (a) of section 2874 of title 37, United States Code, for covered housing under the jurisdiction of such department for such month.

(B) 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) of title 37, United States Code, for covered housing under the jurisdiction of such department for such month.

(2) 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. 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 section:

**S 2888. Complaint database.**

(a) Database Required.—The Secretary of Defense shall establish a database that is available to the public of complaints relating to privatized military housing units.

(b) Filing of Complaints.—The Secretary shall ensure that a tenant of a housing unit

enters into new contracts with the Secretary under this subchapter or undertakes expansions under existing contracts with the Secretary under this subchapter."

(b) Plan.—(1) In General.—Not later than January 1, 2020, the Secretary of Defense shall submit to the congressional defense committees a plan of the Department of Defense to conduct 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 January 1, 2021, the Secretary of Defense shall establish a standard process for determining past performance for purposes of informing future decisions regarding the award of such a contract.

(B) 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.

(b) Plan.—(1) In General.—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. 2017. REPEAL OF SUPPLEMENTAL PAYMENTS TO LESSORS AND REQUIREMENT FOR USE OF FUNDS IN CONNECTION WITH THE MILITARY HOUSING PRIVATIZATION INITIATIVE.


(2) Effect of Repeal.—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 MHPIs.—(1) In General.—Each month beginning with the first month in a calendar year 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 equal to the 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 date before the date of the enactment of this Act.

(B) Improvement of Oversight and Management of Agreements.—The 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 3 percent of the aggregate of the amounts calculated under section 403(b)(3)(A) 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 374(b)(3)(A) of title 37, United States Code, for covered housing under the jurisdiction of such department for such month.

(3) 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. 3016. UNIFORM CODE OF BASIC STANDARDS FOR PRIVATIZED MILITARY HOUSING AND PLAN TO CONDUCT INSPECTIONS AND ASSESSMENTS OF PRIVATIZED MILITARY HOUSING.

(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 December 1, 2020, the Secretary of Defense shall submit to the congressional defense committees a plan of the Department of Defense to conduct 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 December 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).

(B) 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.
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).

§ 2890. Financial transparency

(a) Publication of details of contracts.—(1) Not less frequently than annually, the Secretary of 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 item:

2888. Complaint database.

2889. Financial transparency.

§ 2890. Access to maintenance work order system

The Secretary of Defense shall require each landlord that provides housing under this subchapter to ensure the landlord retains the financial details of each contract for the management of the housing units under this subchapter to ensure the prompt and fair resolution of landlord-tenant disputes concerning maintenance for any dependents of the member in the member’s household) under section 403 of title 10, United States Code, is amended by adding at the end the following new section:

§ 2890. Access to maintenance work order system.

(a) In general.—Subchapter IV of chapter 109 of title 10, United States Code, is amended by adding after the item relating to section 2889 the following new item:

(1) Personnel of the housing management office at such installation.

(2) Personnle of the installation and engineer command for 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 adding 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 for each 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 PRIVATIZED MILITARY HOUSING AND DENIED REQUESTS TO WITHHOLD PAYMENTS.

(a) Dispute resolution and request to withhold payments.—

(1) In general.—Subchapter IV of chapter 109 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 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) notify the tenant a decision regarding the dispute; and

(ii) transmit a copy of such decision to the housing management office of the installation.

(b)(4) 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.

(2) 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 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 a 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 commanding officer 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.

(vi) The commander shall make a decision with respect to an appeal or a request under the process established under paragraph (1) with respect to a housing unit (A) 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 or to publish a decision by 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 ADJUNCTIVE BODY.—Nothing in this section or any other provision of law shall be construed as prohibiting a tenant from or preventing 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 under section 403 of title 37, or all or part of any basic allowance for housing payable to the landlord responsible for such unit of the issues described in subsection (a) that require remediation shall, not later than 15 days after the period in which—

(1) the landlord responsible for such housing unit is requested by the tenant under subsection (a) with the commander of the installation, complete an inspection of the housing unit identified by the tenant under subsection (a) and submit a report to the landlord responsible for such unit of the issues described in subsection (a) that require remediation.

(2) 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).

(3) The Secretary of Defense shall specify for purposes of such procedures, the procedures under this section for submitting a request to the landlord responsible for such unit of the issues described in subsection (a) that require remediation.

(4) A landlord responsible for a housing unit under this subchapter shall not use a call center to communicate with tenants regarding maintenance calls by inserting after section 2891 the following new section:

``2891a. Prohibiting use of call centers outside the United States for tenant maintenance calls by landlords of military housing.

(a) In General.—Subchapter IV of chapter 169 of title 10, United States Code is amended by inserting after section 2891 the following new section:

``2891a. Prohibiting use of call centers outside the United States for tenant maintenance calls by landlords of military housing.

(B) TERRITORIAL LEGAL ASSISTANCE.—Section 2891 of title 10, United States Code, is amended by striking ''24 inches'' and inserting ''42 inches''.

(c) EFFECTIVE DATE.—This Act shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 3033. 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 that identify the installations of the Department of Defense that have privatized military housing that should be monitored for radon.

(2) Testing requirements.—The Secretary shall require each installation of the Department of Defense that has privatized military housing to test for radon within 2 years after the date of the enactment of this Act.

(c) EFFECTIVE DATE.—Not less frequently than annually, the Secretary of each military department shall test for radon the privatized military housing identified under subsection (b), 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.

SEC. 3034. PROHIBITION OF USE OF CALL CENTERS OUTSIDE THE UNITED STATES FOR MAINTENANCE CALLS BY LANDLORDS OF PRIVATIZED MILITARY HOUSING.

(a) In General.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2891 the following new section:

``2891a. Prohibiting use of call centers outside the United States for tenant maintenance calls by landlords of military housing.

(b) TERRITORIAL LEGAL ASSISTANCE.—Section 2891 of title 10, United States Code, is amended by striking ''24 inches'' and inserting ''42 inches''.

(c) EFFECTIVE DATE.—This Act 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 that identify the installations of the Department of Defense that have privatized military housing that should be monitored for radon.

(2) Testing requirements.—The Secretary shall require each installation of the Department of Defense that has privatized military housing to test for radon within 2 years after the date of the enactment of this Act.

(c) EFFECTIVE DATE.—Not less frequently than annually, the Secretary of each military department shall test for radon the privatized military housing identified under subsection (b), 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.

SEC. 3036. EXPANSION OF WINDOWS COVERED BY REQUIREMENT TO USE WINDOW FALL PREVENTION DEVICES FOR PRIVATIZED MILITARY HOUSING.

Section 2079(c) of title 10, United States Code, is amended by striking ''24 inches'' and inserting ''42 inches''.

The Secretary shall require each landlord that provides housing under this subchapter that 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 Act is amended by striking ''and 1565b(a)(1)(A)'' and inserting ''and 1565b(a)(1)(A) and'' inserting ''1565(a)(1)(A), and 2891(c)(3)''.
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 tenant in preparing such housing for the housing management office of the installation at which such housing is located;

(2) ensure that such checklist is made available at an installation under the jurisdiction of the Assistant Secretary concerned;

(3) require that all maintenance issues and work orders related to health and safety issues pertinent to privatized military housing be reported to the commander 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 Secretaries of each military department, shall develop throughout the Department of Defense standardized documentation, templates, and forms for privatized military housing.

(b) Intital 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, established as a council in this section referred to as the “Council,” is established.

(b) Members.—

(1) In General.—Each Council shall be comprised of—

(A) the Assistant Secretary concerned; and

(B) not fewer than two members selected by the Assistant Secretary concerned:

(i) Not fewer than two civilian engineers employed at an installation under the jurisdiction of the Assistant Secretary concerned.

(ii) Not fewer than two chief stewards of a housing management office at such an installation.

(iii) 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.

(c) Terms.—

(1) Two Years.—The term for a member of the Council, other than the Assistant Secretary concerned, shall be two years.

(2) Limitation on Terms.—A member of the Council, other than the Assistant Secretary concerned, may serve not more than two terms.

SEC. 3043. REQUIREMENTS RELATING TO MANAGEMENT OF 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 consist of—

(A) any commander of the installation under the jurisdiction of the Assistant Secretary concerned;

(B) any commander of the installation to which the housing unit is located; and

(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—

(1) establish an inspection program from tenants relating to privatized military housing under the jurisdiction of the Assistant Secretary concerned;

(2) conduct inspections of privatized military housing at installations under the jurisdiction of the Assistant Secretary concerned;

(3) develop a uniform move-out checklist for tenants of privatized military housing at installations under the jurisdiction of the Assistant Secretary concerned;

(4) require that all maintenance issues and work orders related to health and safety issues pertinent to privatized military housing be reported to the commander of the installation at which the housing is located.

Subtitle D—Long-Term Quality Assurance

SEC. 3044. REQUIREMENTS FOR LANDLORDS.

(a) On Site Inspections.—The Assistant Secretary of the Army, the Assistant Secretary of the Navy, or the Assistant Secretary of the Air Force, as the Secretary of Defense shall determine, shall—

(1) conduct a site inspection at a housing management office of the landlord at such installation to test for mold, unsafe water, lead, and any addendum required by the law of the State in which such installation is located; and

(2) require the landlord to develop a mold mitigation plan and pest control plan of each landlord at such installation.

(b) Tenant Bill of Rights.—Each Council shall submit to the Secretary of Defense a report on the findings of the Council during the period covered by the report.

(c) Assistant Secretary Concluded.—The term “Assistant Secretary concerned” means—

(1) with respect to the Army, the Assistant Secretary 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 service 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.

(c) DUTIES.—Each Council shall—

(1) conduct a walkthrough inspection of any tenant to conduct the inspection in a manner consistent with the rules of the landlord and the commander of the installation.

(2) require any landlord to—

(A) conduct an inspection of the housing unit and the results of any inspection to be conducted on the housing unit; and

(B) require any landlord to—

(i) disclose to the Secretary of Defense any information relating to such inspection; and

(ii) conduct an inspection of the housing unit at which the housing unit is located.

SEC. 3045. REQUIREMENTS FOR LANDLORDS.

(a) On Site Inspections.—The Assistant Secretary of the Army, the Assistant Secretary of the Navy, or the Assistant Secretary of the Air Force, as the Secretary of Defense shall determine, shall—

(1) conduct a site inspection at a housing management office of the landlord at such installation to test for mold, unsafe water, lead, and any addendum required by the law of the State in which such installation is located; and

(2) require the landlord to develop a mold mitigation plan and pest control plan of each landlord at such installation.

(b) Tenant Bill of Rights.—Each Council shall—

(1) require the landlord to—

(A) require the landlord to develop a uniform move-out checklist for tenants of privatized military housing at installations under the jurisdiction of the Assistant Secretary concerned; and

(B) require the landlord to—

(i) require the landlord to develop a mold mitigation plan and pest control plan of each landlord at such installation.

(c) DUTIES.—Each Council shall—

(1) conduct an inspection of the housing unit and the results of any inspection to be conducted on the housing unit; and

(2) require any landlord to—

(A) conduct an inspection of the housing unit at which the housing unit is located.

(b) On Site Inspections.—The Assistant Secretary of the Army, the Assistant Secretary of the Navy, or the Assistant Secretary of the Air Force, as the Secretary of Defense shall determine, shall—

(1) conduct an inspection of the housing unit at which the housing unit is located.

SEC. 3046. REQUIREMENTS FOR LANDLORDS.

(a) On Site Inspections.—The Assistant Secretary of the Army, the Assistant Secretary of the Navy, or the Assistant Secretary of the Air Force, as the Secretary of Defense shall determine, shall—

(1) conduct an inspection of the housing unit at which the housing unit is located.

(b) On Site Inspections.—The Assistant Secretary of the Army, the Assistant Secretary of the Navy, or the Assistant Secretary of the Air Force, as the Secretary of Defense shall determine, shall—

(1) conduct an inspection of the housing unit at which the housing unit is located.
(1) 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.

(2) Keep any disclosure or nondisclosure forms that could be given to a tenant.

(3) Any notices required to be provided to the tenant under the Tenant Bill of Rights are considered in connection with a health or environmental hazard until such time as:

(1) the health or environmental hazard is remediated;

(2) the tenant moves to a new housing unit; or

(3) the tenant resumes occupancy of the housing unit.

(4) If the landlord fails to or is unable to remediate the health or environmental hazard at a housing unit 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.

(5) 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.

(6) If the landlord fails to or is unable to remediate any health or environmental hazard at a housing unit under this subchapter, the rental contract, lease, or order for payment of rent or maintenance costs and actual costs of living, in connection with which a health or environmental hazard was remediated;

(7) The landlord shall ensure that the conditions of such housing unit that are associated with a health or environmental hazard at a housing unit under this subchapter are remediated;

(8) 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; and

(b) confirmed by the housing management office of the installation as making the unit uninhabitable.

(9) The landlord shall ensure that the maintenance work order system of the landlord (hardware and software) is up to date, including—

(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, including the chain of command, and service-wide levels; and

(c) allowing the work order or maintenance ticket to be closed only once the tenancy is remediated;

(10) 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) the health or environmental hazard is remediated;

(2) 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

(3) the tenant resumes occupancy of the housing unit.

(11) Ensure that the needs of enrollees in the Exceptional Family Member Program, or any successor program, are considered in as-

(a) maintaining or improving the functionality, and features.

(b) confirming by the housing management office of the installation as making the unit uninhabitable.

(c) by inserting after the item relating to section 2872c 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, as added by subsection (a).

(b) Clerical Amendment.—The table of sections at the beginning of this 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.

(a) In General.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2872d the following new section:

"(a) In General.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2872d the following new section:

"(b) By inserting after the date of the enactment of this Act.

(c) Effectual Date.—Section 2872d of such title, as added by subsection (a), shall apply to contracts entered into on or after the date of the enactment of this Act.

3045. Withholding of Incentive Fees for Landlords

(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:

"(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:

"(b) Clerical Amendment.—The table of sections at the beginning of this subchapter is amended by inserting after the item relating to section 2874d the following new item:

"(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) Clerical Amendment.—The table of sections at the beginning of this subchapter is amended by inserting after the item relating to section 2874d the following new item:

"(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) Clerical Amendment.—The table of sections at the beginning of this subchapter is amended by inserting after the item relating to section 2874d the following new item:

"(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) Clerical Amendment.—The table of sections at the beginning of this subchapter is amended by inserting after the item relating to section 2874d the following new item:

"(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) allowing real-time access to such system by officials of the Department at the installation, and chain of command, and service-wide levels; and

3046. Expansion of Direct Hire Authority for Department of Defense Childcare Services Providers for Department Child Development Centers and Installation Military Housing Offices.


(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 conducting lead testing on the installation, subject to the approval of the Secretary; and

(B) the results of any lead testing conducted on a military installation shall be transmitted—

(i) in the case of a military installation located inside the United States, to—

(A) the civil engineer commander of the installation;

3051. Lead-Based Paint Testing and Removal.


(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 conducting lead testing on the installation, subject to the approval of the Secretary; and

(B) the results of any lead testing conducted on a military installation shall be transmitted—

(i) in the case of a military installation located inside the United States, to—

(I) the civil engineer commander of the installation;

(III) the major subordinate command of the Armed Forces with jurisdiction over the installation; and

(IV) if required by law, any relevant Federal, State, and local agencies; and

(ii) in the case of a military installation located outside the United States, to the civil engineer or commander of the installation who shall transmit those results to the major subordinate command of the United States Army, Navy, Air Force, or Marine Corps with jurisdiction over the installation.

(b) Definitions.—In this subsection:—

(1) "Withholding of incentive fees for landlords" shall be determined under the provisions of the Installation Military Housing Office defined in section 599.

(2) "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.

(3) "Civil engineer commander" means the commander of a military installation.

(4) "Armed Forces" includes the Army, Navy, Air Force, and Marine Corps.

(5) "Installation" means an on-base or off-base military installation.

(6) "Covered Area" means any area within an installation that is intended or reasonably expected to be occupied by residents, including that portion of an installation that is associated with the construction of or expansion of or renovation to a covered area.

(7) "Department" means the Department of Defense.

(8) "Secretary" means the Secretary of Defense, for purposes of this section 599 for the 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 Removal.

(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 conducting lead testing on the installation, subject to the approval of the Secretary; and

(B) the results of any lead testing conducted on a military installation shall be transmitted—

(i) in the case of a military installation located inside the United States, to—

(1) In the case of a military installation located inside the United States, to—

(I) the civil engineer commander of the installation;

(II) the housing management office of the installation;

(III) the major subordinate command of the Armed Forces with jurisdiction over the installation; and

(IV) if required by law, any relevant Federal, State, and local agencies; and

(ii) in the case of a military installation located outside the United States, to the civil engineer or commander of the installation who shall transmit those results to the major subordinate command of the United States Army, Navy, Air Force, or Marine Corps with jurisdiction over the installation.

(b) Definitions.—In this subsection:—

(1) "Withholding of incentive fees for landlords" shall be determined under the provisions of the Installation Military Housing Office defined in section 599.

(2) "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.

(3) "Civil engineer commander" means the commander of a military installation.

(4) "Armed Forces" includes the Army, Navy, Air Force, and Marine Corps.

(5) "Installation" means an on-base or off-base military installation.

(6) "Covered Area" means any area within an installation that is intended or reasonably expected to be occupied by residents, including that portion of an installation that is associated with the construction of or expansion of or renovation to a covered area.

(7) "Department" means the Department of Defense.

(8) "Secretary" means the Secretary of Defense, for purposes of this section 599 for the 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.
ed by adding at the end the following new section:

"268a. Annual reporting on lead-based paint in military housing

(a) Annual reports.—

(1) In general.—Not later than March 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 486 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 inspected under the alternative authority of subparagraph (C) of section 268a 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) Clerical amendment.—In this section, the term ‘military housing’ includes military family housing and military unaccompanied housing (as such term is defined in section 1057 of this title)."

SEC. 3052. SATISFACTION SURVEY FOR TENANTS OF MILITARY HOUSING

(a) In general.—Not later than March 1, 2020, the Secretary of Defense shall require that each installation of the Department of Defense conduct a satisfaction survey of tenants of military housing, which shall be an electronic survey with embedded privacy and security mechanisms.

(b) Alternative security mechanisms.—The privacy and security mechanisms used under subsection (a) may include a code unique to the tenant to be 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 and that 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 IN 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 environmental hazard while living in military housing.

(b) Availability of information.—The Secretary of Defense 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 to anchor any furniture, television, or large appliance to 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. TRANSMITTAL TO CONGRESS OF CERTAIN PAYMENTS FOR LESSORS OF PRIVATIZED MILITARY HOUSING

Paraphrase (3) of section 886(d) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2671 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."
(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 by striking “Plant” and inserting “National Security Campus”.

(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)(9)(A)(i), by striking “quadruplet nuclear defense review if such strategy has not been submitted” and inserting “national defense strategy”; and

(B) in subsection (e)(1)(A)(i), by striking “or the most recent nuclear defense review” and inserting “or the most recent national defense strategy”; and

(C) in subsection (f)—

(i) by striking paragraph (4); and

(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 strategy for 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) RESTRUCTURING INFRASTRUCTURE FOR NUCLEAR WEAPONS STOCKPILE.—Section 4212 of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended—

(A) in subsection (a)(1), in the matter preceding subparagraph (A), by striking “most recent” before “Nuclear Posture Review”;

(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 PROGRAMS.—

(A) IN GENERAL.—Section 4216 of the Atomic Energy Defense Act (50 U.S.C. 2526) is amended—

(i) in the section heading, by striking “LIFETIME” and inserting “LIFE”; and

(ii) by striking “lifetimes” each place it appears in the matter preceding subparagraph (A), by striking “most recent” before “Nuclear Posture Review”;

(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. 2528) 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-CYCLE COST ESTIMATES.—Section 4714(a) of the Atomic Energy Defense Act (50 U.S.C. 2754a) is amended—

(A) by striking “413.3” and inserting “413.3B”; and

(B) by inserting “, or a successor order,” after “assets”;

(7) DEFENSE 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 SECURITY ADMINISTRATION” and inserting “ADMINISTRATION”.

(B) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act (50 U.S.C. 2773d(d)(3)(B)) is amended by striking “413.3B” and inserting “413.3BB.”

SEC. 3111. 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 adopt the pay banding and performance-award system for the demonstration project carried out by the Administration under the authority provided by section 4708 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 the 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); and

“(B) ensure that significant changes in the system not take effect until revisions to the demonstration project plan 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 in 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.

“(g) APPLICATION TO NAVAL NUCLEAR PROPULSION PROGRAM.—The Director of the Naval Nuclear Propulsion Program established pursuant to section 3211 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 section (a)—

“(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 2109 of title 5, United States Code), if the employees in statutory excepted service systems.”

(b) BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of 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 3216 of the National Nuclear Security 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. 3112. 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 second sentence, by striking “AUTHORITY TO ESTABLISH” and inserting “ESTABLISHMENT OF”; and

(2) in the fourth 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 4311 of the Atomic Energy Defense Act (50 U.S.C. 2771) 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—

(1) to develop or build and maintain a facility or develop an advanced naval nuclear fuel system based on low-enriched uranium until the following certifications are submitted to the congressional committees:

(a) 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 Congress in support of the Department of Energy and the Secretary of the Navy that an advanced naval nuclear fuel system is required by a consent order at the United States.

(b) 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 CLEAN-UP MILESTONES REQUIRED BY CON- SENT 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 CLEAN-UP 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 CER- TAIN ASSESSMENTS RELATING TO NUCLEAR WEAPONS STOCKPILE.

Section 3255(b) of the National Security Administration Act (50 U.S.C. 2455(b)) is amended by striking “fiscal year 2018 or 2019” and inserting “fiscal years 2020 through 2023”.

SEC. 3123. REPEAL OF REQUIREMENT FOR RE- VIEWS RELATING TO ENHANCED PRO- CUREMENT AUTHORITY.

Section 406 of the Atomic Energy Defense Act (50 U.S.C. 2786) is amended—

(1) by redesignating subsection (e) and (2) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

SEC. 3124. DETERMINATION OF EFFECT OF TREA- TY OBLIGATIONS WITH RESPECT TO PRODUCING TRITIUM.

Not later than January 15, 2020, the Secretary of Energy shall—

(1) determine whether the Agreement for Cooperation on the Uses of Atomic Energy for Mutual Benefit, 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 DEN- SITY 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, radiative properties, 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 subsection (a).

(e) HIGH ENERGY DENSITY PHYSICS DEFINED.—In this section, the term ‘‘high energy density physics’’ means the physics of matter and radiation that—

(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 XXXX—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal years 2020 through 2024 $20,600,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1946 (42 U.S.C. 2286 et seq.).

SEC. 3202. IMPROVEMENT IN ADMINISTRATION AND ORGANIZATION OF DEFENSE NUC- CLEAR FACILITIES SAFETY BOARD.

(a) PROVISION OF INFORMATION TO BOARD.—Subsection (c) of section 311 of the Atomic Energy Act of 1946 (42 U.S.C. 2286(b)) is amended—

(1) in paragraph (1)(A), by striking ‘‘section 311(c)(7)’’ and inserting ‘‘section 311(c)(6)’’;

and

(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).’’.

(b) LIST OF CANDIDATES FOR NOMINATION.—Subsection (b) of section 311 of the Atomic Energy Act of 1946 (42 U.S.C. 2286) is amended by striking at the end the following new paragraph:

“(4) The President shall submit to the Senate the nomination of an individual to fill any vacancy on the Board described in subsection (a) at the expiration of the term of the individual so nominated.”.

(c) APPLICABILITY OF INTERNAL CONTROLS.—In this section, the term ‘‘high energy density physics’’ means the physics of matter and radiation that—

(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 XXXV—MARITIME ADMINISTRATION

SEC. 3501. MARITIME ADMINISTRATION.

Section 109 of title 49, United States Code, is amended to read as follows:

“49. Maritime Administration

(a) ORGANIZATION AND MISSION.—The Mar- itime 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) Maritime 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 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 Administrator and may have other regional offices as necessary. The Secretary shall appoint a qualified individual as Director of each regional office. The Administrator shall carry out appropriate activities and programs of the Maritime Administration through the regional offices.

(d) Duties and Powers Vested in Secretary.—All duties and powers of the Maritime Administration are vested in the Secretary.

(e) Regional Offices.—The Maritime Administration shall have regional offices for the Atlantic, Gulf, Great Lakes, and Pacific ports 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 regional 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 prior 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, or to the armed services, 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 basic pay, does not exceed the amount of basic pay plus that officer would have received if performing work the Secretary considers to be of similar importance, difficulty, and responsibility to 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 corporation 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 report to Congress any departure from this section or subtitle V of title 46. At least once a year, the Comptroller General shall report to Congress any departure 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 Administration may not exceed 3 percent.

(j) Authorization of Appropriations.—

(1) In General.—Except as otherwise provided 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 relating to the Maritime Administration.

(2) Limitations.—Only those amounts specifically authorized by law may be appropriated for the use of the Maritime Administration for—

(A) acquisition, construction, or reconstruction of vessels;

(B) construction—divisional subsidies incident to the construction, reconstruction, or reconditioning of vessels;

(C) cost of design features;

(D) payments of obligations incurred for operating—divisional 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 expenses;

(H) 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 section 7504(k) and 2575 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 (In Thousands of Dollars)

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<td>698,603</td>
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<td>AVIONICS SUPPORT EQUIPMENT</td>
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<td>COMMON GROUND EQUIPMENT</td>
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<td>41</td>
<td>AIRCrew INTEGRATED SYSTEMS</td>
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<td>48,255</td>
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<tr>
<td>42</td>
<td>AIR TRAFFIC CONTROL</td>
<td>32,738</td>
<td>32,738</td>
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<tr>
<td>43</td>
<td>LAUNCHER, 2/5 ROCKET</td>
<td>2,201</td>
<td>2,201</td>
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<tr>
<td>44</td>
<td>LAUNCHER GUIDED MISSILE: LONGHORN HELLFIRE XM2</td>
<td>991</td>
<td>991</td>
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<td>45</td>
<td>TOTAL AIRCRAFT PROCUREMENT, ARMY</td>
<td>3,696,429</td>
<td>3,680,429</td>
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MISSILE PROCUREMENT, ARMY

SURFACE-TO-AIR MISSILE SYSTEM

1 SYSTEM INTEGRATION AND TEST PROCUREMENT
   Transfer back to base funding | 0 | 113,857 |
2 M-SHORAD—PROCUREMENT
   Transfer back to base funding | 0 | 103,800 |
3 MSE MISSILE
   Transfer back to base funding | 0 | 686,603 |
4 INDIRECT FIRE PROTECTION CAPABILITY INC 2-I
   Full funding of Iron Dome battery | 0 | 239,237 |
   Transfer back to base funding | 0 | 229,900 |
5 THAAD
   Transfer back to base funding | 0 | 425,900 |

AIR-TO-SURFACE MISSILE SYSTEM

6 HELLFIRE SYS SUMMARY
   Transfer back to base funding | 0 | 193,284 |
7 JOINT AIR-TO-GROUND MSL (JAGM)
   Transfer back to base funding | 0 | 233,553 |

ANTI-TANK/ASSAULT MISSILE SYS

8 JAVELIN (AAWS-M) SYSTEM SUMMARY
   Transfer back to base funding | 0 | 138,405 |
9 TOW 2 SYSTEM SUMMARY
   Transfer back to base funding | 0 | 114,940 |
10 TOW 2 SYSTEM SUMMARY AP
   Transfer back to base funding | 0 | 105,900 |
11 GUIDED MLRS ROCKET (GMLRS)
   Transfer back to base funding | 0 | 297,213 |
12 MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)
   Transfer back to base funding | 0 | 27,555 |
13 ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM
   Transfer back to base funding | 0 | 209,842 |

MODIFICATIONS

16 PATRIOT MODS
   Transfer back to base funding | 0 | 279,464 |
17 ATACMS MODS
   Transfer back to base funding | 0 | 85,320 |
18 GMLRS MOD
   Transfer back to base funding | 0 | 5,094 |
19 STINGER MODS
   Transfer back to base funding | 0 | 81,615 |
20 AVENGER MODS
   Transfer back to base funding | 0 | 14,107 |
21 ITAS/TOW MODS
   Transfer back to base funding | 0 | 3,469 |
22 MLRS MODS
   Transfer back to base funding | 0 | 39,019 |
23 HIMARS MODIFICATIONS
   Transfer back to base funding | 0 | 12,483 |

SPARES AND REPAIR PARTS

24 SPARES AND REPAIR PARTS
   Transfer back to base funding | 0 | 26,444 |

SUPPORT EQUIPMENT & FACILITIES

25 AIR DEFENSE TARGETS
   Transfer back to base funding | 0 | 10,593 |

TOTAL MISSILE PROCUREMENT, ARMY | 0 | 3,863,497 |
## PROCUREMENT OF W&TVC, ARMY

### TRACKED COMBAT VEHICLES

<table>
<thead>
<tr>
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<th>Item</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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<tr>
<td>2</td>
<td>ARMORED MULTI PURPOSE VEHICLE (AMPV)</td>
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### MODIFICATION OF TRACKED COMBAT VEHICLES

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<td>3</td>
<td>STRYKER (MOD)</td>
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<td>STRYKER UPGRADE</td>
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<td>BRADLEY PROGRAM (MOD)</td>
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<td>M109 FOV MODIFICATIONS</td>
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<td>JOINT ASSAULT BRIDGE</td>
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<td>205,517</td>
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<td>ABRAMS UPGRADE PROGRAM</td>
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### EARLY TO NEED

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### WEAPONS & OTHER COMBAT VEHICLES

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<td>GUN AUTOMATIC 30MM M230</td>
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<td>MORTAR SYSTEMS</td>
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<td>XM620 GRENADE LAUNCHER MODULE (GLM)</td>
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<td>PRECISION SNIPER RIFLE</td>
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<td>7,977</td>
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<td>22</td>
<td>COMPACT SEMI-AUTOMATIC SNIPER SYSTEM</td>
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<td>23</td>
<td>CARBINE</td>
<td>30,331</td>
<td>30,331</td>
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<tr>
<td>24</td>
<td>SMALL ARMS—FIRE CONTROL</td>
<td>8,060</td>
<td>8,060</td>
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<td>25</td>
<td>COMMON REMOTELY OPERATED WEAPONS STATION</td>
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<td>26</td>
<td>HANDGUN</td>
<td>6,174</td>
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### MOD OF WEAPONS AND OTHER COMBAT VEH

<table>
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<th>Item</th>
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<td>3,737</td>
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<td>30</td>
<td>M4 CARBINE MODS</td>
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<td>2,367</td>
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<td>31</td>
<td>M240 MEDIUM MACHINE GUN MODS</td>
<td>17,595</td>
<td>17,595</td>
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<td>34</td>
<td>SNIPER RIFLES MODIFICATIONS</td>
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<td>2,426</td>
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<tr>
<td>35</td>
<td>M119 MODIFICATIONS</td>
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<td>36</td>
<td>MORTAR MODIFICATION</td>
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<tr>
<td>37</td>
<td>MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)</td>
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<td>4,327</td>
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### SUPPORT EQUIPMENT & FACILITIES

<table>
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<th>Item</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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</thead>
<tbody>
<tr>
<td>38</td>
<td>ITEMS LESS THAN $5.0M (WOCV-WTCV)</td>
<td>3,066</td>
<td>3,066</td>
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<tr>
<td>39</td>
<td>PRODUCTION BASE SUPPORT (WOCV-WTCV)</td>
<td>2,651</td>
<td>2,651</td>
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### TOTAL PROCUREMENT OF W&TVC, ARMY

<table>
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<th>Item</th>
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<tbody>
<tr>
<td></td>
<td>TOTAL PROCUREMENT OF W&amp;TVC, ARMY</td>
<td>4,715,566</td>
<td>4,889,766</td>
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## PROCUREMENT OF AMMUNITION, ARMY

### SMALL/MEDIUM CAL AMMUNITION

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</thead>
<tbody>
<tr>
<td>1</td>
<td>CTG, 5.56MM, ALL TYPES</td>
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<td>68,949</td>
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<tr>
<td>2</td>
<td>CTG, 7.62MM, ALL TYPES</td>
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<td>114,228</td>
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<tr>
<td>3</td>
<td>CTG, HANDGUN, ALL TYPES</td>
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<tr>
<td>4</td>
<td>CTG, .50 CAL, ALL TYPES</td>
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<td>5</td>
<td>CTG, 20MM, ALL TYPES</td>
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<td>CTG, 25MM, ALL TYPES</td>
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<td>CTG, 30MM, ALL TYPES</td>
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<td>CTG, 40MM, ALL TYPES</td>
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### MORTAR AMMUNITION

<table>
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<tr>
<td>9</td>
<td>60MM MORTAR, ALL TYPES</td>
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<td>10</td>
<td>81MM MORTAR, ALL TYPES</td>
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<td>11</td>
<td>120MM MORTAR, ALL TYPES</td>
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<td>125,452</td>
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### TANK AMMUNITION

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<td>12</td>
<td>CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES</td>
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<td>171,284</td>
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### ARTILLERY AMMUNITION

<table>
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<th>Item</th>
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</thead>
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<tr>
<td>13</td>
<td>ARTILLERY CARTRIDGES, 75MM &amp; 105MM, ALL TYPES</td>
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<td>14</td>
<td>ARTILLERY PROJECTILE, 155MM, ALL TYPES</td>
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<tr>
<td>15</td>
<td>PROJ 155MM EXTENDED RANGE M982</td>
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<td>57,434</td>
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<td>16</td>
<td>ARTILLERY PRIMERS, SUGS AND PRIMERS, ALL</td>
<td>0</td>
<td>271,802</td>
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### MINES
<table>
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<th>Item</th>
<th>FY 2020 Request</th>
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</thead>
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<tr>
<td>17</td>
<td>MINES &amp; CLEARING CHARGES, ALL TYPES</td>
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<td>ROCKETS</td>
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<td>RUDE, HYDRA 70, ALL TYPES</td>
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<td>OTHER AMMUNITION</td>
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<td>CAD/FAD, ALL TYPES</td>
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<td>TACTICAL VEHICLES</td>
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<td>NON-TACTICAL VEHICLES</td>
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## SEC. 4101. PROCUREMENT—SENATE

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** AIRCRAFT PROCUREMENT, NAVY **

** SECTION 1.011. PROCUREMENT **

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**WEAPONS PROCUREMENT, NAVY**

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**SUPPORT EQUIPMENT & FACILITIES**

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**STRATEGIC MISSILES**

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**TACTICAL MISSILES**

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**PROCUREMENT OF AMMO, NAVY & MC NAVY AMMUNITION**

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**AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST**

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PROCUREMENT, MARINE CORPS

TRACKED COMBAT VEHICLES

1. AAV7A1 PIP ...
2. AMPHIBIOUS COMBAT VEHICLE 1.1 ...
3. LAV PIP ...

ARTILLERY AND OTHER WEAPONS

4. 155MM LIGHTWEIGHT TOWED HOWITZER ...
5. ARTILLERY WEAPONS SYSTEM ...
6. WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION ...

OTHER SUPPORT

7. MODIFICATION KITS ...
8. GUIDED MISSILES ...
9. GROUND BASED AIR DEFENSE ...
10. ANTI-ARMOR MISSILE-JAVELIN ...
11. FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS) ...
12. GUIDED MLRS ROCKET (GMLRS) ...
13. COMMAND AND CONTROL SYSTEMS ...
14. REPAIR AND TEST EQUIPMENT ...
15. REPAIR AND TEST EQUIPMENT (NON-TEL) ...
16. OTHER SUPPORT (TEL) ...
17. OTHER SUPPORT (NON-TEL) ...

INTELL/COMM EQUIPMENT (Non-Tel)

21. GES/MC ...
22. FIRE SUPPORT SYSTEM ...
23. INTELLIGENCE SUPPORT EQUIPMENT ...
25. UNMANNED AIR SYSTEMS (INTEL) ...
26. DCES-MC ...

MATERIALS HANDLING

30. NEXT GENERATION ENTERPRISE NETWORK (NGEN) ...
31. COMMON COMPUTER RESOURCES ...
32. COMMAND POST SYSTEMS ...
33. RADIO SYSTEMS ...
34. COMM SWITCHING & CONTROL SYSTEMS ...
35. COMM & ELECTRIC INFRASTRUCTURE SUPPORT ...
36. OTHER SPACE ACTIVITIES ...

CLASSIFIED PROGRAMS

37. COMMERCIAL CARGO VEHICLES ...
38. MOTOR TRANSPORT MODIFICATIONS ...
39. JOINT LIGHT TACTICAL VEHICLE ...
40. FAMILY OF TACTICAL TRAILERS ...

ENGINEER AND OTHER EQUIPMENT

41. ENVIRONMENTAL CONTROL EQUIP ASSORT ...
42. TACTICAL FUEL SYSTEMS ...
43. POWER EQUIPMENT ASSORTED ...
44. AMPHIBIOUS SUPPORT EQUIPMENT ...
45. EOD SYSTEMS ...

OTHER SUPPORT

50. ULTRA-LIGHT TACTICAL VEHICLE (ULTV) ...
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### SEC. 4102. PROCUREMENT FOR OVERSEAS CON-TINGENCY OPERATIONS.

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**MISSILE PROCUREMENT, ARMY**

**CURRENT POSITION**

- **AIRCRAFT PROCUREMENT, ARMY**
  - **FV**
    - MQ-1 UAV: 54,000
  - **ROTARY**
    - CH-47 HELICOPTER: 25,000
- **MODIFICATION OF AIRCRAFT**
  - MULTI SENSOR ABN RECON (MIP): 80,260
  - GBCS SEMA MODS (MIP): 750
  - EMARSS SEMA MODS (MIP): 22,180
  - UTILITY CARGO AIRPLANE MODS: 8,362
- **NETWORK AND MISSION PLAN**
  - 10
- **DEGRADED VISUAL ENVIRONMENT**
  - 49,450
- **CBP MODIFICATION**
  - 130,219
- **COMMON INFRARED COUNTERMEASURES (CIRCM)**
  - 9,310
- **LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2**
  - 2,000
- **TOTAL AIRCRAFT PROCUREMENT, ARMY:** 381,541

**CLASSIFIED PROGRAMS**


**Transfer back to base funding**

- 5,000 (2020)

**TOTAL PROCUREMENT, DEFENSE-WIDE**


**TOTAL PROCUREMENT**

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OTHER PROCUREMENT, ARMY

TACTICAL VEHICLES

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COMM—SATELLITE COMMUNICATIONS

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COMM—COMMUNICATIONS
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**PROCUREMENT OF AMMO, NAVY & MC**

**NAVY AMMUNITION**

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TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)

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## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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### SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES

2,929,355 3,135,565

### SYSTEM DEVELOPMENT & DEMONSTRATION

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Poor business process reengineering

(In Thousands of Dollars)

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Program duplication

Iron Dome testing and delivery

UPL Multi-Domain Artillery

GROUNDBALLISTICS

Army requested realignment

EMAM development ahead of need

NATIONAL CAPABILITIES INTEGRATION (MIP)

JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.

Aircrew training equipment

AVIATION GROUND SUPPORT EQUIPMENT

TROJAN—RH2

ELECTRONIC WARFARE DEVELOPMENT

SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION

RDT&E MANAGEMENT SUPPORT

Threat Simulator Development

Cybersecurity threat simulation

TARGET SYSTEMS DEVELOPMENT

MAJOR T&E INVESTMENT

RAND ARROYO CENTER

ARMY KWAJALEIN ATOLL

CONCEPTS EXPERIMENTATION

ARMY TEST RANGES AND FACILITIES

Directed energy test capabilities

ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS

SURVIVABILITY/LETHALITY ANALYSIS

AIRCRAFT CERTIFICATION

METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES

SUBTOTAL RDT&E MANAGEMENT SUPPORT
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### OPERATIONAL SYSTEMS DEVELOPMENT

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### SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT

**1,978,826**  
**2,005,926**

### RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY

#### BASIC RESEARCH

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#### APPLIED RESEARCH

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**SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT** 742,210 741,210

**ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES**

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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Additive manufacturing logistics software pilot (9,000)

84. **Rapid Technology Capability Prototype**
   - 4,558

85. **Advanced Components**
   - 181,967

86. **Advanced Undersea Prototyping**
   - 5,000

87. **Counter Unmanned Aircraft Systems (C-UAS)**
   - 5,000

88. **Precision Strike Weapons Development Program**
   - 718,148

Increase for SLCM-N AOA (5,000)

89. **Space and Electronic Warfare (SEW) Architecture/Engineering Support**
   - 5,263

90. **Offensive Anti-Surface Warfare Weapon Development**
   - 57,110

91. **ASW Systems Development—MIP**
   - 5,000

92. **Advanced Tactical Unmanned Aircraft System**
   - 21,157

93. **Electronic Warfare Development—MIP**
   - 609

**SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES**

5,559,062

5,275,962

**SYSTEM DEVELOPMENT & DEMONSTRATION**

96. **Training System Aircraft**
   - 15,514

97. **Other Helo Development**
   - 28,835

98. **AV-8B Aircraft—ENG Dev**
   - 27,441

99. **STDARDS DEVELOPMENT**
   - 3,642

100. **Multi-Mission Helicopter Upgrade Development**
    - 19,196

101. **Warfare Support System**
    - 20,911

102. **Tactical Command System**
    - 77,232

103. **Advanced Hawkeye**
    - 33,797

104. **H-1 Upgrades**
    - 65,359

105. **Acoustic Search Sensors**
    - 47,013

106. **V-22A**
    - 190,605

Increase reliability and reduce vibrations of V-22 Nacelles (5,000)

107. **Air Crew Systems Development**
    - 21,172

108. **EA-18**
    - 143,585

109. **Executive Helo Development**
    - 187,436

110. **Next Generation Jammer (NGJ)**
    - 524,261

111. **Joint Tactical Radio System—NAVY (JTRS-NAVY)**
    - 192,345

112. **Joint Electronic Warfare Development**
    - 113,068

113. **Surface Combatant Combat System Engineering**
    - 415,625

114. **LDP-17 Class Systems Integration**
    - 650

115. **Small Diameter Bomb (SDB)**
    - 50,096

116. **Standard Missiles**
    - 233,414

117. **Airborne MCM**
    - 10,916

118. **Naval Integrated Fire Control—Counter Air Systems Engineering**
    - 33,379

119. **Advanced Above Water Sensors**
    - 34,554

120. **Fire Control**
    - 84,683

121. **Air Control**
    - 44,923

122. **Shipboard Avionics Systems**
    - 10,632

123. **COMBAT INFORMATION CENTER CONVERSION**
    - 14,076

124. **Air and Missile Defense**
    - 55,349

125. **Advanced Arresting Gear (AAG)**
    - 123,490

126. **New Design SSN**
    - 121,010

127. **Submarine Tactical Warfare System**
    - 62,426

128. **Ship Contract Design/ Live Fire T&E**
    - 46,809

129. **Navy Tactical Computer Resources**
    - 3,692

130. **Mine Development**
    - 28,964

131. **UPL Quickstrike JDAM ER**
    - 131,287

132. **Lightweight Torpedo Development**
    - 148,349

133. **Joint Service Explosive Ordnance Development**
    - 8,237

134. **USMC Ground Combat/Supporting Arms Systems—Eng Dev**
    - 22,000

135. **Personnel, Training, Simulation, and Human Factors**
    - 5,500

136. **Joint Standoff Weapon Systems Increment II**
    - 18,725

137. **Ship Self Defense (Detect & Control)**
    - 192,603

    - 137,268

139. **Ship Self Defense (Engage: Soft Kill/EW)**
    - 97,363

140. **Inertial Navigation Systems**
    - 26,710

141. **Medical Development**
    - 8,181

142. **Navigation/ID System**
    - 40,755

143. **Joint Strike Fighter (JSF)—EMD**
    - 1,710

144. **Joint Strike Fighter (JSF)—EF**
    - 1,490

145. **Information Technology Development**
    - 1,494

146. **Information Technology Development**
    - 384,162
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### SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION

- **6,332,033**
- **6,358,393**

### MANAGEMENT SUPPORT

171  0604256N  THREAT SIMULATOR DEVELOPMENT  66,678  66,678
172  0604258N  TARGET SYSTEMS DEVELOPMENT  12,027  12,027
173  060739N  MAJOR T&E INVESTMENT  85,348  85,348
174  0605154N  CENTER FOR NAVAL ANALYSES  9,398  9,398
175  0603285N  NEXT GENERATION FIGHTER  20,698  20,698
176  060894N  TECHNICAL INFORMATION SERVICES  988  988
177  060656N  MANAGEMENT TECHNICAL & INTERNATIONAL SUPPORT  102,401  102,401
178  060865N  STRATEGIC TECHNICAL SUPPORT  3,742  3,742
179  060863N  RDT&E SHIP AND AIRCRAFT SUPPORT  93,872  93,872
180  060864N  TEST AND EVALUATION SUPPORT  394,020  394,020
181  060569N  OPERATIONAL TEST AND EVALUATION SUPPORT  24,145  24,145
182  060866N  NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT  15,773  15,773
183  060867N  SEW SURVEILLANCE/RECONNAISSANCE SUPPORT  8,402  8,402
184  060870N  MARINE CORPS PROGRAM WIDE SUPPORT  37,265  37,265
185  060898N  MANAGEMENT HQ—R&D  39,673  39,673
186  060835N  WARFARE INNOVATION MANAGEMENT  28,750  28,750
187  030327N  INSIDER THREAT  2,645  2,645
188  002188N  MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES)  1,460  1,460

**SUBTOTAL MANAGEMENT SUPPORT** 990,464 990,464

### OPERATIONAL SYSTEMS DEVELOPMENT

201  0604227N  HARPON MODIFICATIONS  2,302  2,302
202  060480M  F–35 C/D2  422,881  422,881
203  060480N  F–35 C/D2  383,741  383,741
204  060768N  COOPERATIVE ENGAGEMENT CAPABILITY (CEC)  127,924  127,924
205  0605152N  STUDIES AND ANALYSIS SUPPORT—NAVY  9,398  9,398
206  0605224N  TACTICAL IMITATION WARRIOR UNIVERSITY  157,976  157,976
207  0601224N  SSBN SECURITY TECHNOLOGY PROGRAM  43,354  43,354
208  0601226N  SUBMARINE ACOUSTIC WARFARE DEVELOPMENT  6,815  6,815
209  0601402N  NAVY STRATEGIC COMMUNICATIONS  31,174  31,174
210  060502N  F/A–18 SQUADRONS  218,715  218,715
211  0604228N  SURFACE SUPPORT  36,389  36,389
212  024229N  TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (MPMC)  320,134  320,134
213  030411N  INTEGRATED SURVEILLANCE SYSTEM  88,382  103,382
214  030432N  ME–8 ADGAP  85,973  85,973
215  0305192N  MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES  8,913  8,913
216  0303140N  INFORMATION SYSTEMS SECURITY PROGRAM  41,853  41,853
217  030661M  AMPHIBIOUS ASSAULT VEHICLE  5,476  5,476
218  030161N  TACTICAL AIR MISSILES  19,488  19,488
219  030163N  ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)  39,029  39,029
220  030162N  SEEKER/GUIDANCE COMSULES  34,141  34,141
221  0303138N  CONSOLIDATED ALOAFT NETWORK ENTERPRISE SERVICES (CANES)  22,873  22,873
222  0303140N  INFORMATION SYSTEMS SECURITY PROGRAM  41,853  41,853
223  0303120N  MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES  8,913  8,913
224  0303128N  TACTICAL AIR MISSILE UNIFIED ARMED VEHICLES  9,451  9,451
225  030205N  UAS INTEGRATION AND INTEROPERABILITY  42,315  42,315
226  0305205N  UAS INTEGRATION AND INTEROPERABILITY  22,042  22,042

### ADDITIONAL TRAPS units

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### TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY

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### RESEARCH, DEVELOPMENT, TEST & EVAL, AF

#### BASIC RESEARCH

1. **DEFENSE RESEARCH SCIENCES**
   - Applied material, high energy x-ray...
   - Duplicative material research...
   - Reduce program growth...
   - Human effectiveness applied research...
   - Aerospace propulsion...
   - Aerospace sensors...
   - Science and technology management—major headquarters activities...
   - Conventional munitions...
   - Directed energy technology...
   - Dominant information sciences and methods...
   - Counter UAS cyber...
   - Cyberspace dominance technology research...
   - Quantum science...

2. **HIGH ENERGY LASER RESEARCH**
   - High power microwave research...

#### SUBTOTAL APPLIED RESEARCH

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### ADVANCED TECHNOLOGY DEVELOPMENT

1. **ADVANCED MATERIALS FOR WEAPON SYSTEMS**
   - Advanced composite materials research...
   - Airframe head-up display program...
   - Active airbag system development...
   - Active winglets development...
   - Advanced Personnel Recovery...
   - LCAAT...

2. **AEROSPACE PROPULSION AND POWER TECHNOLOGY**
   - Advanced turbine engine gas generator...

3. **ELECTRONIC COMBAT TECHNOLOGY**
   - Duplicative EW & PNT research...

4. **ADVANCED SPACECRAFT TECHNOLOGY**
   - Advanced radiation hardened microelectronics processors...

5. **MAUL SPACE SURVEILLANCE SYSTEM (MSSS)**
   - Advanced weapons technology...

6. **BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION**
   - Cyber applied research...

#### SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT

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### ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES

1. **INTELLIGENCE ADVANCED DEVELOPMENT**
2. **COMBAT IDENTIFICATION TECHNOLOGY**
3. **NATO RESEARCH AND DEVELOPMENT**
4. **INTERCONTINENTAL BALLISTIC MISSILE—DEMIGOD**
5. **AIR FORCE WEATHER SERVICES RESEARCH**
6. **ADVANCED ENGINE DEVELOPMENT**
7. **LONG RANGE STRIKE—BOMBER**
8. **DIRECTED ENERGY PROTOTYPING**
9. **HYPERSONICS PROTOTYPING**
10. **PNT RESILIENCY, MODS, AND IMPROVEMENTS**

### CLASSIFIED PROGRAMS

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### SYSTEM DEVELOPMENT & DEMONSTRATION

73 0604200F FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS 246,200 97,120
74 0604201F PM RESILIENCY, MODS, AND IMPROVEMENTS 67,782 148,782

75 0604222F NUCLEAR WEAPONS SUPPORT 4,406 4,406
76 0604270F ELECTRONIC WARFARE DEVELOPMENT 2,066 2,066
77 0604261F TACTICAL DATA ENTERPRISE SYSTEMS 229,631 229,631
78 0604287F PHYSICAL SECURITY EQUIPMENT 9,700 9,700
79 0604329F SMALL DIAMETER BOMB (SDB)—EMD 31,241 31,241
80 0604429F AIRBORNE ELECTRONIC ATTACK 2 2
81 0604509F ARMAMENT DEVELOPMENT 28,043 28,043
82 0604601F SUBMUNITIONS 3,045 3,045
83 0604617F AGILE COMBAT SUPPORT 19,944 19,944
84 0604706F LIFE SUPPORT SYSTEMS 8,624 8,624
85 0604725F COMBAT TRAINING RANGES 37,355 37,355
86 0604790F F-35—EMD 7,628 7,628
87 0604923F LONG RANGE STANDOFF WEAPON 712,539 712,539
88 0604933F ICBM FUZE MODERNIZATION 161,199 161,199
89 0605020F JOINT TACTICAL NETWORK CENTER (JTN) 2,414 2,414
90 0605056F OPEN ARCHITECTURE MANAGEMENT 30,000 30,000
91 0605221F KC-46 59,561 59,561
92 0605233F ADVANCED PILOT TRAINING 348,473 348,473
93 0605229F COMBAT RESCUE HELICOPTER 247,047 247,047
94 0605931F B-2 DEFENSIVE MANAGEMENT SYSTEM 294,400 294,400
95 0101125F NUCLEAR WEAPONS MODERNIZATION 27,564 27,564
96 0101213F MINUTEMAN SQUADRONS 1 1
97 0102119F F-15 IPAWS 47,392 47,392
98 0207328F STAND IN ATTACK WEAPON 162,840 162,840
99 0207701F FULL COMBAT MISSION TRAINING 9,797 9,797
100 0401319F C-32 EXECUTIVE TRANSPORT RECAPITALIZATION 9,830 9,830
101 0401319F VC-25 757,923 757,923
102 0701212F AUTOMATED TEST SYSTEMS 2,787 2,787
103 1203176F COMBAT SURVIVOR EVADER LOCATOR 2,000 2,000
104 1203369F GPS III FOLLOW-ON (GPS III) 462,875 462,875
105 1203420F SHIP MOUNTED RADAR SYSTEMS 76,829 76,829
106 1204212F COUNTERSPACE SYSTEMS 29,037 29,037
107 1204222F WEATHER SYSTEM FOLLOW-ON 2,237 2,237
108 1204235F SPACE SITUATION AWARENESS SYSTEMS 412,894 412,894
109 1204263F SPACE FENCE 20,000 20,000
110 1204313F ADVANCED EHF MILSATCOM (SPACE) 117,290 117,290
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**SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION** | 6,929,244 | 6,881,164 |

**MANAGEMENT SUPPORT**

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Accelerate prototype program
Facilitated test and evaluation

**SUBTOTAL MANAGEMENT SUPPORT** | 2,916,571 | 3,021,571 |

**OPERATIONAL SYSTEMS DEVELOPMENT**

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Poor agile development

**SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | 70,083 | 70,083 |

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

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program delay

**SUBTOTAL MANAGEMENT SUPPORT** | 126,961 | 126,961 |

Program consolidation

**SEC. 4202. ACQUISITION**

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**SUBTOTAL MANAGEMENT SUPPORT** | 3,021,571 | 3,021,571 |
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Accelerate prototype test of 5G

Not mature plan (–19,000)

| 220  | 0208087F | DISTRIBUTED CYBER WARFARE OPERATIONS | 35,178 | 35,178 |
| 221  | 0208098F | AF DEFENSIVE CYBERSPACE OPERATIONS | 16,609 | 16,609 |
| 222  | 0208097F | JOINT CYBER COMMAND AND CONTROL (JCC2) | 11,603 | 11,603 |
| 223  | 0208099F | UNIFIED PLATFORM (UP) | 84,702 | 84,702 |
| 224  | 0300104F | ADVANCED DATA TRANSPORT FLIGHT TEST | 0 | 21,000 |

Accelerate prototype test of 5G

Not mature plan (–19,000)

| 220  | 0208087F | DISTRIBUTED CYBER WARFARE OPERATIONS | 35,178 | 35,178 |
| 221  | 0208098F | AF DEFENSIVE CYBERSPACE OPERATIONS | 16,609 | 16,609 |
| 222  | 0208097F | JOINT CYBER COMMAND AND CONTROL (JCC2) | 11,603 | 11,603 |
| 223  | 0208099F | UNIFIED PLATFORM (UP) | 84,702 | 84,702 |
| 224  | 0300104F | ADVANCED DATA TRANSPORT FLIGHT TEST | 0 | 21,000 |

Accelerate prototype test of 5G

Not mature plan (–19,000)
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**SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT**  
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**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF**  
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**RESEARCH, DEVELOPMENT, TEST & EVAL, DW**

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**SUBTOTAL BASIC RESEARCH**  
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**APPLIED RESEARCH**

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**SUBTOTAL APPLIED RESEARCH**  
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**ADVANCED TECHNOLOGY DEVELOPMENT**

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Program reduction [7,500]

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Program reduction [0]

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SERDP | [10,000]
June 24, 2019

S4345

CONGRESSIONAL RECORD — SENATE

SSpencer on DSKBBXCHB2PROD with SENATE

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)
Line

Program
Element

Item

52
53
54
55
56
57
58
59
60
61
62
63

0603720S
0603727D8Z
0603739E
0603760E
0603766E
0603767E
0603769D8Z
0603781D8Z
0603826D8Z
0603833D8Z
0603924D8Z
0603941D8Z

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65
66
68
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0303310D8Z
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JOINT WARFIGHTING PROGRAM .............................................................................................
ADVANCED ELECTRONICS TECHNOLOGIES ...........................................................................
COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS .....................................................
NETWORK-CENTRIC WARFARE TECHNOLOGY .......................................................................
SENSOR TECHNOLOGY ..............................................................................................................
DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT ................................
SOFTWARE ENGINEERING INSTITUTE ...................................................................................
QUICK REACTION SPECIAL PROJECTS ...................................................................................
ENGINEERING SCIENCE & TECHNOLOGY ................................................................................
HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM ...............................................
TEST & EVALUATION SCIENCE & TECHNOLOGY ...................................................................
Program increase to support NDS technologies ....................................................................
NATIONAL SECURITY INNOVATION NETWORK ......................................................................
OPERATIONAL ENERGY CAPABILITY IMPROVEMENT .........................................................
CWMD SYSTEMS ........................................................................................................................
SOF ADVANCED TECHNOLOGY DEVELOPMENT .....................................................................
SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT ...............................
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0603600D8Z
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79

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0603882C
0603884BP
0603884C
0603890C
0603891C

80
81

0603892C
0603896C

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0603898C
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0603913C
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0604016D8Z
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97

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98

0604331D8Z

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VerDate Sep 11 2014

FY 2020
Request

ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES
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ESTCP ...................................................................................................................................
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BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT ...........................................
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05:57 Jun 25, 2019

Jkt 089060

PO 00000

Frm 00149

Fmt 0624

Sfmt 0634

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### (In Thousands of Dollars)

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Transfer back to base funding: 426,000

**SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT** | 5,832,398 | 6,345,698

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW** | 24,346,953 | 25,060,253

### SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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**SYSTEM DEVELOPMENT & DEMONSTRATION**
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### SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)

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### SEC. 4301. OPERATION AND MAINTENANCE

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### SEC. 4301. OPERATING FORCES

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### 4301. Operation and Maintenance (In Thousands of Dollars)

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### SEC. 4301. OPERATION AND MAINTENANCE

#### Defense-Wide (In Thousands of Dollars)

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#### Miscellaneous Appropriations

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#### Subtotal Miscellaneous Appropriations

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#### Defense-Wide (In Thousands of Dollars)

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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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### SECTION 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

Transfer back to base funding: 
- [–533,015]
- [–716,356]
- [–119,517]
- Foreign currency fluctuation fund reduction: [–607,000]
- JROTC: [25,000]
- Transfer back to base funding: 
  - [–8,000]
  - [–1,232,477]
  - [–1,633,327]
  - [–3,474,284]
  - [–8,047,933]
  - [–1,633,327]
  - [–3,474,284]

Transfer back to base funding: 0
Transfer back to base funding: 
- [–1,633,327]
- [–1,633,327]
- [–3,474,284]
- [–8,047,933]
- [–1,633,327]
- [–3,474,284]
- [–8,047,933]
- [–1,633,327]
- [–3,474,284]
- [–8,047,933]

Transfer back to base funding: 
- [–1,633,327]
- [–3,474,284]
- [–8,047,933]
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TOTAL OPERATION & MAINTENANCE, ARMY RES

OPERATION & MAINTENANCE, ARNG OPERATING FORCES

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ADMIN & SRVWD ACTIVITIES

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TOTAL AFGHANISTAN SECURITY FORCES FUND

AFGHAN NATIONAL ARMY

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AFGHAN NATIONAL POLICE

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AFGHAN AIR FORCE

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TOTAL AFGHANISTAN SECURITY FORCES FUND

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OPERATION & MAINTENANCE, NAVY OPERATING FORCES

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**TOTAL OPERATION & MAINTENANCE, AIR FORCE**

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**OPERATING FORCES**

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### SEC. 4401. MILITARY PERSONNEL

**OPERATION AND MAINTENANCE, DEFENSE-WIDE**

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**SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS**

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**TITLE XLIV—MILITARY PERSONNEL**
## MILITARY PERSONNEL

### MILITARY PERSONNEL APPROPRIATIONS

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### TITLE XLV—OTHER AUTHORIZATIONS

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## SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
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**SUBTOTAL ARMY** ........................................................................................................ 1,453,499 1,256,999

**TITLE XLVI—MILITARY CONSTRUCTION**

**SEC. 4601. MILITARY CONSTRUCTION**

(In Thousands of Dollars)
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**SUBTOTAL NAVY** 2,805,743 2,884,782

### AIR FORCE

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**SUBTOTAL AIR FORCE** .................................................................................. 2,179,230 1,718,830

**DEFENSE-WIDE**

California

- Beale AFB: Hydrant Fuel System Replacement ........................................ 33,700 33,700
- Camp Pendleton: Ambulatory Care Center/Dental Clinic Replacement .......... 17,700 17,700
- Mountain View—63 RSC: Install Microgrid Controller, 750 Kw PV, and 750 Kwh Battery Storage 0 9,700

Florida

- Eglin AFB: SOF Combined Squadron Ops Facility .................................... 16,500 16,500
- Hurlburt Field: SOF Maintenance Training Facility ................................ 18,950 18,950
- Hurlburt Field: SOF AMU & Weapons Hangar ........................................ 72,923 72,923
- Hurlburt Field: SOF Combined Squadron Operations Facility .................. 16,513 16,513
- Key West: SOF Watercraft Maintenance Facility .................................... 16,000 16,000

Florida

- Geilenkirchen AB: Ambulatory Care Center/Dental Clinic ....................... 30,479 30,479
- Ramstein: Landstuhl Elementary School ............................................ 0 66,800
- Guam: Xray Wafr Refueling Facility .................................................. 19,200 19,200
- Guam: NSA Andersen Smart Grid and ICS Infrastructure 0 16,970
- Joint Base Pearl Harbor-Hickam (JBPHH): Install 500kw Covered Parking PV System & Electric Vehicle Charging Stations B479 0 4,000

Japan

- Yokosuka: Kinnick High School Inc 2 .................................................. 130,386 10,000
- Yokota AB: Pacific East District Superintendent’s Office .................... 20,106 20,106
- Yokota AB: Bulk Storage Tanks PH .................................................... 116,305 21,000

Maryland

- Bethesda Naval Hospital: MEDCEN Addition/Alteration Incr 3 ............... 96,900 96,900
- Fort Detrick: Medical Research Acquisition Building .......................... 27,846 27,846
- Fort Meade: NSA Reappraise Building/CAP Inc 2 .................................. 420,000 420,000
- NSA Bethesda: Chiller 3-9 Replacement ........................................... 13,840 0
- South Potomac: IH Water Project—CBIRF/HEDOTD/Housing ..................... 0 4,000

Subtotal Defense-Wide: 2,179,230 1,718,830
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ARMY NATIONAL GUARD
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**AIR NATIONAL GUARD**

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**ARMY RESERVE**

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### SEC. 4601. MILITARY CONSTRUCTION

#### (In Thousands of Dollars)

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### SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS

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<td><strong>ARMY NATIONAL GUARD</strong></td>
<td></td>
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<tr>
<td>Army National Guard</td>
<td>Florida</td>
<td>National Guard Readiness Center</td>
<td>0</td>
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<tr>
<td>Panama City</td>
<td>Administrative Building, General Purpose</td>
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<tr>
<td>North Carolina</td>
<td></td>
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<tr>
<td><strong>SUBTOTAL ARMY NATIONAL GUARD</strong></td>
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<tr>
<td><strong>TOTAL MILITARY CONSTRUCTION</strong></td>
<td></td>
<td></td>
<td>9,844,526</td>
<td>6,783,187</td>
</tr>
<tr>
<td><strong>TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC</strong></td>
<td></td>
<td></td>
<td>9,844,526</td>
<td>6,783,187</td>
</tr>
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</table>

### Nuclear Energy

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discretionary Summary by Appropriation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy and Water Development and Related Agencies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appropriation Summary:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy Programs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nuclear energy</td>
<td>137,808</td>
<td>137,808</td>
</tr>
<tr>
<td>Atomic Energy Defense Activities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National nuclear security administration:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National nuclear security administration:</td>
<td>434,699</td>
<td>422,999</td>
</tr>
<tr>
<td>Weapons activities</td>
<td>12,408,603</td>
<td>12,478,403</td>
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<tr>
<td>Defense nuclear nonproliferation</td>
<td>1,983,302</td>
<td>1,964,202</td>
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<tr>
<td>Naval reactors</td>
<td>1,648,396</td>
<td>1,648,396</td>
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<td>Total, National nuclear security administration</td>
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<td>16,514,000</td>
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<td>Environmental and other defense activities:</td>
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<tr>
<td>Defense environmental cleanup</td>
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<td>Other defense activities</td>
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<td>Defense nuclear waste disposal (90M in 270 Energy)</td>
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<td>Total, Environmental &amp; other defense activities</td>
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<td>Total, Atomic Energy Defense Activities</td>
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<td>Total, Discretionary Funding</td>
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<td>Nuclear Energy</td>
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<tr>
<td>Idaho sitewide safeguards and security</td>
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<td><strong>Total, Nuclear Energy</strong></td>
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<tr>
<th>Federal Salaries and Expenses</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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<tr>
<td>Program direction</td>
<td>434,699</td>
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<tr>
<td>Alignment with FTEs authorized</td>
<td>(~11,700)</td>
<td>(3,041,186)</td>
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<thead>
<tr>
<th>Weapons Activities</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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<tbody>
<tr>
<td>Directed stockpile work</td>
<td></td>
<td></td>
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<tr>
<td>Life extension programs and major alterations</td>
<td></td>
<td></td>
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<tr>
<td>B61 Life extension program</td>
<td>792,611</td>
<td>792,611</td>
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<tr>
<td>W76 Life extension program</td>
<td>0</td>
<td>0</td>
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<tr>
<td>W76-2 Modification program</td>
<td>10,000</td>
<td>10,000</td>
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<tr>
<td>W88 Alteration program</td>
<td>304,186</td>
<td>304,186</td>
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<tr>
<td>W80-4 Life extension program</td>
<td>898,551</td>
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<tr>
<td>IW1</td>
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</table>
### Research, development, test, and evaluation (RDT&E)

#### Total, Construction

<table>
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<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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<tbody>
<tr>
<td>W87-1 Modification Program (formerly IW1)</td>
<td>112,011</td>
<td>112,011</td>
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<tr>
<td><strong>Total, Life extension programs and major alterations</strong></td>
<td>2,117,359</td>
<td>2,117,359</td>
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<tr>
<td><strong>Stockpile systems</strong></td>
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<tr>
<td>B61 Stockpile systems</td>
<td>71,232</td>
<td>71,232</td>
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<tr>
<td>W76 Stockpile systems</td>
<td>89,904</td>
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<tr>
<td>W78 Stockpile systems</td>
<td>81,299</td>
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<tr>
<td>W80 Stockpile systems</td>
<td>85,811</td>
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<tr>
<td>BS5 Stockpile systems</td>
<td>51,543</td>
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<tr>
<td>W77 Stockpile systems</td>
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<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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<tr>
<td><strong>Total, Stockpile systems</strong></td>
<td>635,766</td>
<td>635,766</td>
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<tr>
<td><strong>Weapons dismantlement and disposition</strong></td>
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<td>Operations and maintenance</td>
<td>47,500</td>
<td>47,500</td>
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<tr>
<td><strong>Stockpile services</strong></td>
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<td></td>
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<tr>
<td>Production support</td>
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<td>543,964</td>
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<tr>
<td>Research and development support</td>
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<td>40,339</td>
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<td>R&amp;D certification and safety</td>
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<td><strong>Total, Stockpile services</strong></td>
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<td>1,135,538</td>
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<tr>
<td><strong>Strategic materials</strong></td>
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<tr>
<td>Uranium sustainment</td>
<td>94,146</td>
<td>94,146</td>
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<tr>
<td>Plutonium sustainment</td>
<td>0</td>
<td>0</td>
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<tr>
<td><strong>Total, Plutonium sustainment</strong></td>
<td>94,146</td>
<td>94,146</td>
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<tr>
<td>Tritium sustainment</td>
<td>269,000</td>
<td>269,000</td>
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<tr>
<td>Domestic uranium enrichment</td>
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<tr>
<td>Lithium sustainment</td>
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<td>28,800</td>
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<td><strong>Total, Strategic materials</strong></td>
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<td>1,501,194</td>
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<tr>
<td><strong>Total, Directed stockpile work</strong></td>
<td>5,426,357</td>
<td>5,457,357</td>
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### Research, development, test, and evaluation (RDT&E)

#### Total, Engineering

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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</thead>
<tbody>
<tr>
<td>Enhanced simulation and computing</td>
<td>789,849</td>
<td>789,849</td>
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<tr>
<td><strong>Total, Advanced simulation and computing</strong></td>
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#### Inertial confinement fusion ignition and high yield

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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</thead>
<tbody>
<tr>
<td>Ignition and other stockpile programs</td>
<td>55,649</td>
<td>55,649</td>
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<tr>
<td>Ignition</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Support of other stockpile programs</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Diagnostics, cryogenics and experimental support</td>
<td>66,128</td>
<td>66,128</td>
</tr>
<tr>
<td>Pulsed power inertial confinement fusion</td>
<td>8,571</td>
<td>8,571</td>
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<tr>
<td>Joint program in high energy density laboratory plasmas</td>
<td>12,000</td>
<td>12,000</td>
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<tr>
<td><strong>Total, Inertial confinement fusion and high yield</strong></td>
<td>480,595</td>
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</table>

#### Engineering

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
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<tbody>
<tr>
<td>Enhanced surety</td>
<td>46,500</td>
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<tr>
<td>UFR list—technology maturation</td>
<td>0</td>
<td>(8,000)</td>
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<tr>
<td><strong>Total, Engineering</strong></td>
<td>233,954</td>
<td>282,754</td>
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</table>
### Defense Nuclear Nonproliferation

#### Programs FY 2020

<table>
<thead>
<tr>
<th>Program</th>
<th>Request</th>
<th>Senate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advanced manufacturing</td>
<td>18,500</td>
<td>18,500</td>
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<tr>
<td>Component manufacturing</td>
<td>48,410</td>
<td>58,410</td>
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<tr>
<td>UFR list—technology maturation</td>
<td></td>
<td>(10,000)</td>
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<tr>
<td>Process technology development</td>
<td>69,998</td>
<td>69,998</td>
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<tr>
<td><strong>Total, Advanced manufacturing development</strong></td>
<td>138,998</td>
<td>148,998</td>
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<tr>
<td><strong>Total, RDT&amp;E</strong></td>
<td>2,277,867</td>
<td>2,336,667</td>
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#### Infrastructure and operations

<table>
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<tr>
<th>Operating</th>
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<tr>
<td><strong>Total, Operating</strong></td>
<td>2,062,998</td>
<td>2,062,998</td>
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#### Construction:

<table>
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<tr>
<th>Project Description</th>
<th>FY 2020</th>
<th>Senate</th>
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<tbody>
<tr>
<td>19–D–670, 138kV Power Transmission System Replacement, NNSS</td>
<td>6,000</td>
<td>6,000</td>
</tr>
<tr>
<td>18–D–660, Fire Station, Y–12</td>
<td>0</td>
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<tr>
<td>18–D–650, Tritium Production Capability, SBS</td>
<td>27,000</td>
<td>27,000</td>
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<tr>
<td>18–D–680, Materials staging facility, PX</td>
<td>0</td>
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<tr>
<td>18–D–690, Lithium production capability, Y–12</td>
<td>32,000</td>
<td>32,000</td>
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<tr>
<td>17–D–649, Ula Complex Enhancements Project, NNSS</td>
<td>35,000</td>
<td>35,000</td>
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<tr>
<td>17–D–630, Expand Electrical Distribution System, LLNL</td>
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<tr>
<td>16–D–515, Albuquerque complex project</td>
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<tr>
<td>15–D–613, Emergency Operations Center, Y–12</td>
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<tr>
<td>15–D–612, Emergency Operations Center, LLNL</td>
<td>5,000</td>
<td>5,000</td>
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<tr>
<td>15–D–611, Emergency Operations Center, SNL</td>
<td>4,000</td>
<td>4,000</td>
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<tr>
<td>15–D–301 HE Science &amp; Engineering Facility, PX</td>
<td>123,000</td>
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<tr>
<td>07–D–220, Radioactive liquid waste treatment facility upgrade project, LANL</td>
<td>0</td>
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</tr>
<tr>
<td>06–D–141, Uranium processing facility Y–12, Oak Ridge, TN</td>
<td>745,000</td>
<td>745,000</td>
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</table>

#### Chemistry and metallurgy research replacement (CMRR):

<table>
<thead>
<tr>
<th>Project Description</th>
<th>FY 2020</th>
<th>Senate</th>
</tr>
</thead>
<tbody>
<tr>
<td>04–D–125, Chemistry and metallurgy research replacement project, LANL</td>
<td>168,444</td>
<td>168,444</td>
</tr>
<tr>
<td>04–D–125–04, RLUBOB equipment installation</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>04–D–125–05, PP–4 equipment installation</td>
<td>0</td>
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</tr>
</tbody>
</table>

#### Total, Construction                                     | 1,145,444 | 1,145,444 |

#### Total, Infrastructure and operations                     | 3,208,442 | 3,208,442 |

#### Secure transportation asset

| Operations and equipment                                    | 209,502  | 209,502 |
| Program direction                                           | 197,660  | 197,660 |

#### Total, Secure transportation asset                        | 317,162  | 317,162 |

#### Defense nuclear security

| Operations and maintenance                                  | 778,213  | 778,213 |
| Construction:                                               | 0        | 0      |
| 17–D–710, West end protected area reduction project, Y–12   | 0        | 0      |

#### Total, Defense nuclear security                          | 778,213  | 778,213 |

#### Information technology and cybersecurity

| Legacy contractor pensions                                   | 91,200   | 91,200  |

#### Subtotal, Weapons activities                             | 12,408,603 | 12,478,403 |

#### Adjustments

| Use of prior year balances                                   | 0        | 0      |

#### Total, Adjustments                                        | 0        | 0      |

#### Total, Weapons Activities                                | 12,408,603 | 12,478,403 |

#### Defense Nuclear Nonproliferation Programs

| Material management and minimization                        | 114,000  | 114,000 |
| Nuclear material removal                                    | 32,925   | 32,925  |
| Material disposition                                       | 186,838  | 186,838 |
| Laboratory and partnership support                          | 0        | 0      |

#### Total, Material management & minimization                 | 333,533  | 333,533 |

#### Global material security

| International nuclear security                              | 48,839   | 48,839  |
| Domestic radiological security                              | 90,513   | 90,513  |
| International radiological security                         | 60,827   | 60,827  |
## Program FY 2020 Request Senate Authorized

<table>
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<tr>
<th>Program</th>
<th>Request</th>
<th>Authorized</th>
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<tbody>
<tr>
<td>Nuclear smuggling detection and deterrence</td>
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<td>142,171</td>
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<tr>
<td>Total, Global material security</td>
<td>342,350</td>
<td>342,350</td>
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<tr>
<td>Nonproliferation and arms control</td>
<td>137,267</td>
<td>137,267</td>
</tr>
<tr>
<td><strong>Defense nuclear nonproliferation R&amp;D</strong></td>
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<td></td>
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<tr>
<td>Proliferation detection</td>
<td>304,040</td>
<td>284,540</td>
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<tr>
<td>Nonproliferation Stewardship program strategic plan</td>
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<td>(-19,500)</td>
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<tr>
<td>Total, Defense Nuclear Nonproliferation R&amp;D</td>
<td>495,357</td>
<td>475,857</td>
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<tr>
<td><strong>Nonproliferation construction</strong></td>
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<tr>
<td>U. S. Construction:</td>
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<tr>
<td>19-D-156 Surplus Plutonium Disposition Project</td>
<td>79,000</td>
<td>79,000</td>
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<tr>
<td>99-D-143, Mixed Oxide (MOX) Fuel Fabrication Facility, SRS</td>
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<td>Total, U. S. Construction</td>
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<tr>
<td>Total, Nonproliferation construction</td>
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<tr>
<td>Total, Defense Nuclear Nonproliferation Programs</td>
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<tr>
<td>Legacy contractor pensions</td>
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<tr>
<td><strong>Nuclear counterterrorism and incident response</strong></td>
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<tr>
<td>Nuclear counterterrorism and incident response</td>
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<td>0</td>
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<tr>
<td>Emergency Operations</td>
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<tr>
<td>Counterterrorism and Counterproliferation</td>
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<tr>
<td>Total, Nuclear counterterrorism and incident response program</td>
<td>372,095</td>
<td>362,495</td>
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<td><strong>Subtotal, Defense Nuclear Nonproliferation</strong></td>
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<td>1,964,202</td>
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<tr>
<td><strong>Adjacencies</strong></td>
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<tr>
<td>Use of prior year balances</td>
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<tr>
<td>Total, Adjustments</td>
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<tr>
<td><strong>Subtotal, Defense Nuclear Nonproliferation</strong></td>
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<td>1,964,202</td>
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<tr>
<td>Rescission</td>
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<td>Rescission of prior year balances</td>
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<tr>
<td>Rescission of prior year balances (Gen. Prov.)</td>
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<tr>
<td><strong>Total, Defense Nuclear Nonproliferation</strong></td>
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<td>1,964,202</td>
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### Naval Reactors

<table>
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<th>Program</th>
<th>FY 2020 Request</th>
<th>Senate Authorized</th>
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<tbody>
<tr>
<td>Naval reactors development</td>
<td>531,205</td>
<td>531,205</td>
</tr>
<tr>
<td>Columbia-Class reactor systems development</td>
<td>75,500</td>
<td>75,500</td>
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<tr>
<td>SSG Prototype refueling</td>
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<tr>
<td>Naval reactors operations and infrastructure</td>
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<td>553,591</td>
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<tr>
<td><strong>Program direction</strong></td>
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<td>50,500</td>
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<tr>
<td><strong>Construction</strong></td>
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<tr>
<td>20-D-90 KL Fuel development laboratory</td>
<td>23,700</td>
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<tr>
<td>19-D-900, KS Overhead Piping</td>
<td>20,900</td>
<td>20,900</td>
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<tr>
<td>17-D-911, BL Fire System Upgrade</td>
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<td>15-D-901, NRF Overpack Storage Expansion 3</td>
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<td>15-D-900, KL Fire System Upgrade</td>
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<tr>
<td>14-D-901, spent fuel handling recapitalization project, NRF</td>
<td>238,000</td>
<td>238,000</td>
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<td><strong>Total, Construction</strong></td>
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<td>282,600</td>
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<tr>
<td>Transfer to NE—Advanced Test Reactor (non-add)</td>
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<tr>
<td><strong>Total, Naval Reactors</strong></td>
<td>1,648,396</td>
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### Defense Environmental Cleanup

<table>
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<tr>
<th>Program</th>
<th>FY 2020 Request</th>
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<tr>
<td>Closure sites:</td>
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<tr>
<td>Closure sites administration</td>
<td>4,987</td>
<td>4,987</td>
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<tr>
<td>Richland:</td>
<td></td>
<td></td>
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<tr>
<td>River corridor and other cleanup operations</td>
<td>139,750</td>
<td>139,750</td>
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<tr>
<td>Central plateau remediation</td>
<td>472,949</td>
<td>472,949</td>
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<tr>
<td><strong>Total, Central plateau remediation</strong></td>
<td>472,949</td>
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<tr>
<td>Richland community and regulatory support</td>
<td>5,121</td>
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<tr>
<td><strong>Construction</strong></td>
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<tr>
<td>18-D-694 WESP Modifications and Capsule Storage</td>
<td>11,000</td>
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<td><strong>Total, Construction</strong></td>
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<tr>
<td><strong>Total, Richland</strong></td>
<td>628,820</td>
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### Office of River Protection:

<table>
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<tr>
<th>Program</th>
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<tbody>
<tr>
<td>Waste Treatment immobilization Plant Commissioning</td>
<td>15,000</td>
<td>15,000</td>
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<tr>
<td>Rad liquid tank waste stabilization and disposition</td>
<td>677,460</td>
<td>677,460</td>
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<tr>
<td><strong>Construction</strong></td>
<td></td>
<td></td>
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<tr>
<td>18-D-16 Waste treatment and immobilization plant—LBL/Direct feed LAW</td>
<td>640,000</td>
<td>640,000</td>
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<tr>
<td>15-D-499 Low activity waste pretreatment system, ORP</td>
<td>0</td>
<td>0</td>
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<tr>
<td>01-D-16 D, High-level waste facility</td>
<td>30,000</td>
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<tr>
<td>01-D-16 E, Pretreatment Facility</td>
<td>20,000</td>
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SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(In Thousands of Dollars)

<table>
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<tr>
<th>Program</th>
<th>FY 2020 Request</th>
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<tbody>
<tr>
<td>Total, Construction</td>
<td>690,000</td>
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<tr>
<td>ORP Low-level waste onsite disposal</td>
<td>10,000</td>
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<tr>
<td>Total, Office of River protection</td>
<td>1,392,460</td>
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<td>Idaho National Laboratory:</td>
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<tr>
<td>Idaho cleanup and waste disposition</td>
<td>331,354</td>
<td>331,354</td>
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<tr>
<td>ID Excess facilities R&amp;D</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Idaho community and regulatory support</td>
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<tr>
<td>Total, Idaho National Laboratory</td>
<td>334,854</td>
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<tr>
<td>NNSA sites and Nevada off-sites</td>
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<tr>
<td>Lawrence Livermore National Laboratory</td>
<td>1,727</td>
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<tr>
<td>LLNL Excess facilities R&amp;D</td>
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<tr>
<td>Nuclear facility D &amp; D Separations Process Research Unit</td>
<td>15,300</td>
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<td>Nevada</td>
<td>60,737</td>
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<td>Sandia National Laboratories</td>
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<td>Los Alamos National Laboratory</td>
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<tr>
<td>Total, NNSA sites and Nevada off-sites</td>
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<td>Oak Ridge Reservation:</td>
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<tr>
<td>OR Nuclear facility D &amp; D</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>OR cleanup and waste disposition</td>
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<td>Total, OR cleanup and waste disposition</td>
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<td>Construction:</td>
<td></td>
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<tr>
<td>17–D–401 On-site waste disposal facility</td>
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<td>14–D–403 Outfall 200 Mercury Treatment Facility</td>
<td>49,000</td>
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<td>Total, Construction</td>
<td>64,269</td>
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<td>Total, OR cleanup and waste disposition</td>
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<td>OR community &amp; regulatory support</td>
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<td>OR technology development and deployment</td>
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<td>Total, Oak Ridge Reservation</td>
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<td>Savannah River Sites:</td>
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<td>Savannah River risk management operations:</td>
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<tr>
<td>Construction:</td>
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<td>18–D–402, Emergency Operations Center Replacement, SR</td>
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<td>Total, Savannah River risk management operations</td>
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<td>SR community and regulatory support</td>
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<td>Radioactive liquid tank waste:</td>
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<td>Radioactive liquid tank waste stabilization and disposition</td>
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<tr>
<td>20–D–402 Advanced Manufacturing Collaborative Facility (AMC)</td>
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<td>20–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>18–D–402 Saltstone disposal unit #8/9</td>
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<td>17–D–402—Saltstone Disposal Unit #7</td>
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<td>65–D–405 Salt waste processing facility, SRS</td>
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<td>Total, Construction</td>
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<td>Total, Radioactive liquid tank waste</td>
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<tr>
<td>Waste Isolation Pilot Plant</td>
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<td>15–D–411 Safety significant confinement ventilation system, WIPP</td>
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<td>Total, Construction</td>
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<td>Safeguards and Security</td>
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<td>Technology development</td>
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<td>Use of prior year balances</td>
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<td>Rescission of prior year balances (Gen. Prov.)</td>
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<tr>
<td>Total, Defense Environmental Cleanup</td>
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</table>

Other Defense Activities

Environment, health, safety and security
DIVISION E—ADDITIONAL PROVISIONS

TITLE LI—PROCUREMENT

SEC. 5101. BRIEFING ON PLANS TO INCREASE READINESS OF B-1 BOMBER AIRCRAFT.

(a) In General.—Not later than January 31, 2020, the Secretary of the Air Force shall provide the congressional defense committees a briefing on the Air Force’s plans to increase the readiness of the B-1 bomber aircraft.

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

(1) A description of aircraft structural issues.
(2) A plan for continued structural deficiency data analysis and training.
(3) Projected repair timelines.
(4) Future mitigation strategies.
(5) An aircrew maintainer training plan, including a plan to ensure that the training pipeline remains steady, for any degradation period.
(6) A recovery timeline to meet future deployment tasks.
(7) A plan for continued upgrades and improvements.

SEC. 5126. LIMITATION ON AVAILABILITY OF FUNDS FOR THE LITTORAL COMBAT SHIP.

(a) LIMITATIONS.—The text of subsection (a) of section 126 is hereby deemed to read as follows:

“(a) LIMITATIONS.—None of the funds authorized to be appropriated by this Act for fiscal year 2020 for the Department of Defense may be used for the procurement of a current or future Department of Defense communications program of records, and the Department may not otherwise procure a current or future communications program of record, unless the communications equipment—“

(b) DEFINITION.—Subsection (c) of section 126 shall have no force or effect.

SEC. 5151. LIMITATION ON AVAILABILITY OF FUNDS FOR Communication Systems Lacking Certain Resilience Features.

The text of subsection (a) of section 151 preceding paragraph (1) is hereby deemed to read as follows:

“(a) IN GENERAL.—Except as provided under subsection (b), none of the funds authorized to be appropriated by this Act for fiscal year 2020 for the Department of Defense may be used for the procurement of a current or future Department of Defense communications program of records, and the Department may not otherwise procure a current or future communications program of record, unless the communications equipment—“

TITe LIII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 5201. ENERGETICS PLAN.

(a) PLAN REQUIRED.—The Under Secretary of Defense for Research and Engineering shall, in coordination with the technical directors at defense laboratories and such other officials as the Under Secretary considers appropriate, develop an energetics research and development plan to ensure a long-term, multi-domain research, development, prototyping, and experimentation effort that—

(1) maintains United States technological superiority in energetics technology critical to national security;
(2) efficiently develops new energetics technologies and transitions them into operational use, as appropriate; and
(3) maintains a robust industrial base and workforce to support Department of Defense requirements for energetic materials.

(b) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Under Secretary shall brief the congressional defense committees on the plan developed under subsection (a).

SEC. 5202. AMENDMENTS TO RESEARCH PROJECT TRANSACTION AUTHORITIES TO ELIMINATE COST-SHARING REQUIREMENTS AND REDUCE BURDENS ON USE.

(a) COOPERATIVE AGREEMENTS FOR RESEARCH PROJECTS.—Section 237(e)(1) of title 10, United States Code, is amended—

(1) by striking paragraph (2);
(2) by striking paragraph (1)(B); and
(3) in paragraph (1)(A), by striking “; and” and inserting “; and”.

(b) CONFORMING AMENDMENT.—Section 2371(b)(1) of title 10, United States Code, is amended by striking “(b) EXERCISE OF AUTHORITY.—” and inserting “(b) EXERCISE OF AUTHORITY.—”.

SEC. 5203. COMPARATIVE CAPABILITIES OF ADVISORS IN ARTIFICIAL INTELLIGENCE.

(a) EXPANSION OF DUTIES OF OFFICIAL WITH PRINCIPAL RESPONSIBILITY FOR COORDINATION OF ACTIVITIES RELATING TO DEVELOPMENT AND DEMONSTRATION OF ARTIFICIAL INTELLIGENCE.—Section 238(c)(2)(I) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) is amended—

(1) in clause (i), by striking “; and” and inserting a semicolon;
(2) in clause (ii), by striking “the end and inserting “; and”; and
(3) by adding after the following new clause:

“(iii) that appropriate entities in the Department are reviewing all open source publications from both the United States and outside the United States that contribute, impact, or advance artificial intelligence research and development.”;

(b) ANALYSIS OF COMPARATIVE CAPABILITIES OF CHINA IN ARTIFICIAL INTELLIGENCE.—The
Secretary of Defense shall provide the congressional defense committees with an analysis and briefing that includes the following:

1. A comprehensive and national-level: (A) COALITION and private investment differentiated by sector and industry;

2. A review of current trends in ability to set risk and determine global standards and norms for artificial intelligence technology in national security, including efforts in international standard-setting bodies;

3. An assessment of areas and activities in which deficits should not be increased in order to provide the United States with technical superiority over China in relevant areas of artificial intelligence.

4. An assessment of the threat detection at greater stand-off goals of the Department of Defense to improve artificial intelligence technology in national security and

5. An assessment of areas and activities in which the United States should invest in order to provide the United States with relevant areas of artificial intelligence.

6. A comprehensive assessment of the likelihood that developments in artificial intelligence will successfully transition into military systems of China.

7. Predicted effects on United States national and departmental trends in China and the United States continue.

8. Predicted effects on current trends on digital and technology export relationships of both countries with existing and new trading partners.

9. Assessment of the relationships that are critical and in need of development in both the United States and China in order to ensure investment in artificial intelligence to keep pace with current global trends.

SEC. 5204. ADDITIONAL AMOUNTS FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

(a) ADDITIONAL AMOUNT FOR WORKFORCE TRANSFORMATION CYBER INITIATIVE PILOT PROGRAM.—There are authorized to be appropriated for fiscal year 2020 by section 201 for research, development, test, and evaluation is hereby increased by $5,000,000, with the amount of the increase to be available for Information Systems Security Program (PE 000140D02) for the National Security Agency National Cryptologic School for cybersecurity and artificial intelligence curriculum development and establishment of a pilot program to enable workforce transformation of an artificial intelligence curriculum that will be developed through this effort and then offered by Center of Academic Excellence Universities.

(b) ADDITIONAL AMOUNT FOR RESEARCH ON ADVANCED DIGITAL RADAR SYSTEMS.—The amount authorized to be appropriated for fiscal year 2020 by section 201 for research, development, test, and evaluation is hereby increased by $30,000,000, with the amount of the increase to be available for University Research Initiatives (PE 0601010N) for continued research on advanced digital radar systems to meet the evolving goals of the Department of Defense to improve threat detection at greater stand-off distances.

(c) OFFSET.—The amount authorized to be appropriated for fiscal year 2020 by section 1465 for Defense Health Program is hereby decreased by $30,000,000, with the amount of the decrease to be taken from the amount made available for procurement of the Department of Defense Healthcare Management System Modernization.

SEC. 2505. DEFINING EXPLAINABLE ARTIFICIAL INTELLIGENCE.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees on the development and applications of explainable artificial intelligence technology.

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

1. The extent to which the Department of Defense currently uses and prioritizes explainable artificial intelligence;

2. The limitations of explainable artificial intelligence; and how the Department to address those limitations.

3. The future plans of the Department to require explainable artificial intelligence, particularly in technologies that have warfighting applications.

4. Any potential roadblocks to the effective deployment of explainable artificial intelligence across the Department.

5. Identification and description of programs and activities, including funding and schedule, to develop or procure explainable artificial intelligence to meet defense requirements and technology development goals.

6. Such other matters as the Secretary considers appropriate.

(c) FORM OF BRIEFING.—The briefing required under subsection (a) shall be provided in a declassified form, but may include a classified supplement.

(d) DEFINITION OF EXPLAINABLE ARTIFICIAL INTELLIGENCE.—In this section, the term ‘explainable artificial intelligence’ means artificial intelligence that has the ability to demonstrate the rationale behind its decisions in order for its human user to comprehend the strengths and weaknesses of its decision-making process, as well as understand how it will behave in the future in the contexts in which it is used.

SEC. 5206. ADDITIONAL FUNDING FOR MANUFACTURING INNOVATION FUNDED BY THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall make such changes to the administration of covered centers so as to:

1. Encourage covered centers to leverage existing workforce development programs across the Federal Government and State governments in order to build successful workforce development programs;

2. To develop metrics to evaluate the workforce development performance by the covered centers, including metrics on job quality, career pathways, wages and benefits, and efforts to support veterans, and progress in aligning workforce skills with the current and future needs of the Department of Defense and the defense industrial base;

3. To allow metrics to vary between covered centers and evaluate continuously in order to more accurately evaluate covered centers with different goals and missions;

4. To encourage covered centers to consider developing technologies that were previously funded by Federal Government investment for early-stage research and development or other commercial applications and commercialization coordination and collaboration to achieve this goal;

5. To provide an opportunity for increased Department of Defense oversight from senior-level military and civilian personnel on future technology roadmaps produced by covered centers;

6. To reduce the barriers to collaboration between and among multiple covered centers;

7. To use contracting vehicles that can increase flexible funding for contracting with subject-matter experts and small and medium enterprises, enhance partnerships between covered centers, and reduce the time to award contracts at covered centers;

8. To overcome barriers to the adoption of manufacturing processes and technologies developed by the covered centers by the Department of Defense and commercial industrial base, particularly small and medium enterprises, by engaging with public and private sector partnerships and appropriate government programs and activities, including the Hollings Manufacturing Extension Partnership.

(b) LIMITATION.—The Secretary shall carry out this section in coordination with activities undertaken under—

(1) the Manufacturing Technology Program established under section 2521 of title 10, United States Code;

(2) the Manufacturing Engineering Development Program established under section 2516 of title 10, United States Code;

(3) the Defense Manufacturing Community Support Program established under section 8862 of title 10, United States Code; and

SEC. 5207. COMMERCIAL EDGE COMPUTING TECHNOLOGIES AND BEST PRACTICES FOR DEPARTMENT OF DEFENSE WARFIGHTING SYSTEMS.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report on commercial edge computing technologies and best practices for Department of Defense warfighting systems.

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

1. Identification of initial warfighting system programs of record that will benefit most from accelerated insertion of commercial edge computing technologies and best practices for Department of Defense warfighting systems.

2. The plan of the Department of Defense to take additional funding for the systems identified in paragraph (1) to achieve fielding of accelerated commercial edge computing technologies before or during fiscal year 2021.

3. A plan of the Department of Defense to identify, manage, and provide additional funding for commercial edge computing technologies more broadly over the next four fiscal years where appropriate for—

(A) command, control, communications, and intelligence systems;

(B) logistics systems; and

(C) other mission-critical systems.

4. A detailed description of the policies, procedures, budgets, and accelerated acquisition and contracting mechanisms of the Department for near-term insertion of commercial edge computing technologies and best practices into military mission-critical systems.

SEC. 5211. DEVELOPMENT AND ACQUISITION STRATEGY TO PROCURE SECURE, LOW PROBABILITY OF DETECTION DATA LINK NETWORK CAPABILITY.

The text of subsection (c) of section 211 is hereby deemed to read as follows:

(1) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2020 for operation and maintenance for the Office of the Secretary of the Air Force for operation and maintenance for the Office of the Secretary of the Navy, no 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 the Chief of Naval Operations, respectively, submit the development and acquisition strategy required by subsection (a)."

SEC. 5213. LIMITATION AND REPORT ON DIRECT FIRE PROTECTION CAPABILITY INCREMENT 2 ENDURING CAPABILITY.

The text of subsection (a) of section 213 preceding paragraph (1) is hereby deemed to read as follows:

"(a) LIMITATION AND REPORT.—None of the funds authorized to be appropriated by this Act for fiscal year 2020 for the Army may be obligated or expended for research, development, test, or evaluation for the Indirect Fire Protection Capability Increment 2 enduring capability, and the Department may not otherwise engage in the research, development, test, or evaluation on such capability, until the Secretary of the Army submits to the congressional defense committees with an annual report for the life cycle costs of each major weapon system as defined in (b).

(b) The Secretary of Defense shall ensure the report described in subsection (a)—

(1) identifies a goal for material availability, maintainability, and mean down time metrics for each weapon system and includes an explanation of factors that may preclude the Secretary of the military department concerned from meeting that goal; and

(2) reflects the period covered by the future years defense program specified by section 221 of title 10, United States Code, with respect to the budget for which the budget exhibit is prepared.

(c) To be submitted by February 1st of each year.

SEC. 5301. LIFE CYCLE SUSTAINMENT ANNUAL REPORT FOR MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) In General.—The Secretary of Defense shall provide the congressional defense committees with an annual report for the life cycle costs of each major weapon system as defined in (b).

(b) The Secretary of Defense shall ensure the report described in subsection (a)—

(1) identifies a goal for material availability, maintainability, and mean down time metrics for each weapon system and includes an explanation of factors that may preclude the Secretary of the military department concerned from meeting that goal; and

(2) reflects the period covered by the future years defense program specified by section 221 of title 10, United States Code, with respect to the budget for which the budget exhibit is prepared.

(c) To be submitted by February 1st of each year.

SEC. 5302. SENSE OF SENATE ON PRIORITIZING SURVIVABLE LOGISTICS FOR THE DEPARTMENT OF DEFENSE.

It is the sense of the Senate that—

(1) resilient and agile logistics are necessary to implement the 2018 National Defense Strategy because it enables the United States to project power and sustain the fight against its strategic competitors in peacetime and during war;

(2) the joint logistics enterprise of the Armed Forces of the United States faces high-end threats from strategic competitors China, Russia, and Iran, all of whom have invested in anti-access area denial capabilities and gray zone tactics;

(3) there are significant logistics shortfalls, as outlined in the November 2018 final report of the Defense Science Board (DSB) Task Force on Survivable Logistics, which, if left unaddressed, would hamper the readiness and ability of the Armed Forces of the United States to conduct operations globally;

(4) since the military departments have not shown a strong commitment to funding logistics, the Secretary of Defense should review the full list of recommendations listed in the report described in paragraph (3) and address the chronic underfunding of logistics relative to other priorities of the Department of Defense.

SEC. 5303. PLAN ON SUSTAINMENT OF ROUGH TERRAIN CONTAINER SYSTEMS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the Indirect Fire Protection Capability Increment 2 program that contains the following:"

TITLE LIII—OPERATION AND MAINTENANCE

SEC. 5304. REQUIREMENT TO INCLUDE FOREIGN LANGUAGE PROFICIENCY IN READINESS REPORTING SYSTEMS OF DEPARTMENT OF DEFENSE.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of each military department shall include in the Global Readiness and Force Management Enterprise, for the appropriate billets with relevant foreign language proficiency as a mandatory element of unit readiness reporting, to include the Defense Readiness Reporting System—Strategic (DRRS-S) and other subordinate systems that report readiness data.

SEC. 5305. MONITORING OF NOISE FROM FLIGHTS AND TRAINING OF EA–18G Growlers Associated with Naval Air Station Whidbey Island.

(a) Monitoring.—

(1) In General.—The Secretary of Defense shall provide for real-time monitoring of noise from local flights of EA–18G Growlers associated with Naval Air Station Whidbey Island, including flight and landing practice at Naval Outlying Field (OLF) Coupeville and Ault Field.

(2) Public Availability.—The Secretary shall publish the results of monitoring conducted under paragraph (1) on a publicly available Internet website of the Department of Defense.

(b) Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the progress of monitoring conducted under paragraph (1) and the results of such monitoring.

(c) Plan for Additional Monitoring.—

(1) In General.—Not more than 85 percent of the funds authorized to be appropriated by this Act for fiscal year 2020 for acquisition of noise-related systems that report readiness data.

(2) Public Availability.—The Secretary shall publish the results of monitoring conducted under paragraph (1) on a publicly available Internet website of the Department of Defense.

SEC. 5306. SENSE OF CONGRESS ON RESTORATION OF TYNDALL AIRFORCE BASE.

It is the sense of Congress that the Secretary of the Air Force should—

(1) restore Tyndall Air Force Base to achieve military installation resilience, as defined in section 102(e)(8) of title 10, United States Code; and

(2) use innovative construction methods, materials, designs, and technologies in carrying out such restoration in order to achieve efficiencies, cost savings, resiliency, and capability, which may include—

(A) open architecture design to evolve with the national defense strategy; and

(B) a State, local, or Tribal government.

SEC. 5318. COOPERATIVE AGREEMENTS WITH STATES TO ADDRESS CONTAMINATION BY PERFLUORALKYL AND POLYFLUORALKYL SUBSTANCES.

The text of section 318(a) is hereby deemed to include at the end the following:

"(3) OTHER AUTHORITY.—In addition to the requirements under paragraph (1), when otherwise authorized to expend funds for the purpose of addressing ground or surface water contaminated by a perfluorinated compound, the Secretary may expend such funds, enter into a grant agreement, cooperative agreement, or contract with—

(A) the local water authority with jurisdiction over the contamination site, including—

(i) a public water system (as defined in section 1452(1) of the Safe Drinking Water Act (42 U.S.C. 300f)); and

(ii) a publicly owned treatment works (as defined in section 1221 of the Federal Water Pollution Control Act (33 U.S.C. 1221)); and

(B) a State, local, or Tribal government.

SEC. 5352. LIMITATION ON USE OF FUNDS REGARDING GROUND SUPPORT TMR–46A AIRCRAFT OUTSIDE THE CONTINENTAL UNITED STATES.

The text of subsection (b) of section 352 is hereby deemed to read as follows:

"(b) LIMITATION ON USE OF FUNDS.—Not more than 85 percent of the funds authorized to be appropriated by this Act for fiscal year 2020 for the Air Force for operation and maintenance for the Management Headquarters Program (Program Element 0906F050P) may be obligated or expended until the Secretary of the Air Force submits the report required by subsection (a) unless the Secretary certifies to Congress that the use of additional funds is mission essential."

TITLE LIV—MILITARY PERSONNEL AUTHORIZATIONS

SEC. 5401. MODIFICATION OF AUTHORIZED STRENGTH OF AIR FORCE RESERVE SERVING ON FULL-TIME RESERVE COMPONENT DUTY FOR ADMINISTRATION OF THE RESERVES OR THE NATIONAL GUARD.

(a) In General.—The table in section 12012(a)(11) of title 10, United States Code, is amended by striking the matter relating to the Air Force Reserve and inserting the following new matter:

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<th>Air Force Reserve</th>
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(b) Effective Date.—The amendment 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.

TITLE LV—MILITARY PERSONNEL POLICY

SEC. 5501. ANNUAL STATE REPORT CARD.

Section 1111(b)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)(C)(ii)) is amended by striking “on active duty” (as defined in section 101(d)(9) of such title).

SEC. 5502. INFORMATION AND OPPORTUNITIES FOR REGISTRATION FOR VOTING AND ABSENTEE BALLOT REQUESTS FOR MEMBERS OF THE ARMED FORCES UNDERGOING DEPLOYMENT OVERSEAS.

(a) In General.—Not later than 45 days prior to a general election for Federal office, a member of the Armed Forces shall be provided with the following:

(1) A Federal write-in absentee ballot prescribed pursuant to section 103 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20303), together with instructions on the appropriate use of the ballot with respect to the State in which the member is registered to vote.

(b) In the case of a member intending to vote in a State that does not accept the Federal write-in absentee ballot as a simultaneous application and acceptable ballot for Federal elections, a briefing on, and an opportunity to fill out, the official post card form for absentee voter registration application and absentee ballot application prescribed under section 101(b)(2) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301(b)(2)).

(b) PERSONNEL RESPONSIBLE OF DISCHARGE.—Ballots and instructions pursuant to paragraph (a) shall be provided to a member of the Armed Forces meeting the requirements stated in paragraph (a) by Voting Assistance Officers or such other personnel as the Secretary of the military department concerned shall designate.

(c) SENSE OF CONGRESS RELATING TO THE USE OF THE FEDERAL WRITE-IN ABSENTEE BALLOT.

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

(A) Servicemembers serving abroad are subject to disproportionate challenges in voting.

(B) As of May, 2019, only 23 States allow servicemembers to use the Federal write-in absentee ballot as a simultaneous application and acceptable ballot for Federal elections.

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

(A) Federal and State governments should remove all obstacles that would inhibit deployed servicemembers from voting; and

(B) States that do not allow servicemembers to use the Federal write-in absentee ballot as a simultaneous application and acceptable ballot for Federal elections should modify their laws to permit such use.

SEC. 5503. STUDY ON TWO-WAY MILITARY BALLOT BARCODE TRACKING.

(a) STUDY.—The Director of the Federal Voting Assistance Program of the Department of Defense shall conduct a study on the feasibility of a pilot program providing full ballot tracking of military voter absentee ballots through the mail stream in a manner that is similar to the 2016 Military Ballot Tracking Pilot Program conducted by the Federal Voting Assistance Program.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director of the Federal Voting Assistance Program shall submit to Congress a report on the results of the study conducted under subsection (a). Such report shall include—

(1) an estimate of the costs and requirements needed to conduct the pilot program described in subsection (a);

(2) a description of organizations that would provide substantial support for such a pilot program; and

(3) a time line for the phased implementation of the pilot program to all military personnel active overseas.

SEC. 5504. SENSE OF SENATE ON THE HONORABLE AND DISTINGUISHED SERVICE OF GENERAL JOSEPH F. DUNFORD, UNITED STATES MARINE CORPS, TO THE UNITED STATES.

(a) FINDINGS.—The Senate makes the following findings:

(1) General Joseph F. Dunford was commissioned as a second lieutenant in the United States Marine Corps on August 7, 1977.

(2) Since 1977, General Dunford has served as an infantry officer at all levels and has held numerous leadership roles, including Commander of the 5th Marine Regiment during Operation IRAQI FREEDOM, Commander of the International Security Assistance Force and United States Forces-Afghanistan, and Commander, Marine Forces United States Central Command.

(3) General Dunford served as the 32nd Assistant Secretary of the Navy of the Marine Corps from October 23, 2010, to December 15, 2012.

(4) General Dunford subsequently served as the 36th Commandant of the Marine Corps from July 17, 2014, to September 24, 2017.

(5) General Dunford became the highest-ranking military officer in the United States when he was appointed as the 19th Chairman of the Joint Chiefs of Staff on October 1, 2015.

(6) General Dunford is only the second United States Marine to hold the position of Chairman of the Joint Chiefs of Staff.

(7) During his nearly four years as Chairman of the Joint Chiefs of Staff, General Dunford effectively and honorably executed the duties of the highest degree.

(8) General Dunford has an extensive record of impeccable service to the United States.

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

(1) the United States deeply appreciates the decades of honorable service of General Joseph F. Dunford; and

(2) the indispensable leadership of General Dunford and his dedication to the men and women of the Armed Forces demonstrates the finest example of service to the United States.

SEC. 5505. PARTICIPATION OF OTHER FEDERAL AGENCIES IN THE SKILLBRIDGE APRENTICESHIP AND INTERNSHIP PROGRAMS FOR MEMBERS OF THE ARMED FORCES.

Section 114(e) of title 10, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

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

“(3) Under this subsection may be carried out at, through, or in consultation with such other departments or agencies of the Federal Government as the Secretary of the military department concerned considers appropriate.”.

SEC. 5506. PERSONNEL TEMPO OF THE ARMED FORCES AND THE UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) REPORT ON VARIOUS EXPANSIONS OF THE CORPS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congress a report setting forth the following:

(1) An assessment of the feasibility and advisability of distance learning programs for the Senior Reserve Officers’ Training Corps for students at educational institutions who reside outside the viable range for a cross-town program.

(2) An assessment of the feasibility and advisability of expanding the eligibility of institutions authorized to maintain a unit of the Senior Reserve Officers’ Training Corps to include community colleges.

(b) BRIEFING ON LONG-TERM EFFECTS ON THE CORPS OF THE OPERATION OF CERTAIN RECENT PROHIBITIONS.—

(1) BRIEFCING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees on the effects of the prohibitions in section 8032 of the Department of Defense Appropriations Act, 2019 (division A of Public Law 115–245) on the long-term viability of the Senior Reserve Officers’ Training Corps (SROTC).

(2) ELEMENTS.—The matters addressed by the briefing under paragraph (1) shall include an assessment of—

(A) the effects of the prohibitions described in paragraph (1) on the following:

(i) Readiness.

(ii) The efficient manning and administration of Senior Reserve Officers’ Training Corps.

(B) the ability of the Armed Forces to commission on a yearly basis the number of members covered by the waiver shall be subject to specific and measurable deployment thresholds established and maintained for purposes of this subsection.

(3) Thresholds under this paragraph may be applicable—

(i) uniformly, Department of Defense-wide; and

(ii) separately, with respect to each armed force and the United States Special Operations Command.

(4) If thresholds under this paragraph are applicable Department-wide, such thresholds shall be established and maintained by the Under Secretary of Defense for Personnel and Readiness. If such thresholds are applicable only to a separate armed force or the United States Special Operations Command, such thresholds shall be established and maintained by the Secretary of the Army, the Secretary of the Navy (other than with respect to the Marine Corps), the Secretary of the Air Force, the Commandant of the Marine Corps, and the Commander of the United States Special Operations Command, as applicable.

(5) In undertaking recordkeeping for purposes of subsection (c), the Under Secretary shall, in conjunction with the other officials and officers referred to in subparagraph (c), consult with the Armed Forces, the Department of Defense, and the Director of the Central Intelligence Agency to ensure that the Armed Forces, the Department of Defense, and the Director of the Central Intelligence Agency implement such recordkeeping procedures as are necessary to fulfill the requirements of this subsection.

(6) DEADLINE FOR IMPLEMENTATION.—Paragraph (2) of section 991(d) of title 10, United States Code, as added by subsection (a), shall be implemented by not later than March 1, 2020.

SEC. 5507. REPORT AND BRIEFING ON THE SENIOR RESERVE OFFICERS’ TRAINING CORPS.

(a) REPORT ON VARIOUS EXPANSIONS OF THE CORPS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congress a report setting forth the following:

(1) An assessment of the feasibility and advisability of distance learning programs for the Senior Reserve Officers’ Training Corps for students at educational institutions who reside outside the viable range for a cross-town program.

(2) An assessment of the feasibility and advisability of expanding the eligibility of institutions authorized to maintain a unit of the Senior Reserve Officers’ Training Corps to include community colleges.

(3) An assessment of the long-term effects on the corps of the operation of certain recent prohibitions.
and quality of new officers they need and that are representative of the nation as a whole.

(D) The availability of Senior Reserve Officers’ Training Corps scholarships in rural areas.

(E) Whether the Senior Reserve Officers’ Training Corps program produces officers representative of the geographic diversity of the United States, especially with respect to urban areas, and whether restrictions on establishing or disestablishing units of the Corps affects the diversity of the officer corps of the Armed Forces.

SEC. 5508. REPORT ON SUICIDE PREVENTION PROGRAMS AND ACTIVITIES FOR MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

(a) Report Required.—Not later than 240 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the programs and activities of the Department of Defense and the Armed Forces for the prevention of suicide among members of the Armed Forces (including the reserve components) and their families.

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

(1) A description of the current programs and activities of the Department of Defense and the Armed Forces for the prevention of suicide among members of the Armed Forces and their families.

(2) An assessment whether the programs and activities described pursuant to paragraph (1)—

(A) are evidence-based and incorporate best practices identified in peer-reviewed medical literature;

(B) are appropriately resourced; and

(C) are appropriately resourced relative to peer activities and programs (including those undertaken in the civilian community and in military forces of other countries).

(3) A description and assessment of any impediments to the effectiveness of such programs and activities.

(4) Recommendations as the Comptroller General considers appropriate for improvements to such programs and activities.

(5) Such recommendations as the Comptroller General considers appropriate for additional programs and activities for the prevention of suicide among members of the Armed Forces and their families.

SEC. 5509. SEPARATION HISTORY AND PHYSICAL ACCESSION PHYSICALS.

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

(1) The United States Military Entrance Processing Command (USMEP/CM) consists of 65 Military Entrance Processing Stations (MEPS) dispersed throughout the contiguous United States, Alaska, Hawaii, and Puerto Rico;

(2) Applicants who must travel to the closest Processing Station are often driven by their military recruiter and receive free lodging at a nearby hotel paid by the Armed Forces concerned;

(3) In fiscal year 2015, the United States Military Entrance Processing Command processed more than 473,000 applicants at its Processing Stations, with an aggregate total of 591,000 applicant visits to such Processing Stations in that fiscal year.

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

(1) permitting military accession physicals in local communities would allow recruiters to focus on recruiting members of the Armed Forces;

(2) the conduct of military accession physicals in local communities would permit the United States Military Entrance Processing Command to reduce costly and inefficient return visits by applicants to Military Entrance Processing Stations and increase efficiency by allowing members of the Armed Forces who are not currently payable to members of the reserve component of the Armed Forces to attend a physical examination conducted by the Secretary for purposes of the feasibility of paying eligible members of the reserve component of the Armed Forces any special or incentive pay for hazardous duty incurred in the line of duty in the armed forces;

(3) A description and assessment of any impediments to the effectiveness of such programs and activities.

(4) Recommendations as the Comptroller General considers appropriate for improvements to such programs and activities.

(5) Such recommendations as the Comptroller General considers appropriate for additional programs and activities for the prevention of suicide among members of the Armed Forces and their families.

SEC. 5510. PERMANENT AUTHORITY TO DEFER PAST AGE 64 THE RETIREMENT OF CERTAIN VETERANS AND FLAG OFFICER GRADES.

Section 125(k) of title 10, United States Code, is amended by striking paragraph (3).

SEC. 5546. EXPONENTIAL INCREASE IN MILITARY RECORDS AND DISCHARGE REVIEW BOARD MATTERS.

Part III of subtitle D of title V, and the amendments made by this section, shall have no force or effect.

SEC. 5558. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO JOHN J. DURHAM FOR ACTS OF VALOR IN VIETNAM.

Section 855 shall have no force or effect.

SEC. 5578. AUTHORITY TO CONDUCT AN EXPONENTIAL INCREASE IN MILITARY RECORDS AND DISCHARGE REVIEW BOARD MATTERS.

Part III of subtitle D of title V, and the amendments made by this section, shall have no force or effect.

TITLE LVII—COMPENSATION AND OTHER PERSONNEL BENEFITS

SEC. 5601. INCLUSION OF CERTAIN VETERANS ON TEMPORARY DISABILITY OR PERMANENT DISABLED RETIREMENT LISTS IN THE UNITED STATES MILITARY ADAPTIVE SPORTS PROGRAMS.

(a) Inclusion of Certain Veterans.—Subsection (a)(1) of section 2564a of title 10, United States Code, is amended by striking "for members of the armed forces who" and all that follows through the period at the end and inserting "for members of the armed forces who—"

(1) on the Temporary Disability Retirement List or Permanently Disabled Retirement List;

(2) are evidence-based and incorporate best practices identified in peer-reviewed medical literature; and

(3) are appropriately resourced relative to peer activities and programs (including those undertaken in the civilian community and in military forces of other countries).

(b) Clerical Amendments.—

(1) Heading Amendment.—The heading of subsection (a) is amended to read as follows: "§ 2564a. Provision of assistance for adaptive sports programs; members of the armed forces; certain veterans.

(2) Table of Section.—The table of sections at the beginning of chapter 152 of such title is amended by striking the item relating to section 2564a and inserting the following:

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<th>Section</th>
<th>Provision of assistance for adaptive sports programs; members of the armed forces; certain veterans</th>
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<td>2564a</td>
<td>Provision of assistance for adaptive sports programs; members of the armed forces; certain veterans</td>
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SEC. 5602. REPORT ON EXTENSION TO MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES OF SPECIAL PAY FOR MEMBERS OF THE ARMED FORCES NOT CURRENTLY PAYABLE TO MEMBERS OF THE RESERVE COMPONENTS.

(a) Report Required.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the results of a study, conducted by the Secretary for purposes of the feasibility of paying eligible members of the reserve component of the Armed Forces any special or incentive pay for hazardous duty incurred in the line of duty in the armed forces; and

(b) Elements.—The report required by subsection (a) shall set forth the following:

(1) An estimate of the yearly cost of paying members of the reserve components special pay for hazardous duty incurred in the line of duty in the armed forces.

(2) A statement of the number of members of the reserve components who qualify or potentially qualify for hazardous duty incentive pay based on current professions or required duties, broken out by hazardous duty categories set forth in section 351 of title 37, United States Code.

(3) If the Secretary determines that payment to eligible members of the reserve components of any special or incentive pay for members of the Armed Forces is not currently payable to members of the reserve components is feasible and advisable, such recommendations as the Secretary considers appropriate for legislative or executive action to authorize such payment.

SEC. 5642. TREATMENT OF FEES OF SERVICE PROVIDED BY NATIONAL GUARD AND RESERVE UNITS AS ADDITIONAL FUNDS FOR COMMISSARY OPERATIONS.

Section 6454 of title 10, United States Code, is amended by striking "and veterans'' after "members''.
“(D) An assessment of whether the member was—

“(i) based or stationed at a location where an open burn pit, as defined in subsection (c) of section 134(c) of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note), was used; or

“(ii) exposed to toxic airborne chemicals, including any information recorded as part of the registry established by the Secretary of Veterans Affairs under such section 201.”.

)(D) The term “Airborne Hazards and Open Burn Pit Registry” means the registry established by the Secretary of Veterans Affairs 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).

(2) The term “covered evaluation” means—

(a) a periodic health assessment conducted in accordance with subsection (a);

(b) a separation history and physical examination conducted under section 1145(a)(5) of title 10, United States Code, as amended by this section; and

(c) a deployment assessment conducted under section 1074f(b)(2) of title 10, United States Code, as amended by this section.

(3) The term “open burn pit” has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

SEC. 5708. PRESERVATION OF RESOURCES OF THE ARMY MEDICAL RESEARCH AND MATERIAL COMMAND AND TREATMENT OF REALIGNMENT OF SUCH COMMAND

(a) In General.—The Secretary of Defense shall preserve the resources of the Army Medical Research and Materiel Command for use by such command, which shall include manpower and funding, as such command realigns with the Army Futures Command in 2019 and the Defense Health Agency in 2020.

(b) Transition.—Upon completion of the realignment described in subsection (a), all amounts available for the Army Medical Research and Materiel Command, at the baseline for fiscal year 2019, shall be transferred from accounts for research, development, test, and evaluation for the Army to accounts for the Defense Health Program.

(c) Continuation as Center of Excellence.—After completion of the realignment described in subsection (a), the Army Medical Research and Materiel Command at Fort Detrick shall continue to serve as a Center of Excellence for Joint Biomedical Research, Development, and Acquisition Management for efforts undertaken under the Defense Health Program.

TITLE LVIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

SEC. 5801. REPORT ON CONTRACTS WITH ENTITIES AFFILIATED WITH THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA

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 all Department of Defense contracts with companies or entities that are owned or operated by, or affiliated with, the Government of the People’s Republic of China.

SEC. 5802. DOCUMENTATION OF MARKET RESEARCH RELATED TO COMMERCIAL ITEM DETERMINATIONS

Section 3307(d) of title 41, United States Code, is amended by adding at the end the following new paragraph:

“(4) Agencies shall document the results of market research in a manner appropriate to the size and complexity of the acquisition.

SEC. 5803. ANALYSIS OF ALTERNATIVES PURSUANT TO MATERIEL DEVELOPMENT DECISION

(a) Timelines.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall update existing guidance for analyses of alternatives conducted pursuant to a materiel development decision for a major defense acquisition program to incorporate the following:

(1) Study completion within nine months.

(2) Study guidance issued by the Director, Cost Assessment and Program Evaluation of a scope designed to provide for reasonable completion of the study within the nine-month period.

(b) Procedures for waiver of the timeline requirements of this subsection on a case-by-case basis if—

(1) the subject of the analysis is of extreme technical complexity;

(2) collection of additional intelligence is required to inform the analysis;

(3) insufficient technical expertise is available to complete the analysis; or

(4) the Secretary determines that there are other sufficient reasons for delay of the analysis.

(c) Reporting.—If an analysis of alternatives cannot be completed within the allotted time, or a waiver is used, the Secretary shall report to the congressional defense committees the following information:

(1) For a waiver, the basis for use of the waivers, including the reasons why the study cannot be completed within the allotted time.

(2) For a study estimated to take more than nine months—

(A) an estimate of when the analysis will be completed;

(B) an estimate of any additional costs to complete the analysis; and

(C) other relevant information pertaining to the analysis and its completion.

TITLE LIX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

SEC. 5801. INSTITUTIONALIZATION WITHIN DEPARTMENT OF DEFENSE OF RESPONSIBILITIES AND AUTHORITIES OF THE CHIEF MANAGEMENT OFFICER

(a) MANNER OF DIRECTION OF BUSINESS-RELATED ACTIVITIES OF MILITARY DEPARTMENTS.—The Secretary of Defense shall determine the manner in which the Chief Management Officer directs the business-related activities of the military departments.

(b) RESPONSIBILITY FOR DEFENSE AGENCIES AND FIELD ACTIVITIES.—The Secretary shall determine the responsibilities and authorities, if any, of the Chief Management Officer for the Defense Agencies and field activities and any other responsibilities and authorities of the Chief Management Officer for the Defense Field Activities, including a determination as to the following:

(1) Whether one or more additional Defense Agencies, Department of Defense Field Activities, or both should provide shared business services.

(2) Which Defense Agencies, Department of Defense Field Activities, or both should be required to submit their proposed budgets for enterprise business operations to the Chief Management Officer for review.

(3) RESPONSIBILITY OF RESEARCH AND ENGINEERING, AND AUTHORS.—The Secretary shall, in light of determinations under subsections (a) and (b), assign the responsibilities and authorities of the Chief Management Officer (whether specified in statute or otherwise), and the manner of the discharge of such responsibilities, to the applicable Department-wide, as appropriate.

(d) PLAN OF ACTION REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a plan, including a timeline, for carrying out the requirements of this section.

SEC. 5802. ALLOCATION OF FORMER RESPONSIBILITIES OF THE UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS.

(a) TITLE 18, UNITED STATES CODE.—Title 18, United States Code, is amended as follows:

(1) In section 129(a)(3), by striking “The Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “The Under Secretary of Defense for Acquisition and Sustainment”.

(2) In section 134(c), by striking “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment,”; and

(3) In section 139—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment,”;

(ii) by striking paragraph (1), and inserting “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment,”;

(iii) by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment,”; and

(iv) by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Acquisition and Sustainment,”.

(C) in subsection (b)(2), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment.”; and

(D) in subsection (c), by striking “the Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment.”; and

(E) by striking paragraph (3)

(8)
(B) by redesignating paragraphs (4), (5), (6), (7), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (8), (11), (12), (13), (14), (15), respectively;

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

"(3) the Under Secretary of Defense for Research and Engineering;"

"(4) the Under Secretary of Defense for Acquisition and Sustainment;"; and

(D) by inserting after paragraph (8), as redesignated by subparagraph (B), the following new paragraph:

"(9) the Deputy Under Secretary of Defense for Research and Engineering;"

and (D) by inserting after paragraph (8), as redesignated by subparagraph (B), the following new paragraph:

"(10) as paragraphs (4) through (11), respectively;"

(B) by striking subparagraph (C); and

(C) by inserting after subparagraph (B) the following new paragraphs:

"(C) The Under Secretary of Defense for Research and Engineering;"

"(D) The Under Secretary of Defense for Acquisition and Sustainment.";

(ii) in the text, by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "the Under Secretary of Defense for Acquisition and Sustainment";

(9) in section 1706, by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" each place it appears and inserting "the Under Secretary of Defense for Acquisition and Sustainment";

(10) in section 1722, by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" each place it appears and inserting "the Under Secretary of Defense for Acquisition and Sustainment";

(11) in section 1722a, by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" each place it appears and inserting "the Under Secretary of Defense for Acquisition and Sustainment";

(12) in section 1722b(a), by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" each place it appears and inserting "the Under Secretary of Defense for Acquisition and Sustainment";

(13) in section 1722b, by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" each place it appears and inserting "the Under Secretary of Defense for Acquisition and Sustainment";

(14) in section 1725(c)(2), by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" each place it appears and inserting "the Under Secretary of Defense for Acquisition and Sustainment";

(15) in section 1735(c)(1), by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "the Under Secretary of Defense for Acquisition and Sustainment;";

(16) in section 1737(c), by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "the Under Secretary of Defense for Acquisition and Sustainment;";

(17) in section 1741(b), by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "the Under Secretary of Defense for Acquisition and Sustainment;";

(18) in section 1746(a), by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "the Under Secretary of Defense for Acquisition and Sustainment;";

(19) in section 1748, by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "the Under Secretary of Defense for Acquisition and Sustainment;"

(20) in section 2222, by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" each place it appears and inserting "the Under Secretary of Defense for Acquisition and Sustainment;"

(21) in section 2272, by striking "the Assistant Secretary of Defense for Research and Engineering" and inserting "the Under Secretary of Defense for Research and Engineering;"

(22) in section 2275(a), by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "the Under Secretary of Defense for Acquisition and Sustainment;"

(23) in section 2275(d), by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "the Under Secretary of Defense for Acquisition and Sustainment;";

(24) in section 2279—

(a) in subsection (b)—

(1) by redesignating paragraphs (3) through (16) as paragraphs (4) through (11), respectively;

(2) in paragraph (2), by striking paragraph (2); and

(3) in paragraph (3)(i), by inserting after paragraph (2) the following new paragraphs:

"(1) The Under Secretary of Defense for Research and Engineering;"

"(2) The Under Secretary of Defense for Acquisition, Technology, and Logistics;"

(3) in section 2359b, by striking "Under Secretary of Defense for Research and Engineering" and inserting "the Under Secretary of Defense for Acquisition, Technology, and Logistics;" each place it appears and inserting "the Under Secretary of Defense for Acquisition and Sustainment;";

(32) in section 2359b(3)—

(A) by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Acquisition and Sustainment;";

(B) by striking "and the Under Secretary" and inserting "and the Under Secretarys;"

(37) in section 2419(a)(1), by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" each place it appears and inserting "the Under Secretary of Defense for Acquisition and Sustainment;"

(38) in section 2431(b), by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "the Under Secretary of Defense for Acquisition and Sustainment;"

(39) in section 2435, by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" each place it appears and inserting "the Under Secretary of Defense for Acquisition and Sustainment;"

(40) in section 2438(b), by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" each place it appears and inserting "the Under Secretary of Defense for Acquisition and Sustainment;"

(41) in section 2503(b)—

(A) by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "the Under Secretary of Defense for Research and Engineering and the Under Secretary of Defense for Acquisition and Sustainment;";

(B) by striking "and the Under Secretary shall" and inserting "and the Under Secretaries shall;"

(42) in section 2508(b), by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics, acting through the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy;" and inserting "the Under Secretary of Defense for Acquisition and Sustainment;";

(43) in section 2621, by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" each place it appears and inserting "the Under Secretary of Defense for Research and Engineering;"
(44) In section 2533(a)(2)(A), by striking the Under Secretary of Defense for Acquisition, Technology, and Logistics and inserting the Under Secretary of Defense for Acquisition, Research, Development, Engineering, and Logistics.

(45) In section 2546—

(A) in the heading of subsection (a), by striking the Under Secretary of Defense for Acquisition, Technology, and Logistics and inserting the Under Secretary of Defense for Acquisition and Sustainment;

(B) by striking the Under Secretary of Defense for Acquisition, Technology, and Logistics each place it appears and inserting the Under Secretary of Defense for Acquisition and Sustainment.

(46) In section 2548, by striking the Under Secretary of Defense for Acquisition, Technology, and Logistics each place it appears and inserting the Under Secretary of Defense for Acquisition and Sustainment.

(47) In section 2602(b)—

(A) by striking paragraph (1) and inserting the following new paragraph (1):

"(1) The official within the Office of the Under Secretary of Defense for Research and Engineering who is responsible for science and technology.",

(B) by redesigning paragraphs (2) through (9) as paragraphs (5) through (10), respectively;

(C) by striking paragraph (3); and

(D) by inserting after paragraph (2) the following new paragraph:

"(3) The official within the Office of the Under Secretary of Defense for Research and Engineering who is responsible for environmental security.",

(E) by redesigning paragraphs (4) through (9) as paragraphs (10) through (19), respectively;

(F) by striking paragraph (5); and

(G) by inserting after paragraph (4) the following new paragraph:

"(4) The official within the Office of the Under Secretary of Defense for Acquisition and Sustainment who is responsible for environmental security.",

(48) In section 2606(a)(5)(D), by striking the Under Secretary of Defense for Acquisition, Technology, and Logistics and inserting the Under Secretary of Defense for Acquisition and Sustainment.

(b) NATIONAL DEFENSE AUTHORIZATION ACTS.


(c) RECOMMENDATIONS FOR LEGISLATIVE ACTION.—Not later than 14 days after the President submits to Congress the budget for fiscal year 2021 pursuant to section 1105 of title 31, United States Code, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees the recommendations for legislative action as the Under Secretary considers appropriate to implement the recommendations of the review required by section 901 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1920).

TITLE LX—GENERAL MATTERS

SEC. 6001. UTILIZING SIGNIFICANT EMISSIONS WITH INNOVATIVE TECHNOLOGIES.

(a) SHORT TITLE.—This section may be cited as the “Utilizing Significant Emissions with Innovative Technologies Act” or the “USE IT Act”.


(1) in subsection (c)(3), in the first sentence of the matter preceding subparagraph (A), by striking each place it appears and inserting the following:

"(A) the Under Secretary of Defense for Acquisition and Sustainment;

(B) the Under Secretary of Defense for Acquisition and Sustainment; and

(C) the Under Secretary of Defense for Acquisition and Sustainment.

SEC. 6002. FISCAL YEAR 2019 DOD ANNUAL REPORT.

The Secretary of Defense shall submit to Congress the budget for fiscal year 2020 pursuant to section 1105 of title 31, United States Code, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees the recommendations for legislative action as the Under Secretary considers appropriate to implement the recommendations of the review required by section 901 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1920).
striking “persecutors” and inserting “persecutors” and
(2) in subsection (g)—
(A) by redesigning paragraphs (1) through (4) to appear
through (D), respectively, and indenting appropri-
ately;
(B) in the undesigned matter following subparagraph (D),
(i) in the second sentence, by striking “The Administra-
tor” and inserting the following:
“5) COORDINATION AND AVOIDANCE OF DUPLI-
CATION.—There shall be—
(ii) in the first sentence, by striking “Nothing” and inserting the following:
“(ii) EFFECT OF SUBSECTION.—Nothing”;
(C) in the matter preceding subparagraph (A) (as so redesignated) through
(D), respectively, and indenting appropri-
ately;
(ii) in the first sentence, by striking “Such program and inserting the following:
“(ii) PROGRAM INCLUSIONS.—The program under this subsection—
(iii) in the second sentence—
(I) by inserting “States, institutions of
higher education,” after “scientists,” and
(ii) by striking “Such strategies and tech-
nologies shall be developed” and inserting the following:
“(I) PARTICIPATION REQUIREMENT.—Such strategies and technologies described in
paragraph (1) shall be developed”; and
(ii) in the first sentence, by striking “In
(carrying out)” and inserting the following:
“(I) IN GENERAL.—In carrying out:
(ii) by adding at the end the following:
“(6) CARBON DIOXIDE ACTIVITIES.—
(A) IN GENERAL.—In carrying out para-
graph (3)(A) with respect to carbon dioxide.
the Administrator shall carry out the activi-
ties described in each of subparagraphs (B),
(C), (D), and (E):—
(B) DIRECT AIR CAPTURE RESEARCH.—
(i) DEFINITIONS.—In this subparagraph:
(I) BOARD.—The term ‘Board’ means the
Direct Air Capture Technology Advisory
Board established by clause (iii)(I).
(ii) DILUTE.—The term ‘dilute’ means a
concentration of less than 1 percent by vol-
ume.
(iii) DIRECT AIR CAPTURE.—
(aa) IN GENERAL.—The term ‘direct air
capture’, with respect to a facility, tech-
nology, or system means that the facility,
technology, or system uses carbon capture
equipment to capture carbon dioxide directly
from the air.
(bb) TERM.—The term ‘direct air cap-
ture’ does not include any facility, tech-
nology, or system that captures carbon
dioxide.
(1) that is deliberately released from
(a) an invention that is patentable under
clause (35), United States Code; and
(b) any patent on an invention described in
item (aa).
(ii) TECHNOLOGY PRIZES.—
(I) IN GENERAL.—Not later than 1 year
after the date of enactment of the USE IT
Act, the Administrator, in consultation with the
Secretary of Energy, shall establish a
program to provide, and shall provide, finan-
cial awards on a competitive basis for direct air
capture technologies that are incorporated in
the United States, in connection with any intellectual
property described in subclause (I); but
(bb) shall not, in the exercise of a license
under item (aa), publicly disclose proprietary
information relating to the li-
cense.
(ii) TRANSFER OF TITLE.—Title to any
intellectual property described in subclause (I) shall not be transferred or passed, except to
an entity that is incorporated in the United
States, until the expiration of the first pat-
tent obtained in connection with the intellec-
tual property.
(iii) AUTHORIZATION OF APPROPRIATION.—
In general.—Of the amounts author-
ized to be appropriated for the Environ-
mental Protection Agency, $35,000,000 shall be
available to carry out this subparagraph, to
remain available until expended.
(ii) REQUIREMENT.—Research carried out
using amounts made available under sub-
clause (I) may not duplicate research funded by the
Department of Energy.
(iii) TERMINATION OF AUTHORITY.—The
Board and all authority provided under this
subparagraph shall terminate not later than 10
years after the date of enactment of the
USE IT Act.
(iii) CARBON DIOXIDE UTILIZATION RE-
SEARCH.—
(I) DEFINITION OF CARBON DIOXIDE UTIL-
IZATION.—In this subparagraph, the term ‘car-
bond dioxide utilization’ refers to tech-
nologies or approaches that lead to the use of
carbon dioxide—
(1) through the fixation of carbon dioxide
through photosynthesis or chemosynthesis,
such as through the growing of algae or bac-
terias;
(2) through the chemical conversion of
carbon dioxide to a material or chemical
compound in which the carbon dioxide is
securely stored; or
(3) through the use of carbon dioxide for
any other purpose for which a commercial
market exists, as determined by the Admin-
istrator.
(ii) PROGRAM.—The Administrator, in
consultation with the Secretary of Energy,
shall carry out a research and development
program for carbon dioxide utilization to
promote existing and new technologies that can
be used in industrial processes into a product of com-
mercial value, or as an input to products of com-
mercial value.
(iii) TECHNICAL AND FINANCIAL ASSISTANCE.—
Not later than 2 years after the date of
enactment of the USE IT Act, in carrying out
this subsection, the Administrator, in
consultation with the Secretary of Energy,
shall support research and infrastructure ac-
tivities relating to carbon dioxide utilization by
providing technical assistance and finan-
cial assistance in accordance with clause
(iv).
(iv) ELIGIBILITY.—To be eligible to receive
technical assistance and financial assistance
under clause (iii), a carbon dioxide utiliza-
tion project shall—
(1) have access to an emissions stream
generated by a stationary source within the
United States that is capable of supplying
not less than 250 metric tons per day of car-
bond dioxide for research;
(2) have access to adequate space for a
laboratory and equipment for testing small-
scale carbon dioxide utilization technologies,
with onsite access to larger test bays for
scale-up; and
(3) have existing partnerships with in-
stitutions of higher education, private com-
panies, States, or other government entities.
"(v) COORDINATION.—In supporting carbon dioxide utilization projects under this paragraph, the Administrator shall consult with the Secretary of Energy, and, as appropriate, with the heads of any other relevant Federal agencies, States, the private sector, and institutions of higher education to develop methods and technologies to account for the carbon dioxide emissions and sequestration projects and carbon dioxide pipeline permitting.

(i) the appropriate points of interaction with Federal agencies;

(ii) clarification of the permitting responsibilities and authorities among Federal agencies; and

(iii) best practices and templates for permitting.

(vi) INVENTORY.—(A) The Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives an overview of any potential risks identified under subclause (I), including potential risks unique to public land; and

(b) DEEP SALINE FORMATION REPORT.—

(i) DEFINITION OF DEEP SALINE FORMATION.—

(1) IN GENERAL.—In this subparagraph, the term ‘‘deep saline formation’’ means a formation of subsurface geologically extensive sedimentary rock layers saturated with waters or brines that have a high total dissolved solids content and that are below the depth where carbon dioxide can exist in the formation as a supercritical fluid.

(ii) CLARIFICATION.—In this subparagraph, the term ‘‘deep saline formation’’ does not include oil and gas reservoirs.

(iii) REPORT.—In consultation with the Secretary of Energy, and, as appropriate, with the heads of any other relevant Federal agencies, the Administrator shall submit to Congress a report describing any potential risks identified under subclause (I) may not duplicate research funded by the Department of Energy.

(iv) DEEP SALINE FORMATION REPORT.—

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress a report describing any potential risks identified under subclause (I), including potential risks unique to public land; and

(b) DEEP SALINE FORMATION REPORT.—

(i) EXTRACTION, UTILIZATION, AND SEQUESTRATION REPORT, PERIODIC PUBLICATIONS.—

(1) IN GENERAL.—After submission of the report required under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives, and

(ii) as soon as practicable, make the report publicly available.

(V) REPORT.—(A) IN GENERAL.—After submission of the report required under paragraph (2)(B), but not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress guidance consistent with that report to all relevant Federal agencies that—

(i) facilitates reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(ii) supports the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) REQUIREMENTS.—

(i) IN GENERAL.—The guidance under subparagraph (A) shall address requirements under—

(V) the Act of June 8, 1940 (16 U.S.C. 668m et seq.);

(VI) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(VII) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(VIII) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.); and

(IX) any other Federal law that the Chair determines to be appropriate.

the public notice, comment, and solicitation of information procedures under section 1506.6 of title 40, Code of Federal Regulations (or a successor regulation).

(c) USE OF FUNDS; PUBLICATION.—The Chair shall—
(i) submit the guidance under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and
(ii) as soon as practicable, make the guidance public.

(D) EVALUATION.—The Chair shall—
(i) periodically evaluate the reports of the task forces under paragraph (4)(E) and, as necessary, revise the guidance under subparagraph (A); and
(ii) each year, submit to the Committee on Environment and Public Works of the Senate, the Committee on Energy and Commerce of the House of Representatives, and relevant Federal agencies a report that describes any recommendations for legislation, rules, revisions to rules, or other policies that would address the issues identified by the task forces under paragraph (4)(E).

(3) TASK FORCES.—

(A) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Chair shall establish not less than 2 task forces to cover each of a different geographical area with differing demographic, land use, or geological issues—

(i) to identify committing and other challenges that permit committing authorities and project developers and operators face; and

(ii) to improve the performance of the permitting process and regional coordination for the purpose of promoting the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) MEMBERS AND SELECTION.—

(i) IN GENERAL.—The Chair shall—

(I) develop criteria for the selection of members to each task force; and

(II) select members for each task force in accordance with subclause (I) and clause (ii).

(ii) MEMBERS.—Each task force—

(I) shall include not less than 1 representative of—

(aa) the Environmental Protection Agency; (bb) the Department of Energy; (cc) the Department of the Interior; (dd) any other Federal agency the Chair determines to be appropriate; (ee) any State that requests participation in the geographical area covered by the task force; (ff) developers or operators of carbon capture, utilization, and sequestration projects or carbon dioxide pipelines; and

(gg) nongovernmental membership organizations with a primary mission of which concerns protection of the environment; and

(ii) at the request of a Tribal or local government, may include a representative of—

(aa) less than 1 local government in the geographical area covered by the task force; and

(bb) not less than 1 Tribal government in the geographical area covered by the task force.

(C) MEETINGS.—

(i) IN GENERAL.—Each task force shall meet not less than twice each year.

(ii) JOINT MEETING.—To the maximum extent practicable, the task forces shall meet collectively not less than once each year.

(D) DUTIES.—Each task force shall—

(i) inventory existing or potential Federal and State approaches to facilitate reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including best practices that—

(I) avoid duplicative reviews;

(II) engage stakeholders early in the permitting process; and

(III) make the permitting process efficient, orderly, and

(ii) develop common models for State-level carbon dioxide pipeline regulation and oversight guidelines that can be shared with States in the geographical area covered by the task force;

(iii) provide technical assistance to States in the geographical area covered by the task force for the purpose of promoting the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(iv) identify gaps in the current Federal and State regulatory framework and in existing data for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;

(v) identify Federal and State financing mechanisms available to project developers; and

(vi) develop recommendations for relevant Federal agencies on how to develop and research technologies that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(vii) identify carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects; and

(viii) determine to be appropriate;

(C) SUBMISSION; PUBLICATION.—The Chair shall—

(i) any recommendations for improvements in efficient, orderly, and responsible issuance of financial assistance for research under paragraph (6) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g));

(ii) any other nationally relevant information that the task force has collected in carrying out the duties under subparagraph (D).

(E) EVALUATION.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a recommendation as to whether the task forces should continue.

SEC. 6002. REPORTING REGARDING CANCELLED APROPRIATIONS.

(a) ASSESSMENTS REQUIRED.—

(1) FISCAL YEARS 2009 THROUGH 2018.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the committees of Congress described in paragraph (5) a report that describes the amount of appropriations cancelled under section 1502 of title 31, United States Code, during each of fiscal years 2009 through 2018.

(2) FISCAL YEAR 2019.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the committees of Congress described in paragraph (5) a report that assesses the amount of appropriations cancelled under section 1502 of title 31, United States Code, during fiscal year 2019.

(b) E LEMENTS OF ASSESSMENT.—Each assessment conducted under subsection (a) shall address the following:

(1) The amount of appropriations for each agency that were cancelled during each fiscal year covered by the report, including—

(A) the name of each appropriation account from which amounts were cancelled; and

(B) for each cancelled appropriation, the fiscal year for which the appropriation was made, the period of availability of the appropriation, and the fiscal year during which the appropriation was cancelled;

(C) for each fiscal year for which appropriations made to the agency were cancelled, the percentage of the appropriations made available to the agency for the fiscal year that were cancelled; and

(D) whether there was an adjustment made with respect to the cancelled appropriation under section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)) or the cancelled appropriation was otherwise excluded from being taken into account for purposes of the discretionary spending limit imposed in section 250 of such Act (2 U.S.C. 900).

(2) The extent to which canceled appropriations differ significantly across agencies or over time.

(3) The extent to which canceled appropriations are correlated with obligation rates or other factors.

(4) The extent to which canceled appropriations are correlated with the length of continuing resolutions in the original year of the appropriation.

(c) REPORTS TO COMMITTEES.—

(D) the underlying causes of each such weakness.

(III) A plan for remediating each such weakness.

SEC. 6004. EXEMPTION FROM CALCULATION OF MONTHLY INCOME, FOR PURPOSES OF BANKRUPTCY LAWS, CERTAIN PAYMENTS FROM THE DEPARTMENT OF VETERANS AFFAIRS AND THE DEPARTMENT OF DEFENSE OR THE DEPARTMENT OF TREASURY.

Section 101(10A) of title 11, United States Code, is amended by striking subparagraph (B) and inserting the following:

"(B) The monthly amount paid by any entity other than the debtor (or in a joint case the debtor and the debtor's spouse), on a regular basis for the household expenses of the debtor or the debtor's spouse (and, in a joint case, the debtor's spouse if not otherwise a dependent); and

"(II) excludes—

(1) benefits received under the Social Security Act (42 U.S.C. 301 et seq.); and

(II) payments to victims of war crimes or terrorism or domestic terrorism, as those
terms are defined in section 2331 of title 18, on account of their status as victims of such terrorism; and

(IV) any monthly compensation, pension, pay, or other pay paid under title 10, 37, or 38 in connection with a disability, combat-related injury or disability, or death of a member of the uniformed services, except that pay excluded under this subclause shall include retired pay paid under chapter 61 of title 10 only to the extent that such retired pay exceeds the amount of retired pay to which the debtor would otherwise be entitled if retired under any provision of title 10 other than chapter 61 of that title.

SEC. 6005. SILVER STAR SERVICE BANNER DAY.

(a) FINDINGS.—Congress finds the following:

(1) Congress is committed to honoring the sacrifices of wounded and ill members of the Armed Forces.

(2) The Silver Star Service Banner recognizes the members of the Armed Forces and veterans who were wounded or became ill while serving in combat for the United States.

(3) The sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten.

(4) May 1 is an appropriate date to designate as "Silver Star Service Banner Day".

(b) PROCLAMATION.—(1) In GENERAL.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following:

"§ 146. Silver Star Service Banner Day

(1) in the section heading, by inserting ‘‘Silver Star Service Banner Day’’;

(2) by striking the section heading and inserting the following:

'Silver Star Service Banner Day.''.

SEC. 6006. ELECTROMAGNETIC PULSES AND GEO-MAGNETIC DISTURBANCES.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘appropiate congressional committees’’ has the meaning given that term in subsection (d) of section 320 of the Homeland Security Act of 2002, as added by subsection (a); and

(2) the terms ‘‘critical infrastructure’, ‘‘EMP’’, and ‘‘GMD’’ have the meanings given such terms in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

(b) HOMELAND SECURITY.—Section 320 of the Homeland Security Act of 2002 (6 U.S.C. 121 note) is amended—

(1) in the section heading, by inserting ‘‘AND THREAT ASSESSMENT, RESPONSE, AND RECOVERY’’ after ‘‘DEVELOPMENT’’; and

(2) at the end the following:

‘‘(d) THREAT ASSESSMENT, RESPONSE, AND RECOVERY.—

‘‘(1) DEFINITIONS.—In this subsection—

‘‘(A) the term ‘‘appropriate congressional committees’’ means—

‘‘(i) the Committee on Homeland Security and Governmental Affairs, the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Committee on Commerce, Science, and Transportation of the Senate; and

‘‘(ii) the Committee on Homeland Security, the Committee on Armed Services, and the Committee on Energy and Commerce of the House of Representatives;

‘‘(B) the term ‘‘prepare’’ and ‘‘preparedness’’ mean the actions taken to plan, organize, equip, train, and exercise to build and sus-

tain the capabilities necessary to prevent, protect against, mitigate the effects of, respond to, and recover from those threats that pose the greatest risk to the security of the United States; and

‘‘(C) the term ‘‘Sector-Specific Agency’’ has the meaning given such term in section 2331.

‘‘(2) ROLES AND RESPONSIBILITIES.—

‘‘(A) DISTRIBUTION OF INFORMATION.—

‘‘(i) IN GENERAL.—Beginning not later than June 19, 2020, the Secretary shall—

‘‘(I) provide the Administrator of the Federal Emergency Management Agency with the information identified in the quadrennial EMP and GMD risk assessment.

‘‘(II) develop technologies to enhance the resilience of and better protect critical infrastructure to the effects of EMPs and GMDs; and

‘‘(C) EMERGENCY INFORMATION SYSTEM.—

‘‘(I) IN GENERAL.—The Secretary, in coordination with the Secretary of Defense, the Secretary of Energy, and the Secretary of Commerce shall provide a briefing to the appropriate congressional committees regarding the results of the quadrennial EMP and GMD risk assessment.

‘‘(ii) ENHANCING RESILIENCY.—The Secretary, in coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, and other relevant agencies, shall use the results of the quadrennial EMP and GMD risk assessments to better understand and to improve resilience to the effects of EMPs and GMDs across all critical infrastructure sectors, including coordinating the prioritization of critical infrastructure at greatest risk to the effects of EMPs and GMDs.

‘‘(ii) COORDINATION.—

‘‘(A) REPORT ON TECHNOLOGICAL OPTIONS.—Not later than December 21, 2020, and every 4 years thereafter until 2032, the Secretary, in coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, and the heads of other relevant Sector-Specific Agencies, shall use the information developed under clause (i) to identify gaps in available technological options and opportunities for technological development to inform research and development activities.

‘‘(B) TEST DATA.—

‘‘(i) IN GENERAL.—Not later than December 20, 2020, the Secretary, in coordination with the heads of Sector-Specific Agencies, the Secretary of Defense, and the Secretary of Energy, shall—

‘‘(1) review test data regarding the effects of EMPs and GMDs on critical infrastructure systems, networks, and assets representative of those throughout the Nation; and

‘‘(ii) identify any gaps in test data.

‘‘(ii) PLAN.—Not later than 180 days after identifying gaps in test data under clause (i), the Secretary, in coordination with the heads of Sector-Specific Agencies, the Secretary of Defense, and the Secretary of Energy, shall, in consultation with the Secretary of Homeland Security and the heads of other relevant agencies, and, as appropriate, private-sector partners, submit to the appropriate congressional committees a report that—

‘‘(i) assesses the technological options available to improve the resilience of critical infrastructure to the effects of EMPs and GMDs; and

‘‘(ii) identifies gaps in available technological options and opportunities for technological development to inform research and development activities.

‘‘(iii) IMPLEMENTATION.—

‘‘(I) IN GENERAL.—Beginning not later than December 21, 2020, and every 4 years thereafter until 2032, the Secretary, in coordination with the heads of Sector-Specific Agencies, the Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, and other appropriate agencies, and, as appropriate, private-sector partners, shall submit to the appropriate congressional committees a report that—

‘‘(i) assesses the technological options available to improve the resilience of critical infrastructure to the effects of EMPs and GMDs; and

‘‘(ii) identifies gaps in available technological options and opportunities for technological development to inform research and development activities.

‘‘(iv) Cooperate.—The heads of Sector-Specific Agencies, the Secretary of Defense, the Secretary of Energy, and the Secretary of Commerce shall—

‘‘(I) coordinate the response to and recovery from those threats that pose the greatest risk to the security of the United States; and

‘‘(II) develop technologies to enhance the resilience of and better protect critical infrastructure to the effects of EMPs and GMDs; and

‘‘(iii) ENHANCING RESILIENCY.—The Secretary, in coordination with the Secretary of Defense, the Secretary of Energy, and the Secretary of Commerce shall provide a briefing to the appropriate congressional committees regarding the results of the quadrennial EMP and GMD risk assessment.

‘‘(i) IN GENERAL.—The Secretary, in coordination with the Secretary of Defense, the Secretary of Energy, and the Secretary of Commerce, and informed by intelligence, law enforcement, and other relevant information, shall conduct a quadrennial EMP and GMD risk assessment.

‘‘(ii) REPORT.—Not later than March 26, 2020, and every 4 years thereafter until 2022, the Secretary, in coordination with the Secretary of Defense, the Secretary of Energy, and the Secretary of Commerce, shall provide a report to the appropriate congressional committees regarding the results of the quadrennial EMP and GMD risk assessment.
the overarching responsibilities of the Federal Government to lead and sustain the Nation before, during, and in the aftermath of a catastrophic emergency, such as an EMP or GMD, affects the performance of the Federal Government.

(2) UPDATED OPERATIONAL PLANS.—Not later than March 28, 2020, each agency that supports an essential function shall prepare updated operational plans documenting the procedures and responsibilities of the agency relating to preparing for, protecting against, and mitigating the effects of EMPs and GMDs.

(d) BENCHMARKS.—Not later than March 28, 2020, each agency shall develop and update, as necessary, quantitative and voluntary benchmarks that sufficiently describe the physical characteristics of EMPs, including waveform and intensity, in a form that is useful to and can be shared with owners and operators of critical infrastructure. Nothing in this subsection shall affect the authority of the Electric Reliability Organization to develop and enforce, or the authority of the Federal Energy Regulatory Commission to approve, reliability standards.

(e) PILOT TEST BY DHS TO EVALUATE ENGINEERING APPROACHES.—

(1) IN GENERAL.—Not later than September 22, 2020, the Secretary of Homeland Security, in consultation with the Secretary of Defense, the Secretary of Homeland Security, and, as appropriate, the private sector, shall conduct a pilot test to evaluate available engineering approaches for mitigating the effects of EMPs and GMDs on the most vulnerable critical infrastructure systems, networks, and assets.

(2) BRIEFING.—Not later than 90 days after the date on which the pilot test described in paragraph (1) is completed, the Secretary of Homeland Security, in coordination with the Secretary of Defense, the Secretary of Energy, and, in consultation with the private sector, shall brief the appropriate congressional committees on the cost and effectiveness of the evaluated approaches.

(f) PILOT TEST BY DOD TO EVALUATE ENGINEERING APPROACHES.—

(1) IN GENERAL.—Not later than September 22, 2020, the Secretary of Defense, in consultation with the Secretary of Homeland Security and the Secretary of Energy, shall conduct a pilot test to evaluate engineering approaches for hardening a strategic military installation, including infrastructure that is critical to supporting that installation, against the effects of EMPs and GMDs.

(2) REPORT.—Not later than 180 days after completing the pilot test described in paragraph (1), the Secretary of Defense shall submit to the appropriate congressional committees a report regarding the cost and effectiveness of the evaluated approaches.

(g) COMMUNICATIONS OPERATIONAL PLANS.—Not later than December 21, 2020, the Secretary of Homeland Security, after holding a series of joint meetings with the Secretary of Defense, the Secretary of Commerce, the Federal Communications Commission, and the Secretary of Transportation shall submit to the appropriate congressional committees a report regarding

(1) assessing the effects of EMPs and GMDs on critical communications infrastructure; and

(2) recommending any necessary changes to operational plans to enhance national response and recovery efforts after an EMP or GMD.

(h) TECHNICAL AND CONFIRMING AMENDMENT.—The table of sections in section 1(b) of the Homeland Security Act of 2002 is amended by striking the item relating to section 320 and inserting the following:

"Sec. 320. EMP and GMD mitigation research and development and threat assessment, response, and recovery."
(d) FUNDING.—Subsection (e)(2) of such section is amended—
(1) by amending subparagraph (A) to read as follows:
"(A) an account for Industrial Technical Services account.—To the extent provided for in accordance with appropriations Acts, the Secretary may use amounts appropriated to the Institute for Industrial Technical Services account to carry out this section as follows:
"

(2) in paragraph (2), by striking "December 31, 2024" and inserting "December 31, 2030":

(e) NATIONAL PROGRAM OFFICE.—Subsection (f) of such section is amended—
(1) in paragraph (2),
(A) in subparagraph (B)—
(i) by inserting "coordinate with and, as appropriate, before "enter":
(ii) by inserting "including the Department of Agriculture, the Department of Defense, the Department of Energy, the Department of Labor, the Food and Drug Administration, the National Institute of Standards and Technology, the National Institutes of Health, and the National Science Foundation, after "manufacturing,";
(B) in subparagraph (E), by striking "2-year" and inserting "3-year":
(C) by redesignating subparagraph (F) as subparagraph (G); and
(D) by inserting after subparagraph (G) the following:
"(F) to carry out pilot programs in collaboration with the centers for manufacturing innovation such as a laboratory-embedded entrepreneurship program;
"(G) to provide support services and funding as necessary to promote workforce development activities;
"(H) to coordinate with centers for manufacturing innovation to develop best practices for the membership agreements and coordination of similar project solicitations;
"(I) to collaborate with the Department of Labor, the Department of Education, industry, central technical education schools, local community colleges, universities, and labor organizations to provide input for the development of national certifications for advanced manufacturing workforce skills in the technology areas of the centers for manufacturing innovation and;"

(2) in paragraph (3), by inserting "State, Tribal, and local governments," after "community colleges," and
(3) in paragraph (5)—
(A) by striking "The Secretary" and inserting "the following:
"(A) IN GENERAL.—The Secretary; and
(B) by adding at the end the following:
"(B) LIABONS.—The Secretary may provide financial assistance to a manufacturing extension center established as part of the Hollings Manufacturing Extension Partnership to support the purposes of the Program by providing services in one or more of the following areas:
"(I) Cybersecurity awareness and support services for small- and medium-sized manufacturers.
"(II) Assistance with workforce development.
"(III) Technology transfer for small and medium-sized manufacturers.
"(IV) Such other areas as the Secretary determines appropriate to support the purposes of the Program.
"

(ii) SUPPORT.—Support under clause (i) may include the designation of a liaison."
“(vii) if appropriate for the activities proposed in the application, analyze the likelihood that the participants in the regional innovation initiative will be able to sustain activities after grant funds are expended under this subsection have been expended.

“(C) FEEDBACK.—The Secretary shall provide feedback to program applicants that are not awarded grants to help them improve future applications.

“(D) SPECIAL CONSIDERATIONS.—The Secretary shall give special consideration to:

“(i) applications proposing to include workforce or training related activities in their regional innovation initiative if eligible entities agree to collaborate with local workforce investment area boards; and

“(ii) applications from regions that contain communities negatively impacted by trade.

“(5) COST SHARE.—The Secretary may not provide more than 50 percent of the total cost of any activity funded under this subsection.

“(6) OUTREACH TO RURAL COMMUNITIES.—

“(A) IN GENERAL.—The Secretary shall conduct outreach to public and private sector entities in rural communities to encourage those entities to participate in regional innovation initiatives under this subsection.

“(B) AS PART OF THE PROGRAM—As part of the program established pursuant to subsection (b), the Secretary, through the Economic Development Administration, shall submit an annual report to the Senate that explains the balance in the allocation of grants to eligible recipients under this subsection between rural and urban areas.

“(7) FUNDING.—The Secretary may accept funds from other Federal agencies to support grants and activities under this subsection.

“(8) REGIONAL INNOVATION RESEARCH AND INFORMATION PROGRAM.—

“(1) IN GENERAL.—As part of the program established pursuant to subsection (b), the Secretary shall establish a regional innovation research and information program—

“(A) to gather, analyze, and disseminate information on best practices for regional innovation initiatives, including information relating to how innovation, productivity, and economic development can be maximized through such initiatives;

“(B) to provide technical assistance, including through the development of technical assistance guides, for the development and implementation of regional innovation initiatives;

“(C) to support the development of relevant metrics and measurement standards to evaluate regional innovation initiatives, including the extent to which such strategies stimulate innovation, productivity, and economic development; and

“(D) to make available data on regional innovation initiatives in the United States, including data on—

“(i) the size, specialization, and competitiveness of innovation initiatives, including the number of small businesses; and

“(ii) the regional domestic product contribution, total jobs and earnings by key occupations, establishment size, nature of specialization, patents, Federal research and development spending, and other relevant information for regional innovation initiatives; and

“(E) to apply chain product and service flows within and between regional innovation initiatives.

“(2) RESEARCH GRANTS.—The Secretary may make available data on a competitive basis to support and further the goals of the program established under this section.

“(3) DISSEMINATION OF INFORMATION.—Data and information made available by the Secretary under the program established in this subsection shall be made available to other Federal agencies, State and local governments, and nonprofit and for-profit entities.

“(4) REGIONAL INNOVATION GRANT PROGRAM.—The Secretary shall incorporate data and information described in paragraph (3) into the establishment of the program established under this subsection.

“(e) INTERAGENCY.—

“(1) IN GENERAL.—To the maximum extent practicable, the Secretary shall ensure that the activities carried out under this section are coordinated with, and do not duplicate, the efforts of, other programs at the Department of Commerce or at other Federal agencies.

“(2) COLLABORATION.—

“(A) IN GENERAL.—The Secretary shall explore and pursue collaboration with other Federal agencies, including through multi-agency funding opportunities, on regional innovation strategies.

“(B) SMALL BUSINESSES.—The Secretary shall ensure that such collaboration with small businesses.

“(f) EVALUATION.—

“(1) IN GENERAL.—Not later than 5 years after Congress first appropriates funds to carry out this section, the Secretary shall competitively award a contract with an independent entity to conduct an evaluation of programs established under this section.

“(2) REQUIREMENTS.—The evaluation conducted under paragraph (1) shall include—

“(A) an assessment of whether the program is achieving its goals;

“(B) the program’s efficacy in providing awards to geographically diverse entities;

“(C) any recommendations for how the program may be improved; and

“(D) a recommendation as to whether the program should be continued or terminated.

“(g) GRANTS CONTINUATION REQUIREMENT.—Not later than 5 years after the first grant is awarded under subsection (c), and every 5 years thereafter until 5 years after the last grant recipient completes the regional innovation initiative for which such grant was awarded, the Secretary shall submit a report to Congress that describes the outcome of each regional innovation initiative that was completed during the previous 5 years.

“(h) FUNDING.—From amounts appropriated by Congress for economic development assistance under section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), the Secretary may use up to $50,000,000 in each of the fiscal years 2020 through 2024 to carry out this section.

SEC. 6010. REPORT ON NATIONAL GUARD AND UNITED STATES NORTHERN COMMAND CAPACITY TO MEET HOMELAND DEFENSE AND SECURITY INCIDENTS.

Not later than September 30, 2020, the Chief, National Guard Bureau shall, in consultation with the Commander of the United States Northern Command, submit to the congressional defense committees a report setting forth a description of the capabilities and limitations in manpower, equipment, training, and other resources of the United States Northern Command and the United States Air Force Reserve Command to meet homeland defense and security incidents, including the following:

“(1) An identification of the extent to which the United States Air Force Reserve Command and the United States Transportation Command are capable of supporting a large-scale homeland defense incident.

“(2) A comparison of the current strengths and areas of improvement across the spectrum of long-range emergencies that the United States Northern Command will face, including complex military operations, humanitarian assistance and disaster relief, and homeland security threats to the United States.

“(3) The readiness and resourcing status of the United States Northern Command and the United States Transportation Command, including the extent to which the United States Northern Command and the United States Transportation Command are capable of supporting a large-scale homeland defense incident.

“(4) An identification of the extent to which the United States Northern Command and the United States Transportation Command are capable of supporting a large-scale homeland defense incident.

“(5) The current assessments that address National Guard readiness and resourcing of regular United States Northern Command forces postured to respond to homeland defense initiatives.

“(6) A roadmap to 2040 that addresses readiness and analysis relating to any grant awarded under this subsection.

“(D) SMALL BUSINESSES.—The Secretary shall ensure that such collaboration with small businesses.

“(f) EVALUATION.—

“(1) IN GENERAL.—Not later than 5 years after Congress first appropriates funds to carry out this section, the Secretary shall competitively award a contract with an independent entity to conduct an evaluation of programs established under this section.

“(2) REQUIREMENTS.—The evaluation conducted under paragraph (1) shall include—

“(A) an assessment of whether the program is achieving its goals;

“(B) the program’s efficacy in providing awards to geographically diverse entities;

“(C) any recommendations for how the program may be improved; and

“(D) a recommendation as to whether the program should be continued or terminated.

“(g) GRANTS CONTINUATION REQUIREMENT.—Not later than 5 years after the first grant is awarded under subsection (c), and every 5 years thereafter until 5 years after the last grant recipient completes the regional innovation initiative for which such grant was awarded, the Secretary shall submit a report to Congress that describes the outcome of each regional innovation initiative that was completed during the previous 5 years.

“(h) FUNDING.—From amounts appropriated by Congress for economic development assistance authorized under section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), the Secretary may use up to $50,000,000 in each of the fiscal years 2020 through 2024 to carry out this section.”
INTEGRATED PUBLIC ALERT AND WARNING SYSTEM.

(a) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the Agency;

(2) the term “Agency” means the Federal Emergency Management Agency;

(3) the term “public alert and warning system” means the integrated public alert and warning system of the United States described in section 526 of the Homeland Security Act of 2002 (6 U.S.C. 321);

(4) the term “Secretary” means the Secretary of Homeland Security; and

(b) INTEGRATED PUBLIC ALERT AND WARNING SYSTEM.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop minimum requirements for State, Tribal, and local governments and agencies, including the National Institute of Standards and Technology, the Agency, and the Federal Communications Commission; (2) COORDINATION WITH NATIONAL ADVISORY COUNCIL REPORT.—The Administrator shall ensure that the minimum requirements developed under paragraph (1) do not conflict with recommendations made for improving the public alert and warning system provided in the report submitted by the National Advisory Council under section 2(b)(7)(B) of the Integrated Public Alert and Warning System Modernization Act of 2015 (Public Law 114–143; 130 Stat. 332).

(c) CONTINUING RESOLUTION DEFINED.—In this section, the term “continuing resolution” means a continuing resolution or similar partial-year appropriation providing funds for the Department of Defense pending enactment of a full-year appropriation for the Department.

(d) REVIEW AND UPDATE OF MEMORANDA OF UNDERSTANDING.—

In general.—The Administrator shall review the memoranda of understanding between the Agency and State, Tribal, and local governments with respect to the public alert and warning system to ensure that all agreements ensure compliance with the requirements developed by the Administrator under subsection (b)(1).

(e) FUTURE MEMORANDA.—The Administrator shall ensure that any new memorandum of understanding entered into between the Agency and a State, Tribal, or local government on or after the date of enactment of this Act with respect to the public alert and warning system ensures that the agreement requires compliance with the requirements developed by the Administrator under subsection (b)(1).

(f) MISSILE ALERT AND WARNING AUTHORITY.—

(1) IN GENERAL.—

(A) AUTHORITY.—On and after the date that is 120 days after the date of enactment of this Act, the authority to originate an alert warning the public of a missile threat directed against a State using the public alert and warning system shall reside primarily with the Federal Government.

(B) DELEGATION OF AUTHORITY.—The Secretary may delegate the authority described in subparagraph (A) to a State, Tribal, or local entity if, not later than 180 days after the date of enactment of this Act, the Secretary submits a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that—

(i) it is not feasible for the Federal Government to alert the public of a missile threat against a State; or

(ii) it is not in the national security interest of the United States for the Federal Government to alert the public of a missile threat against a State.

(C) ACTIVATION OF SYSTEM.—Upon verification of a missile threat, the President, utilizing established authorities, protocol, and procedures, may activate the public alert and warning system.

(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to change the command and control relationship between entities of the Federal Government with respect to the identification, dissemination, notification, or alerting of information on missile threats against the United States that was in effect on the day before the date of enactment of this Act.

(2) REQUIRED PROCESSES.—The Secretary, acting through the Administrator, shall establish a process to promptly notify a State warning point, and any State entities that the Administrator determines appropriate, following the issuance of an alert described in paragraph (1)(A) so the State may take appropriate action to protect the health, safety, and welfare of the residents of the State.

(iii) SUMMARY.—The Secretary, acting through the Administrator, shall work with the Governor of a State warning point to develop all non-missile threat protective action plans to respond to an alert described in paragraph (1)(A) for that State.
SEC. 6013. REPORT ON IMPACT OF LIBERIAN NATIONALS ON THE NATIONAL SECURITY, FOREIGN POLICY, AND ECONOMIC INTERESTS OF THE UNITED STATES AND A JUDICIAL REVIEW OF THE DETERMINATION OF STATUS OF QUALIFYING LIBERIANS TO THAT OF LAWFUL PERMANENT RESIDENTS.

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

(1) In 1989, a seven-year civil war broke out in Liberia that—
   (A) claimed the lives of an estimated 200,000 people;
   (B) displaced over ⅓ of the Liberian population;
   (C) halted food production; and
   (D) destroyed the infrastructure and economy of Liberia.

(2) A second civil war then followed from 1999 to 2003, further destabilizing Liberia and creating more turmoil and hardship for Liberians.

(3) In total, the two civil wars in Liberia killed up to an estimated ¼ million individuals.

(4) From 2014 to 2016, Liberia faced an Ebola virus outbreak that devastated the fragile health system in Liberia and killed nearly 5,000 individuals.

(5) As a result of these devastating events, thousands of Liberians sought refuge in the United States. These efforts were authorized under Temporary Protected Status (TPS) and Deferred Enforced Departure (DED), extended under both Republican and Democratic administrations beginning in 1991 with the administration of President George H. W. Bush.

(6) These law-abiding and taxpaying Liberians have made homes in the United States, have worked hard, played by the rules, paid their dues, and submitted to rigorous vetting. Many such Liberians have United States citizen children who have served in the Armed Forces.

(b) USE OF INTEGRATED PUBLIC ALERT AND WARNING SYSTEM LAB.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(1) develop a program to increase the utilization and warning system lab of the Agency by State, Tribal, and local governments to test incident management and warning tools and train emergency management professionals on alert origination protocols and procedures; and

(2) submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and Governmental Affairs of the House of Representatives a report describing—
   (A) the impact of utilization of the public alert and warning system lab by State, Tribal, and local governments resulting from the program developed under paragraph (1); and
   (B) any further recommendations that the Administrator would make for additional statutory or appropriations authority necessary to increase the utilization of the public alert and warning system lab by State, Tribal, and local governments.

(c) AWARENESS OF ALERTS AND WARNINGS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(1) conduct a review of the National Watch Centers and each Regional Watch Center of the Agency; and

(2) submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and Governmental Affairs of the House of Representatives a report on the review conducted under paragraph (1), which shall include—
   (A) an assessment of the technical capability of the National and Regional Watch Centers described in paragraph (1) to be notified of alerts and warnings issued by a State through the public alert and warning system;
   (B) a determination of which State alerts and warnings the National and Regional Watch Centers described in paragraph (1) should receive; and
   (C) recommendations for improving the ability of the National and Regional Watch Centers described in paragraph (1) to receive any State alerts and warnings that the Administrator determines are appropriate.

(d) TIMELINE FOR COMPLIANCE.—Each State shall be given a reasonable amount of time to comply with any new rules, regulations, or requirements imposed under this section.

SEC. 6014. IMPROVING QUALITY OF INFORMATION IN BACKGROUND INVESTIGATION REQUEST PACKAGES.

(a) REPORT ON METRICS AND BEST PRACTICES.—Not later than 1 year after the date of enactment of this Act, the Director of the Defense Counterintelligence and Security Agency, in consultation with the Secretary of Defense, in consultation with the Secretary of Defense, in consultation with the Secretary of Defense, shall submit to Congress a report on—

(1) the number of current or former Liberian nationals and their children who have served or are currently serving in the Armed Forces;

(2) the economic and tax contributions that Liberian nationals and their children have made to the United States.

(b) REPORT.—In general.—Not later than 31 December 2019, the Secretary of Defense, in consultation with the Secretary of State, shall submit to Congress a report on the impact of the national security, foreign policy, and economic interests of the United States on the determination of status of qualifying Liberians to that of lawful permanent residents.

(c) QUALIFYING LIBERIAN.—

(1) IN GENERAL.—In this section, the term “qualifying Liberian” means and alien (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))) who—

(A) is a national of Liberia; and

(ii) has been continuously present in the United States during the period beginning on November 20, 2014, and ending on the date of the enactment of this Act;

(B) is the spouse, child, or unmarried son or daughter of an alien described in subparagraph (A); and

(C) is otherwise eligible to receive an immigrant visa; and

(D) is admissible to the United States for permanent residence, except that the grounds of inadmissibility specified in paragraphs (4), (5), (6)(A), and (7)(A) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) shall not apply for such alien.

(2) EXCEPTIONS.—The term “qualifying Liberian” does not include any alien who—

(A) has been convicted of any aggravated felonies;

(B) has been convicted of 2 or more crimes involving moral turpitude (other than a purely political offense); or

(C) has ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

(3) DETERMINATION OF CONTINUOUS PHYSICAL PRESENCE.—For purposes of establishing the period of continuous physical presence referred to in paragraph (1)(A)(ii), an alien shall not be considered to have failed to maintain continuous physical presence based on 1 or more absences from the United States in 1 or more periods amounting, in the aggregate, to not more than 180 days.

SEC. 6015. CONGRESSIONAL RECORD — SENATE
(b) ANNUAL REPORT ON PERFORMANCE.—Not later than 270 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Security, Suitability, and Credentialing Performance Accountability Council shall submit to Congress a report on performance against the metrics and return rates identified in paragraph (1) of subsection (a).

(c) IMPROVEMENT PLANS.—

(1) IDENTIFICATION.—Not later than one year after the date of the enactment of this Act, executive agencies under Executive Order 13467 (50 U.S.C. 3161 note) shall identify agencies in need of improvement with respect to the quality of the information in the background submissions of the agencies as reported in subsection (b).

(2) PLANS.—Not later than 90 days after an agency is identified under paragraph (1), the head of the agency shall provide the executive agents referred to in such paragraph with a plan to improve the performance of the agency with respect to the quality of the information in the agency’s background investigation submissions.

SEC. 6015. LIMITATION ON CERTAIN ROLLING STOCK PROCUREMENTS; CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.

Section 5223 of title 49, United States Code, is amended by adding at the end the following:

"(u) LIMITATION ON CERTAIN ROLLING STOCK PROCUREMENTS.—

"(1) I DENTIFICATION.—Not later than one year after the date of enactment of this Act, the Secretary of Homeland Security, as applicable, shall identify each manufacturer of rail rolling stock for use in public transportation with a rail rolling stock manufacturer described in paragraph (1) if the manufacturer of the rolling stock that was executed before the date of enactment of this Act and (2) in subparagraph (D), by striking the period after subparagraph (D) and inserting a semicolon.

"(2) ELIGIBLE ENTITY.—An eligible entity described in paragraph (4) shall not apply to the award of a contract or subcontract made to a manufacturer of rail rolling stock that was executed before the date of enactment of this Act.

"(B) USE OF CERTIFICATION.—In the case of a manufacturer of rail rolling stock that was executed before the date of enactment of this Act, paragraph (3)(B) of section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign port required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign port required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign port.
(3) by adding at the end the following:

“(E) an organization representing aircraft users, aircraft owners, or aircraft pilots.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the FAA Authorization Act of 2018 (Public Law 115–254).

SEC. 6020. LITTLE SHELL TRIBE OF CHIPPEWA INDIANS OF MONTANA.

(a) FINDINGS.—Congress finds that—

(1) the Little Shell Tribe of Chippewa Indians is a tribe whose ancestors, living on lands described in paragraph (2), have had continuing dealings with the recognized political Indian tribes of the State have had continuous dealings with the recognized political Indian tribes of the State of Montana, and the other federally recognized Indian tribes of the State have had continuous dealings with the Tribe;

(2) the Turtle Mountain Band of Chippewa Indians of North Dakota and the Chippewa-Cree Tribe of the Rocky Boy’s Reservation of Montana, which also are political successors to the signatories of the Pembina Treaty of 1863, under which a large area of land in the State of North Dakota was ceded to the United States under the Pembina Treaty of 1863, have been recognized by the Federal Government as distinct Indian tribes;

(3) the members of the Little Shell Tribe continue to live in the State of Montana, as their ancestors have for more than 100 years since ceding land in the State of North Dakota as described in paragraph (1);

(4) in 1929, the Tribe repeatedly petitioned the Federal Government for reorganization under the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (commonly known as the “Indian Reorganization Act”);

(5) Federal agents who visited the Tribe and Commissioner of Indian Affairs John Collier attested to the responsibility of the Federal Government for the Tribe and members of the Tribe, concluding that members of the Tribe are eligible for, and should be provided with, trust land, making the Tribe eligible for reorganization under the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (commonly known as the “Indian Reorganization Act”);

(6) due to a lack of Federal appropriations during the Depression, the Bureau of Indian Affairs lacked adequate financial resources to purchase land for the Tribe, and the members of the Tribe were denied the opportunity to reorganize;

(7) in spite of the failure of the Federal Government to appropriate adequate funding to support the Tribe as required for reorganization under the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (commonly known as the “Indian Reorganization Act”), the Tribe continued to exist as a separate community, with leaders exhibiting clear political authority;

(8) the Tribe, together with the Turtle Mountain Band of Chippewa of North Dakota and the Chippewa-Cree Tribe of the Rocky Boy’s Reservation of Montana, filed 2 law suits under the Act of August 13, 1946 (60 Stat. 1049) (commonly known as the “Indian Claims Commission Act”), to petition for additional compensation for land ceded to the United States under the Pembina Treaty of 1863 and the Mcumber Agreement of 1892;

(9) in 1971 and 1982, pursuant to Acts of Congress, the tribes received awards for the claims described in paragraph (8);

(10) in 1978, the Tribe submitted to the Bureau of Indian Affairs a petition for Federal recognition, which is still pending as of the date of enactment of this Act; and

(11) the Federal Government, the State of Montana, and the other federally recognized Indian tribes of the State have had continuous dealings with the recognized political leaders of the Tribe since the 1930s.

(b) DEFINITIONS.—In this section:

(1) MEMBER.—The term “member” means an individual who is enrolled in the Tribe pursuant to section 409(b) of the Act (25 U.S.C. 5101).

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(3) TRIBE.—The term “Tribe” means the Little Shell Tribe of Chippewa Indians of Montana.

(c) FEDERAL RECOGNITION.—

(1) IN GENERAL.—Federal recognition is extended to the Tribe.

(2) EFFECT OF FEDERAL LAWS.—Except as otherwise provided in this section, all Federal laws (including regulations) of general application to Indians and Indian tribes, including the Act of June 18, 1934 (25 U.S.C. 501 et seq.) (commonly known as the “Indian Reorganization Act”), shall apply to the Tribe and members.

(d) FEDERAL SERVICES AND BENEFITS.—

(1) IN GENERAL.—Beginning on the date of enactment of this Act, each member shall be eligible for all services and benefits provided by the United States to Indians and federally recognized Indian tribes, without regard to—

(A) the existence of a reservation for the Tribe; or

(B) the location of the residence of any member on or near an Indian reservation.

(2) SERVICE AREA.—For purposes of the delivery of services and benefits to members, the service area of the Tribe shall be considered to include the counties of Broadwater, Chouteau, Glacier, and Hill Counties in the State of Montana.

(e) REAFFIRMATION OF RIGHTS.—

(1) IN GENERAL.—In this section diminishment any right or privilege of the Tribe or any member that existed before the date of enactment of this Act.

(2) CLAIMS OF TRIBE.—Except as otherwise provided in this section, nothing in this section alters or affects any legal or equitable claim of the Tribe to enforce any right or privilege reserved by, or granted to, the Tribe that was wrongfully denied to, or taken from, the Tribe before the date of enactment of this Act.

(f) MEMBERSHIP ROLL.—

(1) IN GENERAL.—As a condition of receiving recognition, services, and benefits pursuant to this section, the Tribe shall submit to the Secretary, by not later than 18 months after the date of enactment of this Act, a membership roll consisting of the name of each individual enrolled as a member of the Tribe.

(2) DETERMINATION OF MEMBERSHIP.—The qualifications for inclusion on the membership roll of the Tribe shall be determined in accordance with the Act of September 10, 1977 (including amendments to the Act).

(3) MAINTENANCE OF ROLL.—The Tribe shall maintain the membership roll under this subsection.

(g) ACQUISITION OF LAND.—

(1) HOME LAND.—The Secretary shall acquire, for the benefit of the Tribe, trust title to 200 acres of land within the service area of the Tribe to be used for a tribal land base.

(2) ADDITIONAL LAND.—The Secretary may acquire additional land for the benefit of the Tribe pursuant to section 5 of the Act of June 18, 1934 (25 U.S.C. 5108) (commonly known as the “Indian Reorganization Act”).

SEC. 6021. PENSACOLA DAM AND RESERVOIR, GRAND RIVER, OKLAHOMA.

(a) PURPOSE.—The purpose of this section is to clarify Federal authorities and responsibilities relating to the Pensacola Dam and Reservoir.

(b) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Energy Regulatory Commission.

(2) CONSERVATION POOL.—The term “conservation pool” means all land and water of the Grand Lake O’ the Cherokees, Oklahoma, below elevation 745 feet (Pensacola Datum).

(3) FLOOD POOL.—The term “flood pool” means all land and water of Grand Lake O’ the Cherokees, Oklahoma, between elevation 745 feet and elevation 755 feet (Pensacola Datum).

(4) PROJECT.—The term “project” means the Pensacola Hydroelectric Project (FERC No. 1194).

(b) AUTHORIZATION.—The term “Secretary” means the Secretary of the Army.

(c) CONSERVATION POOL MANAGEMENT.—

(1) FEDERAL LAND.—The term “federal land” (as defined in section 3(2) of the Federal Power Act (16 U.S.C. 796(2)), Federal land within the project boundary, including any right, title, or interest held by the United States for any purpose, shall not be considered to be—

(A) a reservation for purposes of section 4(e) of that Act (16 U.S.C. 801(e));

(B) land or other property of the United States for purposes of recompensing the United States for the use, occupancy, or enjoyment of the land under section 10(e)(1) of that Act (16 U.S.C. 803(e)(1)); or

(C) land of the United States for purposes of section 24 of that Act (16 U.S.C. 818).

(2) LICENSE CONDITIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Commission shall not issue any license for, or grant any condition or other requirement relating to—

(i) surface elevations of the conservation pool; or

(ii) the flood pool (except to the extent it references flood control requirements prescribed by the Secretary); or

(iii) land or water above an elevation of 750 feet (Pensacola Datum). 

(B) EXCEPTION.—Notwithstanding subparagraph (A)(i), the Commission, shall, in consultation with the licensee, prescribe flexible surface and near-surface elevations of the conservation pool to the extent necessary for the protection of life, health, property, or the environment.

(c) PROJECT SCOPE.—

(1) LICENSING JURISDICTION.—The licensing jurisdiction of the Commission for the project shall not extend to any land or water outside the project boundary.

(2) OUTSIDE INFRASTRUCTURE.—Any land, water, or physical infrastructure or other improvement outside the project boundary shall not be considered to be part of the project.

(d) BOUNDARY AMENDMENT.—

(1) IN GENERAL.—The Commission shall amend the project boundary only on request of the project licensee.

(2) DENIAL OF REQUEST.—The Commission may deny a request to amend a project boundary under clause (1) if the Commission determines that the request is inconsistent with the requirements of part I of the Federal Power Act (16 U.S.C. 792 et seq.).

(e) FLOOD POOL MANAGEMENT.—

(1) EXCLUSIVE JURISDICTION.—Notwithstanding any other provision of law, the Secretary shall have exclusive jurisdiction and responsibility for management of the flood pool for flood control operations at Grand Lake O’ the Cherokees.

(2) PROPERTY ACQUISITION.—If a feasibility study or other investigation determines that flood control operations at or associated with Pensacola Dam, including any backwater effects resulting in the inundation of, or damage to, land outside the project boundary to which the United States does not hold flowage rights or holds insufficient flowage rights, the United States shall not have any obligation to obtain or enhance those flowage rights.

(f) SAVINGS PROVISION.—Nothing in this section affects, with respect to the project—

(1) any authority or obligation of the Secretary or the Chief of Engineers pursuant to
section 2 of the Act of June 28, 1938 (commonly known as the “Flood Control Act of 1938”) (33 U.S.C. 701c–1); (2) any authority of the Secretary or the Chief Engineer pursuant to section 7 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (33 U.S.C. 709); (3) the obligation of the United States to obtain flowage or other property rights pursuant to the Act of July 31, 1946 (60 Stat. 743, chapter 71); (4) any obligation of the United States to acquire flowage or other property rights for additional reservoir storage pursuant to Executive Order 10288, Fed. Reg. 2447; relating to the Grand River Dam Project; (5) any authority of the Secretary to acquire real property interest pursuant to section 3 of the National Resources Development Act of 1996 (Public Law 104–303; 110 Stat. 3783); (6) any obligation of the Secretary to conduct and pay the cost of a feasibility study pursuant to section 449 of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2641); (7) National Flood Insurance Program established under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), including any policy issued under that Act; or (8) any disaster assistance made available under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or other Federal disaster assistance program.

TITLE LXII—MATTERS RELATING TO FOREIGN NATIONS

SEC. 6201. STATEMENT OF POLICY AND SENSE OF SENATE ON RATIFICATION OF MUTUAL DEFENSE TREATY WITH THE REPUBLIC OF THE PHILIPPINES.

(a) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) while the United States has long adopted an approach that takes no position on the ultimate disposition of the disputed sovereignty claims in the South China Sea, disputing States should—

(A) resolve their disputes peacefully without the threat or use of force; and

(B) ensure that their maritime claims are consistent with international law; and

(2) the armed forces, public vessels, or aircraft of the Republic of the Philippines in the Pacific, including the South China Sea, would trigger the mutual defense obligations of the United States under Article IV of the Mutual Defense Treaty between the Republic of the Philippines and the United States of America, done at Washington, June 30, 1951, “to meet common dangers in accordance with its constitutional processes”.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Secretary of State and the Secretary of Defense should—

(1) affirm the commitment of the United States under the Mutual Defense Treaty between the United States and the Republic of the Philippines; (2) preserve and strengthen the alliance of the United States with the Republic of the Philippines; (3) prioritize efforts to develop a shared understanding of alliance commitments and defense planning; and

(4) provide appropriate support to the Republic of the Philippines to strengthen the self-defense capabilities of the Republic of the Philippines, particularly in the maritime domain.

SEC. 6202. SENSE OF SENATE ON ENHANCED CO-OPERATION 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;

(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 open-source intelligence fusion center in lieu of establishing an entirely new fusion center; and

(4) the United States should continue to support the political, economic, and security partnerships among Australia, New Zealand, and other Pacific Island countries.

SEC. 6203. TWO-YEAR EXTENSION OF PROGRAM AUTHORITY FOR GLOBAL SECURITY CONTINGENCY FUND.

(a) IN Effectiveness of section 1203.—Section 1203, and the amendments made by that section, shall have no force or effect.

(b) TWO-YEAR EXTENSION AND AVAILABILITY OF FUNDS.—Section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2511 note) is amended—

(1) in subsection (b), by striking “September 30, 2019” and inserting “September 30, 2021”; and

(2) by amending paragraph (2) to read as follows:

“(2) EXCEPTION.—Amounts appropriated and transferred to the Fund before September 30, 2019, shall remain available for obligation and expenditure after that date, but only for activities under programs commenced under subsection (b) before September 30, 2019.”

SEC. 6204. REPEAL OF PROHIBITION ON TRANSFER OF ARTICLES ON THE UNITED STATES MUNITIONS LIST TO THE REPUBLIC OF CYPRUS.

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

(1) allowing for the export, re-export or transfer of arms subject to the United States Munitions List (part 121 of title 22, Code of Federal Regulations) to the Republic of Cyprus would advance United States security interests in Europe by helping to reduce the dependence of the Republic of Cyprus on other countries, including countries that pose challenges to United States interests around the world, for defense-related material; and

(2) it is in the interest of the United States—

(A) to continue to support United Nations–facilitated efforts toward a comprehensive solution to the division of Cyprus; and

(B) for the Republic of Cyprus to join NATO’s Partnership for Peace program;

(b) MODIFICATION OF PROHIBITION.—Section 620C(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2373(e)) is amended—

(1) in paragraph (1), by striking “Any agreement” and inserting “As excepted in paragraph (3), any agreement”; and

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

“(3) The requirement under paragraph (1) shall not apply to any sale or other provision of any defense article or defense service to Cyprus if the sale or other provision of such defense article or defense service is the Government of the Republic of Cyprus.

(c) EXCLUSION OF THE GOVERNMENT OF THE REPUBLIC OF CYPRUS FROM CERTAIN RELATED REGULATIONS.—

In general.—Subject to subsection (d) and except as provided in paragraph (2), beginning on the date of the enactment of this Act, the Secretary of State shall not apply a denial for exports, re-exports, or transfers of defense articles and defense services destined for or originating in the Republic of Cyprus if—

(1) the end-user of such defense articles or defense services is the Government of the Republic of Cyprus; and

(2) EXCEPTION.—This exclusion shall not apply to any denial based upon credible human rights concerns.

(d) LIMITATIONS ON THE TRANSFER OF ARTICLES ON THE UNITED STATES MUNITIONS LIST TO THE REPUBLIC OF CYPRUS.

(1) IN GENERAL.—The policy of denial for exports, re-exports, or transfers of defense articles on the United States Munitions List to the Republic of Cyprus shall remain in place unless the President determines and certifies to the appropriate congressional committees not less than annually that—

(A) the Government of the Republic of Cyprus has and is continuing to take steps necessary to deny Russian military access to ports for refueling and servicing.

(B) WAIVER.—The President may waive the limitations contained in this subsection for one fiscal year if the President determines that it is essential to the national security interests of the United States to do so.

(3) APPROPRIATE CONGRESSIONAL COMMITTEE DETERMINATIONS.—In this section, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SEC. 6205. UNITED STATES-INDIA DEFENSE CO-OPERATION IN THE WESTERN INDIAN OCEAN.

(a) REPORT.—(1) In GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the relevant congressional committees a report on defense cooperation between the United States and India in the Western Indian Ocean.

(b) MATTERS TO BE INCLUDED.—The report required by paragraph (1) shall include the following:

(A) A description of military activities of the United States and India, separately, in the Western Indian Ocean. (B) A description of military cooperation activities between the United States and India in the areas of humanitarian assistance, counter terrorism, counter piracy, maritime security, and other areas as the Secretary determines appropriate.

(C) A description of how the relevant geographic combatant commands coordinate their activities with the Indian military in the Western Indian Ocean.

(D) A description of the mechanisms in place to ensure the relevant geographic combatant commands maximize defense cooperation with India in the Western Indian Ocean.
(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) MILITARY COOPERATION AGREEMENTS; CONDUCT OF REGULAR JOINT MILITARY TRAINING AND OPERATIONS.—The Secretary of Defense is authorized to enter into military cooperation agreements and to conduct regular joint military training and operations with India in the Western Indian Ocean on behalf of the United States Government, and after consultation with the Secretary of State:

(1) to maximize defense capabilities of the United States Indo-Pacific Command, United States Central Command, and United States Africa Command; and

(2) to participate in the exercise of rights and freedoms referred to in section 1261(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–281; 22 U.S.C. 2778 note) to entities described in subsection (b).

SEC. 6206. EXPANSION OF AVAILABILITY OF FINANCIAL ASSETS OF IRAN TO VICTIMS OF TERRORISM.

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

(1) On October 23, 2013, terrorists sponsored by the Government of Iran bombed the United States Marine barracks in Beirut, Lebanon. The terrorists killed 241 servicemen and injured scores more.

(2) Those servicemen were killed or injured while on a peacekeeping mission.

(3) Terrorism sponsored by the Government of Iran threatens the national security of the United States.

(4) The United States has a vital interest in ensuring that members of the Armed Forces killed or injured by such terrorism, and the family members of such members, are able to seek compensation in the courts.

(b) AMENDMENTS.—Section 502 of the Iran Human Rights Act of 2012 (22 U.S.C. 2182 note) to entities described in subsection (b).

(1) in subparagraph (A), by inserting ``(B) by striking the period at the end and

(ii) by inserting ''in aid of execution'' after

(ii) by striking ''in a manner that is not less stringent than

(3) the United States policy toward Hong Kong is guided by the United States-Hong Kong Policy Act of 1992 (Public Law 102–383; 106 Stat. 1448) (referred to in this section as the Act), which reaffirms that The Hong Kong Special Administrative Region of the People’s Republic of China, beginning on July 1, 1997, will continue to enjoy a high degree of autonomy on all matters other than defense and foreign affairs.

(2) The Act further states that “The human rights of the people of Hong Kong are important to us. The importance to the United States and to the United Kingdom is reflected in the nature of the relationship between the United States Government and the Hong Kong government. It is a relationship of equals and it should be based on mutual respect, such that Hong Kong is not a country and Hong Kong is an international city after “resources for such an act”; and

(ii) by inserting “, without regard to concerns related to national security” after “resources for such an act”; and

(B) in paragraph (b), by inserting “or in the exercise of rights and freedoms referred to in section 1261(c) of the National Defense Authorization Act for Fiscal Year 2013 in circumstances in which the services, bandwidth, or functions of the satellites are not used by the United States and are directly relevant to United States interests in Hong Kong.”;

(3) Pursuant to section 301 of the Act (22 U.S.C. 751), the annual report issued by the Department of State on developments in Hong Kong (referred to in this section as the “Report”), released on March 21, 2019, states that “The United States-Hong Kong Special Administrative Region of the People’s Republic of China, beginning on July 1, 1997, will continue to enjoy a high degree of autonomy on all matters other than defense and foreign affairs.”;

(4) The Act further states that “The human rights of the people of Hong Kong are important to us. The importance to the United States and to the United Kingdom is reflected in the nature of the relationship between the United States Government and the Hong Kong government. It is a relationship of equals and it should be based on mutual respect, such that Hong Kong is not a country and Hong Kong is an international city after “resources for such an act”; and

(ii) by inserting “, without regard to concerns related to national security” after “resources for such an act”; and

(B) in paragraph (b), by inserting “or in the exercise of rights and freedoms referred to in section 1261(c) of the National Defense Authorization Act for Fiscal Year 2013 in circumstances in which the services, bandwidth, or functions of the satellites are not used by the United States and are directly relevant to United States interests in Hong Kong.”;
British Joint Declaration of 1984, to allow Hong Kong to exercise a high degree of autonomy.

(5) The Report further states that the ‘‘Hong Kong democracy’’ took actions aligned with mainland priorities at the expense of human rights and fundamental freedoms. There were particular setbacks in democratic elections, dismissals of freedom of expression, and freedom of association.

(6) On June 10, 2019, the spokesperson for the Department of State issued a statement expressing serious concern about the Hong Kong authorities’ actions, including the arrests and applications of the extradition law, that undermine Hong Kong’s autonomy and negatively impact the protections of fundamental human rights, freedoms, and democratic values of the people of Hong Kong, as enshrined in the Act, Basic Law of 1990, and the Sino-British Joint Declaration of 1984.

(7) According to media reports, in June 2019, U.S. citizens of Hong Kong have taken part in demonstrations against the proposed amendments to its Fugitive Offenders Ordinance.

SECTION 6210. EXTENSION AND MODIFICATION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

Section 1232(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 115–322), as amended by section 1247 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), is further amended—

(a) by inserting ‘‘fiscal year 2017, 2018, or 2019’’ after ‘‘fiscal year 2017’’; and

(b) by striking ‘‘fiscal year 2017, 2018, or 2019’’ after ‘‘fiscal year 2018’’.

SEC. 6211. REVIEW AND REPORT ON OBLIGATIONS OF THE UNITED STATES TOWARDS THE PEOPLE’S REPUBLIC OF CHINA.

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

(1) the United States should reaffirm that the policy of the United States toward diplomatic relations with the People’s Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means, as described in that Act (22 U.S.C. 3301 et seq.).

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(3) the United States should reaffirm that the policy of the United States toward diplomatic relations with the People’s Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means, as described in that Act (22 U.S.C. 3301 et seq.).

(b) USE OF DEPARTMENT OF DEFENSE FACILITIES AND EQUIPMENT.—The Secretary of Defense, or their designees, shall brief the appropriate committees of Congress on the implementation of the Act.

SEC. 6212. IMPLEMENTATION OF THE ASIA REASSURANCE INITIATIVE ACT WITH REGARD TO TAIWAN ARMS SALES.

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

(1) The Department of Defense Indo-Pacific Strategy Report, released on June 1, 2019, states: ‘‘(I)The Asia Reassurance Initiative Act, a major bipartisan legislation, was signed into law by President Trump on December 31, 2018. This legislation enshrines a framework that demonstrates U.S. commitment to a free and open Indo-Pacific region and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional stability’’.

(2) The Indo-Pacific Strategy Report further states: ‘‘The United States has a vital interest in upholding the rules-based international order that provides benefits to the United States, Taiwan, and the Indo-Pacific region; and providing Taiwan with defense articles and services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability’’.

(3) The Department of Defense, in coordination with the Secretary of State, shall conduct a review of—

(1) whether, and the means by which, as applicable, the Government of the People’s Republic of China is affecting, through military, economic, information, digital, diplomatic, or any other form of coercion, the security, or the social and economic system, of the people of Taiwan; and

(2) the military balance of power between the People’s Republic of China and Taiwan; or

(c) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report containing the findings under subsection (a).

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘appropriate committees’’ means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 6213. NORTH ATLANTIC TREATY ORGANIZATION JOINT FORCES COMMAND.

(a) IN GENERAL.—Subchapter II of chapter 16 of title 10, United States Code, is amended by adding at the end the following new section:


‘‘(a) AUTHORIZATION.—The Secretary of Defense shall establish the Joint Forces Command referenced in section 209(b) of the Asia Reassurance Initiative Act of 2018 (Public Law 115–409).

‘‘(b) USE OF MILITARY FACILITIES AND EQUIPMENT.—The Secretary of Defense shall use Department of Defense facilities and equipment to support the Joint Forces Command.

‘‘(c) AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated under section 209(b) of the Asia Reassurance Initiative Act of 2018 (Public Law 115–409) shall be available to carry out the purposes of this section.’’

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 16 of title 10, United States Code, is amended by adding at the end the following new item:


SEC. 6214. REPORT ON MILITARY ACTIVITIES OF THE RUSSIAN FEDERATION AND THE PEOPLE’S REPUBLIC OF CHINA IN THE ARCTIC REGION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the Director of the Office of National Intelligence, shall submit to the appropriate committees of Congress a report describing the activities of the Russian Federation and People’s Republic of China in the Arctic region.
of National Intelligence, shall submit to the appropriate committees of Congress the following:

(1) A report on the military activities of the Russian Federation in the Arctic region.

(2) A report on the military activities of the People’s Republic of China in the Arctic region.

(b) MATTERS TO BE INCLUDED.—The reports under subsection (a) shall include, with respect to the Russian Federation or the People’s Republic of China, as applicable, the following:

(1) A description of military activities of such country in the Arctic region, including—

(A) the emplacement of military infrastructure, equipment, or forces;

(B) any exercises or other military activities; and

(C) activities that are non-military in nature, but are considered to have military implications.

(2) An assessment of—

(A) the intentions of such activities;

(B) the extent to which such activities affect or threaten the interests of the United States and allies in the Arctic region; and

(C) the extent to which such activities by the United States or allies.

(3) A description of future plans and requirements with respect to such activities.

(c) FORM.—Each report under subsection (a) shall be submitted in classified form, but may include an unclassified executive summary.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress’ means—

(1) in the paragraph on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 6215. EFFORTS TO ENSURE MEANINGFUL PARTICIPATION OF AFGHAN WOMEN IN PEACE NEGOTIATIONS IN AFGHANISTAN.

(a) IN GENERAL.—The Secretary of State, in coordination with the Secretary of Defense, shall carry out activities to ensure the meaningful participation of Afghan women in the ongoing peace process in Afghanistan in a manner consistent with the Women, Peace, and Security Act of 2017 (22 U.S.C. 2151 note; Public Law 115–68), which shall include—

(1) continued United States Government advocacy for the inclusion of Afghan women leaders in ongoing and future negotiations to end the conflict in Afghanistan; and

(2) support for—

(A) the formulation of constitutional protections on women’s and girls’ human rights that ensure their freedom of movement, rights to education and work, political participation, and access to healthcare and justice in any agreement reached through intra-Afghan negotiations, including negotiations with the Taliban.

(b) SUPPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Defense, shall submit to the appropriate committees of Congress a report describing the steps taken to fulfill the duties of the Secretary of State and the Secretary of Defense under subsection (a).

(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 Affairs of the House of Representatives.

SEC. 6216. UPDATED STRATEGY TO COUNTER THE THREAT OF MALICIOUS INFLUENCE BY THE RUSSIAN FEDERATION AND OTHER COUNTRIES.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of State, in coordination with the appropriate United States Government officials, shall jointly update, with the additional elements described in subsection (b), the comprehensive strategy to counter the threat of malign influence developed pursuant to section 1239A of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1667).

(b) ADDITIONAL ELEMENTS.—The updated strategy required under subsection (a) shall include the following:

(1) With respect to each element specified in paragraphs (1) through (7) of subsection (b) of such section 1239A, actions to counter the threat of malign influence operations by the People’s Republic of China and any other country engaged in significant malign influence operations.

(2) A description of the interagency organizational structures and procedures for coordinating the implementation of the comprehensive strategy for countering malign influence operations by the People’s Republic of China, and any other country engaged in significant malign influence operations.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense shall submit to the appropriate committees of Congress a report detailing the updated strategy required under subsection (a).

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” has the meaning given the term in subsection (e) of such section 1239A.

SEC. 6217. MODIFICATION OF SEMIANNUAL REPORT ON ENHANCING SECURITY AND STABILITY IN AFGHANISTAN.

Section 1239A(b)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 273 Stat. 1350) is amended to read as follows:

(1) in the paragraph heading by inserting “and taking into account the August 2017 strategy of the United States” after “.”; and

(2) in subparagraph (B)—

(A) by striking the period at the end and inserting a semicolon;

(B) by striking “in the assessment of any such” and inserting “in the assessment of—”;

(C) by adding at the end the following new clauses:

(i) the United States counterterrorism mission; and

(ii) efforts by the Department of Defense to support reintegration efforts and develop conditions for the expansion of the reach of the Government of Afghanistan throughout Afghanistan.

SEC. 6218. SENSE OF CONGRESS ON ACQUISITION BY TURKEY OF S–400 AIR DEFENSE SYSTEM.

It is the sense of Congress that—

(1) Turkey is an important North Atlantic Treaty Organization ally and military partner;

(2) the acquisition by the Government of Turkey of the S–400 air defense system from the Russian Federation—

(A) undermines—

(i) the security interests of the United States; and

(ii) the air defense of Turkey;

(B) weakens the interoperability of the North Atlantic Treaty Organization; and

(C) is incompatible with the plan of the Government of Turkey—

(i) to accept delivery of and operate the F–35 aircraft; and

(ii) to continue to participate in F–35 aircraft production and maintenance;

the United States and member countries of the North Atlantic Treaty Organization have put forth several viable and competitive proposals to protect the vulnerability of Turkey’s air defense system to the security and integrity of Turkey as a North Atlantic Treaty Organization ally;

(4) Russian Federation aggression on the periphery of Turkey, including in Georgia, Ukraine, and the Black Sea in Syria, and especially the indiscriminate bombing by the Russian Federation of the Idlib province of Syria on the border of Turkey and the incursions of Russian Federation warplanes into the airspace of Turkey on November 24, 2015, and other occasions, endangers the security of Turkey;

(5) the termination of the participation of Turkey in the F–35 program and supply chain, which may still be avoided if the Government of Turkey abandons its planned acceptance of the S–400 air defense system, would cause significant harm to the growing defense industry and economy of Turkey; and

(6) if the Government of Turkey accepts delivery of the S–400 air defense system—

(A) such acceptance would—

(i) constitute a significant transaction within the meaning of section 231(a)(1) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9525(a));

(ii) endanger the integrity of the North Atlantic Treaty Organization Alliance and pose a significant threat to Turkey; and

(iii) adversely affect ongoing operations of the United States Armed Forces, including coalition operations in which the United States Armed Forces participate;

(iv) result in a significant impact to defense cooperation between the United States and Turkey; and

(v) significantly increase the risk of compromising United States defense systems and operational capabilities; and

(B) the United States should fully implement the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115–44; 131 Stat. 886) by imposing and applying sanctions under section 229(c)(1) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9529) with respect to any individual or entity determined to have engaged in such significant transaction as if such person were a sanctioned person for purposes of such section.

SEC. 6219. MODIFICATION OF INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

Paragraph (2) of section 1226(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended to read as follows:

“(2) ‘2019—’

“(A) emphasizes best practices for protecting sensitive national security information; and

“(B) includes the dissemination of unclassified publications and resources for identifying and protecting against emerging threats to academic research institutions,
including specific counterintelligence guidance developed for faculty and academic researchers based on specific threats.”.

SEC. 6213. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

The text of subsection (a) of section 1231 is hereby deemed to read as follows:

“(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2020 for the Department of Defense, may be used to do the following, and the Department may not otherwise do the following:

TITLE LXV—OTHER AUTHORIZATIONS

SEC. 6401. ASSESSMENT OF RARE EARTH SUPPLY CHAIN.

(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 that includes the following:

(1) An assessment of the rare earth materials in the reserves held by the United States;

(b) Expansion of eligibility for reemployment of annuitants for inspectors general.

SEC. 6422. EXPANSION OF ELIGIBILITY FOR RESIDENCE AT THE ARMED FORCES RESIDENCE CENTER.

Section 1242, and the amendments made by such section, shall have no force or effect.

TITLE LXV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—General Provisions

SEC. 6501. REVIEW OF JOINT IMPROVISED-THREAT DEFECT ORGANIZATION ReSEARCH RELATING TO HUMANITARIAN DEMINING EFFORTS.

(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 that includes the following:

(1) An estimate of the date on which the ground-based strategic deterrent weapon will reach initial operating capability.

(b) Report to Congress.—The Secretary of Defense shall submit to the congressional defense committees a report that includes the following:

(1) The Secretary of Defense notification under subsection (a) shall include the following:

(II) shall not be considered a participant in a criminal activity by any United States person, entity, or government in a foreign country in an effort to support a major near-peer conflict in a manner that recognizes the sovereignty of the Russian Federation over Crimea, and the Department may not otherwise do the following:

TITLE LXVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

SEC. 6601. ANNUAL REPORT ON DEVELOPMENT OF GROUND-BASED STRATEGIC DEFENDER WEAPONS.

(a) Report Required.—Not later than February 15, 2020, and annually thereafter until the date on which the ground-based strategic deterrent weapon receives Milestone C approval (as defined in section 2666 of title 10, United States Code), the Secretary of the Air Force, in coordination with the Administrator for Nuclear Security and the Chair of the Nuclear Weapons Council, shall submit to the congressional defense committees a report describing the joint development of the ground-based strategic deterrent weapon, including the missile developed by the Air Force and the W78-1 warhead modification program conducted by the National Nuclear Security Administration.

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

(1) An estimate of the date on which the ground-based strategic deterrent weapon will reach initial operating capability.

(2) A description of any development milestones for the missile developed by the Air Force.
For the warhead developed by the National Nuclear Security Administration that depend on corresponding progress at the other agency.

(a) A description of coordination efforts between the Air Force and the National Nuclear Security Administration during the year preceding submission of the report.

(5) Plans to mitigate the effects of any delays described in paragraphs (1) through (4).

(a) FINDINGS.—The Senate makes the following findings:

(1) Land-based intercontinental ballistic missiles (in this section referred to as "ICBMs") have been a critical part of the strategic deterrent posture of the United States for 6 decades in conjunction with air and sea-based strategic delivery systems.

(2) President John F. Kennedy referred to the deployment of the first Minuteman missile during the Cuban Missile Crisis as his "ace in the hole".

(3) The Minuteman III missile entered service in 1970 and is still deployed in 2019, well beyond its originally intended service life.

(4) The ICBM force of the United States peaked at more than 1,200 deployed missiles during the Cold War.

(5) The ICBM force of the United States currently consists of approximately 400 Minuteman III missiles and 500 deployed or retired ICBMs.

(6) The Russian Federation currently deploys approximately 400 Minuteman III missiles and 1,000 deployed or retired ICBMs.

(7) The People's Republic of China deploys approximately 100 ICBMs.

(b) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.


(a) I N 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 detailing the measures taken by the Secretary to ensure the ability of conventional forces under the authority of the Commander to execute contingency plans under employment or threat of employment of nuclear weapons by the United States, an ally of the United States, or an adversary of the United States, or an adversary of the United States.

(b) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in classified form but shall be accompanied by an unclassified summary appropriate for release to the public.

SEC. 6604. REPORTS BY UNITED STATES EUROPEAN COMMAND-UNITED STATES INDO-PACIFIC COMMAND-ON-OPERATION-OF-CERTAIN-CONVENTIONAL-FORCES UNDER EMPLOYMENT OR THREAT OF EMPLOYMENT OF NUCLEAR WEAPONS

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Commander of the United States European Command and the Commander of the United States Indo-Pacific Command, in consultation with the Commander of the United States Strategic Command, shall each submit to the congressional defense committees a report detailing the measures taken by the Commander to ensure the ability of conventional forces under the authority of the Commander to execute contingency plans under employment or threat of employment of nuclear weapons by the United States, an ally of the United States, or an adversary of the United States.

(b) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in classified form but shall be accompanied by an unclassified summary appropriate for release to the public.

SEC. 6605. JOINT ASSESSMENT OF DEPARTMENT OF DEFENSE CYBER RED TEAM CAPABILITIES, DEMAND, AND REQUIREMENTS

(a) JOINT ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Chief Information Officer of the Department of Defense, the Principal Cyber Advisor, and the Director of Operational Test and Evaluation—

(1) conduct a joint assessment of Department of Defense cyber red team capabilities, capacity, demand, and future requirements that affect the Department's ability to develop, test, and maintain secure systems in a cyber environment; and

(2) brief the congressional defense committees on the results of the assessment.

(b) ELEMENTS.—The joint assessment required by subsection (a)(1) shall—

(1) specify demand for cyber red team support; and

(2) specify shortfalls in meeting demand and future requirements, disaggregated by Department of Defense and by each of the military departments.

(c) INSERTION OF ADDITIONAL ESTIMATES.—The Secretary of Defense shall—

(1) examine funding and retention initiatives to increase cyber red team capacity to meet demand and future requirements identified to support the testing, training, and development communities;

(2) examine the feasibility and benefit of developing and procuring a common Red Team Training and Support Capability that better utilizes increased capacity of cyber ranges and better models the capabilities and tactics, techniques, and procedures of adversaries;

(3) examine the establishment of oversight and assessment metrics for Department cyber red teams;

(4) assess the implementation of common development for tools, techniques, and training;

(5) assess potential industry and academic partnerships and service operations; and

(6) assess the mechanisms and procedures in place to deconflict red-team activities and defensive cyber operations on active networks.

(7) assess the use of Department cyber personnel in training as red team support;
(10) assess the use of industry and academic partners and contractors as red team support and the cost- and resource-effective-ness of such support; and

(11) the processes for permanent, high-end dedicated red-teaming activities to model sophisticated adversaries' attacking critical Department systems and infrastruc-

SEC. 6606. REPORT ON THE EXPANDED PURVIEW OF THE DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the Department of Defense Counterintelligence and Security Agency.

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

(1) Identification of the resources and authorities appropriate for the Inspector General for the expanded purview of the Defense Counterintelligence and Security Agency.

(2) Identification of the resources and authorities needed to perform the civil liberties and privacy officer function of the Defense Counterintelligence and Security Agency.

(c) AN ASSESSMENT OF THE SECURITY PROTOCOLS IN EFFECT FOR PERSONALLY IDENTIFIABLE INFORMATION HELD BY THE DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY.

(4) AN ASSESSMENT OF THE GOVERNANCE STRUCTURE OF THE DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY RELATES TO THE DEPARTMENT OF DEFENSE, INCLUDING WITH RESPECT TO STATUSES, AUTHORITIES, AND LEADERSHIP.


(6) THE METHODOLOGY THE DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY WILL PRIORITIZE QUESTIONS FOR BACKGROUND INVESTIGATIONS REQUESTS FROM GOVERNMENT AGENCIES AND INDUSTRY.

SEC. 6604. PROHIBITION ON REDUCTION OF THE INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES

The text of subsection (a) of section 1864 is hereby redesignated as follows:

"(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act for fiscal year 2020 for the operation of the Department of Defense may be obligated or expended for the following, and the Department may not otherwise take any action to do the following:

"(1) Reduce, or prepare to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States; and

"(2) Reduce, or prepare to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

TITLE LXVII—PFAS RELEASE DISCLOSURE, DETECTION, AND SAFE DRINKING WATER ASSISTANCE

SEC. 6701. DEFINITION OF ADMINISTRATOR.

In this title, the term ‘‘Administrator’’ means the Administrator of the Environmental Protection Agency.

Subtitle A—PFAS Release Disclosure

SEC. 6711. ADDITIONS TO TOXICS RELEASE INVENTORY.

(a) DEFINITION OF TOXICS RELEASE INVENTORY.—In this section, the term ‘‘toxics release inventory’’ means the toxics release inventory under section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11252(c)).

(b) IMMEDIATE INCLUSION.—

(1) IN GENERAL.—Subject to subsection (e), beginning January 1 of the calendar year following the date of enactment of this Act, the following chemicals shall be deemed to be included in the toxics release inventory:

(A) Perfluorooctanoic acid (commonly referred to as ‘‘PFOS’’) (Chemical Abstracts Service No. 335–67–1).

(B) The salt associated with the chemical described in subparagraph (A) (Chemical Abstracts Service No. 111873–35–7).

(C) Perfluorooctane sulfonic acid (commonly referred to as ‘‘PFOS’’) (Chemical Abstracts Service No. 17670–34–8).

(D) The salt associated with the chemical described in subparagraph (C) (Chemical Abstracts Service No. 45288–90–6, 29457–72–5, 50773–42–2, 56152–56–9, 4021–47–9, 111773–35–7, and 91036–71–4).

(E) Perfluoroketyl or polyfluoroalkyl substance or class of perfluoroketyl or polyfluoroalkyl substances shall be included in the toxics release inventory under section (b)(1) of the Toxics Substances Control Act (15 U.S.C. 2607) by subsection (e), on the date of enactment of this Act, subject to the provisions of—

(i) section 721.9586 of title 40, Code of Federal Regulations.


(ii) threshold for reporting the chemicals described in paragraph (1) under section 313(f)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11252(f)(2)) is 100 pounds.

E) REVISIONS.—Not later than 5 years after the date of enactment of this Act, the Administrator shall—

(i) determine whether revision of the thresholds under subparagraph (A) is warranted; and

(ii) if the Administrator determines a revision to be warranted under clause (i), initiate a revision under section 313(f)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11252(f)(2))

(c) INCLUSION FOLLOWING ASSESSMENT.—

(1) IN GENERAL.—Subject to subparagraph (b), a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances shall be automatically included in the toxics release inventory beginning January 1 of the calendar year after any of the following dates:

(A) ESTABLISHMENT OF TOXICITY VALUE.—The date on which the Administrator establishes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(B) SIGNIFICANT NEW USE RULE.—The date on which the Administrator finalizes a significant new use rule promulgated in connection with an order issued under subsection (b)(2) of section 8 of the Toxics Substances Control Act (15 U.S.C. 2607), except a significant new use rule promulgated in connection with an order issued under subsection (e) of that section.

(C) ADJUSTMENT AS ADDITIONAL CHEMICAL SUBSTANCE.—The date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that is on a list of substances covered by a significant new use rule under subsection (a)(2) of section 5 of the Toxics Substances Control Act (15 U.S.C. 2604), except a significant new use rule promulgated in connection with an order issued under subsection (e) of that section.

(D) PROHIBITION.—Except as provided in subsection (a)(2) of section 5 of the Toxics Substances Control Act (15 U.S.C. 2604), no significant new use rule promulgated in connection with an order issued under subsection (e) of that section.

(E) ADDITION OF CHEMICAL SUBSTANCES.—The date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances included in the toxics release inventory under paragraph (1) is a sig-
SEC. 6721. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR PFAS.

Section 142(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–4(a)(1)(B)(ii)) is amended by adding at the end the following:

"(D) PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.—

"(i) DETERMINATION.—The Administrator shall make a determination under paragraph (1)(A), using the criteria described in clauses (i) through (iii) of that paragraph, whether to establish a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances for which a method to measure levels in drinking water has been validated by the Administrator;

"(ii) MONITORING.—When establishing monitoring requirements for public water systems as part of a national primary drinking water regulation under clause (i) or subsection (a)(vi)(II), the Administrator shall tailor the monitoring requirements for public water systems that do not detect or are reliably and consistently below the maximum contaminant level (as defined in section 142(b)(2)(B)) for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances subject to the national primary drinking water regulation.

"(v) HEALTH RISK REDUCTION AND COST ANALYSIS.—In making determinations under paragraph (3)(C), the Administrator may rely on information available to the Administrator with respect to 1 or more specific perfluoroalkyl or polyfluoroalkyl substances, to extrapolate reasoned conclusions regarding the health risks and effects of a class of perfluoroalkyl or polyfluoroalkyl substances in which the determination is made, and subject to subparagraph (A), the Administrator shall not make the determination for such class unless the Administrator determines that there is a substantial likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water.

"(BB) the Administrator has received finished water data or finished water monitoring surveys for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances from a Federal or State agency that the Administrator determines to be sufficient to make a determination under paragraph (2).

"(II) PRIMARY DRINKING WATER REGULATIONS.—

"(aa) IN GENERAL.—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines to regulate under subsection (i), the Administrator shall publish for notice in the Federal Register a proposed national primary drinking water regulation for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

"(BB) may publish the proposed national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

"(BB) EXTENSION.—The Administrator, on notice published in the Federal Register, may extend the deadline in subitem (AA) by not more than 6 months.

"(vii) LIFETIME DRINKING WATER HEALTH ADVISORY.—

"(I) IN GENERAL.—Subject to subclause (II), the Administrator shall publish a health advisory under paragraph (1)(F) for a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not later than 1 year after the date on which the toxicity value described in item (aa) was finalized.

"(II) WAIVER.—The Administrator may waive the requirements of subclause (I) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances if the Administrator determines that there is a substantial likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water.

SEC. 6722. MONITORING AND DETECTION.

Subtitle B—Drinking Water

SEC. 4721. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR PFAS.

Section 142(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–4(a)(1)(B)(ii)) is amended by adding at the end the following:

"(D) PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.—

"(i) IN GENERAL.—Not later than 1 year after the validation by the Administrator of an equally effective quality control and testing program to ensure compliance with that national primary drinking water regulation to measure the levels described in subclause (II) or other methods to detect and monitor perfluoroalkyl and polyfluoroalkyl substances in drinking water, the Administrator shall add the procedure or method as an alternative to the quality control and testing program for the national primary drinking water regulation by publishing the procedure or method in the Federal Register.

"(II) LEVELS DESCRIBED.—The levels referred to in subclause (I) are—

"(aa) the level of a perfluoroalkyl or polyfluoroalkyl substance;

"(bb) the total levels of perfluoroalkyl and polyfluoroalkyl substances; and

"(cc) the total levels of organic fluorine.

"(III) INCLUSIONS.—The Administrator may include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances on—

"(I) the list of contaminants for consideration of regulation under paragraph (1)(B)(i); and

"(II) the list of unregulated contaminants to be monitored under section 1445(a)(2)(B).

"(IV) MONITORING.—When establishing monitoring requirements for public water systems as part of a national primary drinking water regulation under clause (i), or subclause (II), the Administrator shall tailor the monitoring requirements for public water systems that do not detect or are reliably and consistently below the maximum contaminant level (as defined in section 142(b)(2)(B)) for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances subject to the national primary drinking water regulation.

"(V) HEALTH RISK REDUCTION AND COST ANALYSIS.—In making determinations under paragraph (3)(C), the Administrator may rely on information available to the Administrator with respect to 1 or more specific perfluoroalkyl or polyfluoroalkyl substances, to extrapolate reasoned conclusions regarding the health risks and effects of a class of perfluoroalkyl or polyfluoroalkyl substances in which the determination is made, and subject to subparagraph (A), the Administrator shall not make the determination for such class unless the Administrator determines that there is a substantial likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water.

"(BB) may publish the proposed national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

"(BB) EXTENSION.—The Administrator, on notice published in the Federal Register, may extend the deadline in subitem (AA) by not more than 6 months.

"(vii) LIFETIME DRINKING WATER HEALTH ADVISORY.—

"(I) IN GENERAL.—Subject to subclause (II), the Administrator shall publish a health advisory under paragraph (1)(F) for a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not later than 1 year after the date on which the toxicity value described in item (aa) was finalized.

"(II) WAIVER.—The Administrator may waive the requirements of subclause (I) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances if the Administrator determines that there is a substantial likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water.

"(BB) the Administrator has received finished water data or finished water monitoring surveys for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances from a Federal or State agency that the Administrator determines to be sufficient to make a determination under paragraph (2).

"(II) PRIMARY DRINKING WATER REGULATIONS.—

"(aa) IN GENERAL.—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines to regulate under subclause (i), the Administrator—

"(AA) IN GENERAL.—Not later than 1 year after the date on which the Administrator makes the determination, shall propose a national primary drinking water regulation for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

"(BB) may publish the proposed national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

"(BB) EXTENSION.—The Administrator, on notice published in the Federal Register, may extend the deadline in subitem (AA) by not more than 6 months.

"(vii) LIFETIME DRINKING WATER HEALTH ADVISORY.—

"(I) IN GENERAL.—Subject to subclause (II), the Administrator shall publish a health advisory under paragraph (1)(F) for a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not later than 1 year after the date on which the toxicity value described in item (aa) was finalized.

"(II) WAIVER.—The Administrator may waive the requirements of subclause (I) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances if the Administrator determines that there is a substantial likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water.

(1) IN GENERAL.—The Administrator shall include each substance described in paragraph (2) in the fifth publication of the list of unregulated contaminants to be monitored after the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is listed on the list of contaminants for consideration of regulation under paragraph (1)(B)(i); and

"(BB) may publish the proposed national primary drinking water regulation described in subitem (AA) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

"(BB) EXTENSION.—The Administrator, on notice published in the Federal Register, may extend the deadline in subitem (AA) by not more than 6 months.

"(vii) LIFETIME DRINKING WATER HEALTH ADVISORY.—

"(I) IN GENERAL.—Subject to subclause (II), the Administrator shall publish a health advisory under paragraph (1)(F) for a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not later than 1 year after the date on which the toxicity value described in item (aa) was finalized.

"(II) WAIVER.—The Administrator may waive the requirements of subclause (I) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances if the Administrator determines that there is a substantial likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water.
perfluoroalkyl and polyfluoroalkyl substances—

(A) for which a method to measure the level of drinking water has been validated by the Administrator; and

(B) that are not subject to a national primary drinking water regulation under clause (i) or subparagraph (D) of section 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2)).

(3) EXCEPTION.—The perfluoroalkyl and polyfluoroalkyl substances and classes of perfluoroalkyl and polyfluoroalkyl substances included in the list of unregulated contaminants monitored under section 1456(a)(2)(B)(i) of the Safe Drinking Water Act (42 U.S.C. 300j–4(a)(2)(B)(i)) under paragraph (1) shall not count towards the limit of 30 unregulated contaminants to be monitored by public water systems under this section.

(b) APPLICABILITY.—(1) In general.—The Administrator shall—

(A) require public water systems serving more than 10,000 persons to monitor for the substances described in subsection (a)(2);

(B) subject to paragraph (2) and the availability of appropriations, require public water systems serving fewer than 3,300 and not more than 10,000 persons to monitor for the substances described in subsection (a)(2); and

(C) subject to paragraph (2) and the availability of appropriations, ensure that only a representative number of public water systems serving fewer than 3,300 persons are required to monitor for the substances described in subsection (a)(2).

(2) REQUIREMENT.—If the Administrator determines that there is not sufficient laborator
capacity to carry out the monitoring required under subparagraphs (B) and (C) of paragraph (1) of this subsection, the Administrator may waive the monitoring requirements in those subparagraphs.

(c) FUNDS.—The Administrator shall pay the reasonable cost of such testing and labor
datory analysis as is necessary to carry out the monitoring required under paragraph (1) from—

(A) funds made available under subsection (a)(2)(H) or (J)(5) of section 1456 of the Safe Drinking Water Act (42 U.S.C. 300j–4); or

(B) any other funds made available for that purpose.

SEC. 6732. ENFORCEMENT.

Notwithstanding any other provision of law, the Administrator, in performing enforcement activities, may assess financial penalties for the violation of a national primary drinking water regulation (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300g)) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances for which a national primary drinking water regulation has been promul
gated under clause (i) or (v) of subparagraph (D) of section 1412(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(2)) earlier than the date on which the Administrator promulgates the national primary drinking water regulation.

SEC. 6724. DRINKING WATER STATE REVOLVING FUNDS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300q–12) is amended—

(1) in subsection (a)(2), by adding at the end the following:

"(G) EMERGING CONTAMINANTS.

(1) IN GENERAL.—Notwithstanding any other provision of law and subject to clause (ii), amounts deposited under subsection (t) in a State loan fund established under this section may only be used to provide grants for the foregoing emerging contami
nants, with a focus on perfluoroalkyl and polyfluoroalkyl substances.

(2) REQUIREMENT.—In developing the performance standard under subsection (a), the Administrator shall—

(A) achieve limits of quantitation (as defined in the document of the United States Geological Survey entitled ‘‘Analytical Methods for Chemical Analysis of Geologic and Other Materials, U.S. Geological Sur
ey’’ and dated 2002); and

(B) be as sensitive as is feasible and prac
ticable.

(3) REPORT.—In developing the performance standard under subsection (a), the Director may—

(A) develop quality assurance and quality control measures to ensure accurate sam
ping and testing;

(B) develop a training program with re
spect to the appropriate method of sample collection and analysis of perfluorinated compounds; and

(C) coordinate with the Administrator, in
ccluding, if appropriate, coordinating to de
velop media-specific, validated analytical methods to detect individual and different perfluorinated compounds simultaneously.

SEC. 6733. NATIONWIDE SAMPLING.

(a) IN GENERAL.—The Director shall carry out a nationwide sampling to determine the concentration of perfluorinated compounds in estuaries, lakes, streams, springs, wells, and rivers, achieving the performance standard developed under section 6732(a).

(b) REQUIREMENTS.—In carrying out the sampling under subsection (a), the Director shall—

(1) first carry out the sampling at sources of drinking water near locations with known or suspected releases of perfluorinated com
pounds;

(2) when carrying out sampling of sources of drinking water under paragraph (1), carry out the sampling prior to any treatment of the water;

(3) survey for ecological exposure to perfluorinated compounds, with a priority in determining direct human exposure through drinking water; and

(4) consult with—

(A) States to determine areas that are a priority for sampling; and

(B) the Administrator—

(i) to enhance coverage of the sampling; and

(ii) to avoid unnecessary duplication.

(c) REPORT.—Not later than 90 days after the completion of the sampling under subsection (a), the Director shall prepare a re
port describing the results of the sampling and submit the report to—

(1) the Committee on Environment and Public Works and the Committee on Energy and Natural Resources of the Senate;

(2) the Committee on Energy and Com
merce of the House of Representatives;

(3) the Senators of each State in which the Director carried out the sampling; and

(4) each Member of the House of Representa
tives that represents a district in which the Director carried out the sampling.

SEC. 6734. DATA USAGE.

(a) IN GENERAL.—The Director shall pro
vide the sampling data collected under section 6733 to—

(1) the Administrator; and

(2) other Federal and State regulatory agencies on request.

(b) USAGE.—The sampling data provided under subsection (a) shall be used to inform and enhance assessments of exposure, likely health and environmental impacts, and re
mediation priorities.

SEC. 6735. COLLABORATION.

In carrying out this subtitle, the Director shall collaborate with—

(1) appropriate Federal and State regula
tors;

(2) institutions of higher education; and

(3) research institutions; and
(4) other expert stakeholders.

SEC. 6736. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Director to carry out this subtitle—

(1) $5,000,000 for the fiscal year 2020; and
(2) $10,000,000 for each of fiscal years 2021 through 2024.

Subtitle D—Safe Drinking Water Assistance

SEC. 6741. DEFINITIONS.

In this section—

(1) CONTAMINANT.—The term "contaminant" means any physical, chemical, biological, or radiological substance or matter in water.

(2) CONTAMINANT OF EMERGING CONCERN; EMERGING CONTAMINANT.—The terms "contaminant of emerging concern" and "emerging contaminant" have the meanings given them in clause (i).

(3) FEDERAL RESEARCH STRATEGY.—The term "Federal research strategy" means the coordinated cross-agency plan for addressing critical research gaps related to detecting, assessing exposure to, and identifying the adverse health effects of emerging contaminants in drinking water developed by the Office of Science and Technology Policy in response to the report of the Committee on Appropriations of the Senate accompanying S. 1662 of the 115th Congress (S. Rept. 115-139).

(4) TECHNICAL ASSISTANCE AND SUPPORT.—The term "technical assistance and support" includes—

(A) assistance with—
(i) identifying appropriate analytical methods for the detection of contaminants;
(ii) understanding the strengths and limitations of the analytical methods described in clause (i);
(iii) troubleshooting the analytical methods described in clause (i);
(B) providing advice on laboratory certification program elements;
(C) interpreting sample analysis results;
(D) providing training with respect to proper analytical techniques;
(E) identifying appropriate technology for the treatment of contaminants; and
(F) analyzing samples, if—
(i) analysis cannot be otherwise obtained in a practicable manner otherwise; and
(ii) the capability and capacity to perform the analysis is available at a Federal facility.

(5) WORKING GROUP.—The term "Working Group" means the Working Group established under section 6742(b)(1).

SEC. 6742. RESEARCH AND COORDINATION PLAN FOR ENHANCED RESPONSE ON EMERGING CONTAMINANTS.

(a) IN GENERAL.—The Administrator shall—

(1) review Federal efforts—
(A) the Administrator, and assist in the development of treatment methods for emerging contaminants; and
(B) to assist States in responding to the human health risks posed by contaminants of emerging concern; and
(2) in collaboration with owners and operators of public water systems, States, and other Federal and non-Federal entities, establish a strategic plan for improving the Federal efforts referred to in paragraph (1).

(b) INTERAGENCY WORKING GROUP ON EMERGING CONTAMINANTS.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall jointly establish a Working Group to coordinate the activities of the Federal Government to identify and analyze the public health effects of drinking water contaminants of emerging concern.

(2) MEMBERSHIP.—The Working Group shall include representatives of the following:
(A) The Environmental Protection Agency, appointed by the Administrator.
(B) The following agencies, appointed by the Secretary of Health and Human Services:
(1) The National Institutes of Health.
(2) The Centers for Disease Control and Prevention.
(3) The Agency for Toxic Substances and Disease Registry.
(4) The United States Geological Survey, appointed by the Secretary of the Interior.
(C) Any other Federal agency the Administrator determines to be necessary to carry out this subsection.

(3) EXISTING WORKING GROUP.—The Administrator may expand or modify the duties of an existing working group to perform the duties of the Working Group under this subsection.

(c) NATIONAL EMERGING CONTAMINANT RESEARCH INITIATIVE.—

(1) FEDERAL RESEARCH STRATEGY.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop a Federal research strategy to identify the relative public health threats posed by contaminants of emerging concern and to enhance the Federal research strategy.

(B) APPLICATION.—In carrying out the study described in subparagraph (A), the Administrator shall—
(i) analyze the public health effects of drinking water contaminants of emerging concern.

(2) PROGRAM TO PROVIDE FEDERAL ASSISTANCE TO STATES.

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator shall conduct a study on actions the Administrator can take to improve technical assistance and support for States with respect to emerging contaminants in drinking water samples.

(B) CONTENTS OF STUDY.—In carrying out the study described in subparagraph (A), the Administrator shall—
(i) make grants to applicants that submit technical assistance and support for States with respect to emerging contaminants in drinking water samples.
(i) In general.—To be eligible for technical assistance and support under this paragraph, a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(ii) Criteria.—The Administrator shall evaluate an application for technical assistance and support under this paragraph on the basis of merit using criteria identified by the Administrator, including—

(I) the laboratory facilities available to the State;

(ii) the availability and applicability of existing analytical methodologies;

(iii) the severity of the emerging contaminant, if known; and

(iv) the prevalence and magnitude of the emerging contaminant.

(iii) Authorization.—In selecting States to receive technical assistance and support under this paragraph, the Administrator—

(I) shall give priority to States with affected areas primarily in financially distressed communities;

(ii) may—

(aa) waive the application process in an emergency situation; and

(bb) require an abbreviated application process for the continuation of work specified in a previously approved application that does not meet the criteria described in clause (ii); and

(iii) shall consider the relative expertise and availability of—

(aa) Federal and non-Federal laboratory capacity available to the State;

(bb) analytical resources available to the State; and

(cc) other types of technical assistance available to the State.

(C) Database of Available Resources.—The Administrator shall establish and maintain the Information System available through the program developed under subparagraph (A) to assist States with testing for emerging contaminants that—

(I) is—

(aa) available to States and stakeholder groups determined by the Administrator to have scientific or material interest in emerging contaminants, including—

(aa) drinking water and wastewater utilities;

(bb) laboratories;

(cc) Federal and State emergency responders;

(dd) State primary agencies;

(ee) permit holders, punchbowlers; and

(ff) water associations;

(ii) searchable; and

(iii) accessible through the website of the Administrator; and

(ii) includes a description of—

(I) qualified contract testing laboratory facilities that conduct analyses for emerging contaminants;

(ii) the resources available in Federal laboratory facilities to test for emerging contaminants;

(D) Water Contaminant Information Tool.—The Administrator shall integrate the database established under subparagraph (C) into the Water Contaminant Information Tool of the Environmental Protection Agency.

(F) Funding.—Of the amounts available to the Administrator, the Administrator may use not more than $15,000,000 in a fiscal year to carry out this subsection.

(G) Report.—Not less frequently than once every 2 years until 2029, the Administrator shall submit to Congress a report that describes the progress made in carrying out this subtitle.

(H) Nothing in this section modifies any obligation of a State, local government, or Indian Tribe with respect to treatment methods for, or testing or monitoring of, drinking water.

Subtitle E—Miscellaneous

SEC. 6751. PFAS DATA CALL.

Section 8(a) of the Toxic Substances Control Act (15 U.S.C. 2608) is amended by adding at the end the following:

“(7) PFAS DATA.—Not later than January 1, 2023, the Administrator shall promulgate a rule in accordance with this subsection requiring each person who has manufactured a chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance in any year since January 1, 2006, to submit to the Administrator a report that includes, for each year since January 1, 2006, the information described in paragraphs (1) through (6).

SEC. 6752. SIGNIFICANT NEW USE RULE FOR LONG-CHAIN PFAS.

Not later than June 22, 2020, the Administrator shall take final action on the significant new use rule proposed by the Administrator under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) in the proposed rule entitled—“Long-Chain Perfluoralkyl Carboxylate and Perfluoralkyl Sulfonate Chemical Substances: Significant New Use Rule” (80 Fed. Reg. 15,282 (March 12, 2015)).

SEC. 6753. PFAS DESTRUCTION AND DISPOSAL GUIDANCE.

(a) In general.—Not later than 1 year after publication of this Act, the Administrator shall publish interim guidance on the destruction and disposal of perfluoroalkyl and polyfluoroalkyl substances, including—

(I) aqueous film-forming foam;

(II) the availability and applicability of existing analytical methodologies;

(i) the laboratory facilities available to the State; and

(ii) the severity of the emerging contaminant, if known; and

(iii) the prevalence and magnitude of the emerging contaminant.

(b) Considerations; Inclusions.—The interim guidance under subsection (a) shall—

(1) take into consideration—

(A) the potential for releases of perfluoroalkyl and polyfluoroalkyl substances during destruction or disposal, including through volatilization, air dispersion, or leachate; and

(B) potentially vulnerable populations living near likely destruction or disposal sites; and

(2) provide guidance on testing and monitoring air, effluent, and soil near potential destruction or disposal sites for released substances described in paragraph (1).

(c) Revisions.—The Administrator shall publish revisions to the interim guidance under subsection (b) as the Administrator determines to be appropriate, but not less frequently than once every 3 years.

SEC. 6754. PFAS RESEARCH AND DEVELOPMENT.

(a) In general.—The Administrator, acting through the Assistant Administrator for the Office of Research and Development, shall—

(1) further examine the effects of perfluoroalkyl and polyfluoroalkyl substances on human health and the environment; and

(2) make publicly available information relating to the findings under subparagraph (A);

(b) develop a process for prioritizing which perfluoroalkyl and polyfluoroalkyl substances, or classes of perfluoroalkyl and polyfluoroalkyl substances, should be subject to additional research or regulatory efforts that the Administrator determines to be appropriate; and

(c) develop new tools to characterize and identify perfluoroalkyl and polyfluoroalkyl substances in the environment, including in drinking water, wastewater, surface water, ground water, soils, and the air;

(4) evaluate approaches for the remediation of contamination by perfluoroalkyl and polyfluoroalkyl substances in the environment; and

(5) develop and implement new tools and materials to communicate with the public about perfluoroalkyl and polyfluoroalkyl substances.

(b) Funding.—There is authorized to be appropriated to the Administrator to carry out this section $15,000,000 for each of fiscal years 2020 through 2023.

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

This title may be cited as the “Fentanyl Sanctions Act”.

SEC. 6801. SHORT TITLE.

Congress makes the following findings:

(1) The Centers for Disease Control and Prevention estimate that from September 2017 through September 2018 more than 44,000 people in the United States died from an opioid overdose, with most of these deaths involving Perfluoroalkyl (excluding methadone), contributing to a record 31,900 overdose deaths. While drug overdose deaths decreases from synthetic and semi-synthetic opioids, and heroin have decreased in recent months, overdose deaths from synthetic opioids have continued to increase.

(2) Congress and the President have taken a number of actions to combat the demand for illicit opioids in the United States, including enacting into law the SUPPORT for Patients and Communities Act (Public Law 115–271; 132 Stat. 3894). While new statutes and regulations have reduced the rate of opioid prescriptions in recent years, fully addressing the United States opioid crisis will involve dramatically restricting the foreign supply of illicit opioids.

(3) The People’s Republic of China is the world’s largest producer of illicit fentanyl, fentanyl analogues, and their immediate precursors. From the People’s Republic of China, those substances are shipped primarily through express couriers, international mail directly to the United States, or, alternatively, shipped directly to transnational criminal organizations in Mexico, Canada, and the Caribbean.

(4) The United States and the People’s Republic of China, Mexico, and Canada have made important strides in combating the illicit flow of opioids through multilateral and bilateral initiatives representing a major step in combating the opioid crisis.

(5) The objective of preventing the proliferation of illicit opioids though existing multinational and bilateral agreements requires additional efforts to deny illicit actors the financial means to sustain their markets and distribution networks.

(6) The implementation of May 1, 2019, of the regulations of the People’s Republic of China to schedule all fentanyl analogues as controlled substances is a major step in combating global opioid trafficking and represents a major achievement in United States-China law enforcement dialogues.

(7) Congress and the President have taken of their respective law enforcement agencies.

(8) The objective of preventing the proliferation of illicit opioids though existing multinational and bilateral initiatives requires additional efforts to deny illicit actors the financial means to sustain their markets and distribution networks.

(9) The implementation on May 1, 2019, of the regulations of the People’s Republic of China to schedule all fentanyl analogues as controlled substances is a major step in combating global opioid trafficking and represents a major achievement in United States-China law enforcement dialogues.

(10) However, that step will effectively fulfill the commitment that President Xi Jinping of the People’s Republic of China made to President Donald Trump at the Group of Twenty meeting in December 2018 only if the Government of the People’s Republic of China devotes sufficient resources to full implementation and strict enforcement of the new regulations.

(11) The effective enforcement of the new regulations has diminished trafficking of illicit fentanyl originating from the People’s Republic of China.
into the United States, so it is in the interests of both the United States and the People's Republic of China to combat foreign opioid traffickers and their illicit activities; and
(7) KNOWINGLY.—The term "knowingly", with respect to conduct, a circumstance, or a result, means that a person has actual knowledge of the circumstance, or the conduct, the circumstance, or the result.
(8) OPIOID TRAFFICKING.—The term "opiod trafficking" means any illicit activity—
(A) to produce, manufacture, distribute, sell, or knowingly finance or transport illicit synthetic opioids, controlled substances that are synthetic opioids, or active pharmaceutical ingredients or chemicals that are used in the production of controlled substances that are synthetic opioids;
(B) to attempt to carry out an activity described in subparagraph (A); or
(C) to assist,abet,conspire,or collude with other persons to carry out such an activity.

(9) PERSON.—The term "person" means an individual or entity.
(10) UNITED STATES PERSON.—The term "United States person" means—
(A) any citizen or national of the United States;
(B) any alien lawfully admitted for permanent residence in the United States;
(C) any person organization, network, group, or partnership, joint venture, association, corporation, or entity.

SEC. 6804. DEFINITIONS.
In this title:
(1) ALIEN; NATIONAL; NATIONAL OF THE UNITED STATES.—The terms "alien", "national", and "national of the United States" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).
(2) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term "appropriate congressional committees and leadership" means—
(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Speaker and the minority leader of the House of Representatives; and
(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Speaker and the minority leader of the Senate; and
(3) CONTROLLED SUBSTANCE; LISTED CHEMICAL.—The terms "controlled substance", "listed chemical", "narcotic drug", and "opiod" have the meanings given those terms in section 102 of the Controlled Substances Act (21 U.S.C. 802).
(4) ENTITY.—The term "entity" means a partnership, joint venture, association, corporation, organization, network, group, or subgroup, or any form of business collaboration.
(5) FOREIGN OPIOID TRAFFICKER.—The term "foreign opioid trafficker" means any foreign person that the President determines plays a significant role in opioid trafficking.
(6) FOREIGN PERSON.—The term "foreign person" means—
(A) any entity not organized under the laws of the United States or a jurisdiction within the United States; and
(B) does not include the government of a foreign country.
(7) KNOWINGLY.—The term "knowingly", with respect to conduct, a circumstance, or a result, means that a person has actual knowledge of the circumstance, or the conduct, the circumstance, or the result.
(8) OPIOID TRAFFICKING.—The term "opiod trafficking" means any illicit activity—
(A) to produce, manufacture, distribute, sell, or knowingly finance or transport illicit synthetic opioids, controlled substances that are synthetic opioids, or active pharmaceutical ingredients or chemicals that are used in the production of controlled substances that are synthetic opioids;
(B) to attempt to carry out an activity described in subparagraph (A); or
(C) to assist,abet,conspire,or collude with other persons to carry out such an activity.
(9) PERSON.—The term "person" means an individual or entity.
(10) UNITED STATES PERSON.—The term "United States person" means—
(A) any citizen or national of the United States;
(B) any alien lawfully admitted for permanent residence in the United States;
(C) any person organization, network, group, or partnership, joint venture, association, corporation, or entity.

Subtitle A—Sanctions With Respect to Foreign Opioid Traffickers
SEC. 6811. IDENTIFICATION OF FOREIGN OPIOD TRAFFICKERS.
(a) PUBLIC REPORT.—
(1) IN GENERAL.—The President shall submit to the appropriate congressional committees and leadership, in accordance with subsection (c), a report—
(A) identifying the foreign persons that the President determines are foreign opioid traffickers;
(B) detailing progress the President has made in implementing this subtitle; and
(C) providing an update on cooperative efforts with the Governments of Mexico and the People's Republic of China with respect to combating foreign opioid traffickers.
(2) IDENTIFICATION OF ADDITIONAL PERSONS.—If, at any time after submitting a report required by paragraph (1) and before the submission of the next such report, the President determines that a foreign person not identified in the report is a foreign opioid trafficker, the President shall submit to the appropriate congressional committees and leadership an additional report containing the information required by paragraph (1) with respect to the foreign person.
(3) EXCLUSION.—The President shall not be required to include in a report under paragraph (1) or (2) any persons with respect to which the President determines that such persons do not meet the criteria for inclusion.
(4) FORM OF REPORT.—
(A) IN GENERAL.—Each report required by paragraph (1) or (2) shall be submitted in unclassified form but may include a classified annex.
(B) AVAILABILITY TO PUBLIC.—The unclassified portion of a report required by paragraph (1) or (2) shall be made available to the public.
(C) CLASSIFIED REPORT.—
(I) IN GENERAL.—The President shall submit to the appropriate congressional committees and leadership, in accordance with subsection (c), a report, in classified form—
(II) any entity not organized under the laws of the United States or a jurisdiction within the United States; and
(Ii) any person that is prohibited by any other provision of this section, a report
(D) describing in detail the status of sanctions imposed under this subtitle, including the personnel and resources directed toward the imposition of such sanctions during the prior fiscal year.
(2) PROVIDING BACKGROUND INFORMATION WITH RESPECT TO PERSONS IDENTIFIED.—The President shall submit to the appropriate congressional committees background information with respect to persons identified as foreign opioid traffickers under this subtitle.
(3) SUBMISSION OF REPORTS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until the date that is 5 years after such date of enactment, the President shall submit the reports required by subsections (a) and (b) to the appropriate congressional committees and leadership.

(b) CLASSIFIED REPORT.—
(1) IN GENERAL.—If, at any time after submitting a report required by a report required by subsection (a) or (b) shall not disclose the identity of any person if the Director of National Intelligence determines that such disclosure would compromise a United States intelligence operation, activity, source, or method of the United States.
(2) LAW ENFORCEMENT.—Notwithstanding any other provision of this section, a report required by subsection (a) or (b) shall not disclose the identity of any person if the Attorney General, in coordination, as appropriate, with the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, the Secretary of the Treasury, the Secretary of State, and the head of any other appropriate Federal law enforcement agency, determines that such disclosure could reasonably be expected—
(A) to compromise the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution that furnished information on a classified basis;
(B) to jeopardize the integrity or success of an ongoing criminal investigation or prosecution;
(C) to endanger the life or physical safety of any person; or
(D) to cause substantial harm to physical property.
(3) NOTICE REQUIRED.—If the Director of National Intelligence makes a determination under paragraph (1) or the Attorney General makes a determination under paragraph (2), the Director or the Attorney General, as the case may be, shall notify the appropriate congressional committees and leadership of the determination and the rationale and the determination.
(4) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize or compel the disclosure of information determined by the President, the Director of National Intelligence, the Secretary of Defense, the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence to consult with the relevant agencies of the President and the Director of the Office of National Drug Control Policy the appropriate
and necessary information to enable the President to submit the reports required by subsection (a).

SEC. 6812. SENSE OF CONGRESS ON INTER-NATIONAL OPIOID CONTROL RE-GIME.

It is the sense of Congress that, in order to apply economic and other financial sanctions to non-state actors and entities and to work with the international community to protect the national security, foreign pol-
icy, and economy of the United States—

(1) the President should instruct the Sec-
retary of State to commence immediately diplomatic efforts, both in appropriate inter-
national fora such as the United Nations, the Group of Seven, the Group of Twenty, and the United States, to combat foreign opioid trafficking, including by working to estab-
lish a multilateral sanctions regime with re-
spect to foreign opioid trafficking; and

(2) the Secretary of State, in consultation with the Secretary of the Treasury, should—
tially intensify efforts to maintain and strengthen the coalition of countries formed to combat
foreign opioid trafficking.

SEC. 6813. IMPOSITION OF SANCTIONS.

The President shall impose five or more of the sanctions described in subsections (a) through (g) with respect to each foreign person that is an en-
tity, and four or more of such sanctions with respect to each foreign person that is an
individual.

(1) is identified as a foreign opioid traf-
ficker in a report submitted under section
6811(a); or

(2) the President determines is owned, con-
trolled, directed by, knowingly supplying or sourcing persons for, or acting for or on behalf of, such a foreign opioid trafficker.

SEC. 6814. SANCTIONS AGAINST FOREIGN GOVERNMENTS AND FOREIGN GOVERNMENT ENTITIES.

(a) IN GENERAL.—The sanctions that may be imposed with respect to a foreign person under section 6813 are the following:

(1) UNITED STATES FINANCIAL INSTITUTIONS.—The United States Government
may prohibit any United States financial
institutions from making loans or provid-
ing credits to the foreign person.

(2) PROHIBITIONS ON FINANCIAL INSTITU-
TIONS.—The following prohibitions may be im-
posed with respect to a foreign person that is a financial institution:

(A) PROHIBITION ON DESIGNATION AS PRIM-
ARY DEALER.—Neither the Board of Gov-
ernors of the Federal Reserve System nor
the Federal Reserve Bank of New York may
designate, or permit the continuation of any prior designation of, the financial institution as a primary dealer in United States Govern-
ment debt instruments.

(B) PROHIBITION ON SERVICE AS A REPO-
RYING OF GOVERNMENT FUNDS.—The financial
institution may not serve as agent of the
United States Government or serve as repos-
itory for United States Government funds.

The imposition of either sanction under sub-
paragraph (A) or (B) shall be treated as 2 sanctions for purposes of section 6813, and the imposition
of both such sanctions shall be treated as 2 sanctions for purposes of this section.

(3) PROCUREMENT BAN.—The United States Government may not procure, or enter into any contract for the procurement of, any goods or services from the foreign person.

(4) FOREIGN EXCHANGE.—The President may,
pursuant to such regulations as the Presi-
dent may prescribe, prohibit any trans-
actions in foreign exchange that are subject to the jurisdiction of the United States and in
which the foreign person has any interest.

(5) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any trans-
actions of credits or payments between financial
institutions or by, through, or to any finan-
cial institution, to the extent that such transfers or payments are subject to the jur-
isdiction of the United States and involve any interest of the foreign person.

(6) PROHIBITION ON PAYMENTS.—The Presi-
dent may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) accepting, holding, withholding, using, transferring, withdrawing, or transporting any property that is subject to the jurisdic-
tion of the United States and with respect to which the President determines is a financial interest;

(B) dealing in or exercising any right,

(C) conducting any transaction involving such property.

(7) BAN ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.—The President may, pursuant to such regulations or guidelines as the
President may prescribe, prohibit any foreign person from investing in or purchasing significant amounts of equity or debt of, or a shareholder with a controlling interest in, a foreign government.

(8) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland
Security to exclude from the United States, any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the foreign government.

(9) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer or officers of the foreign government:

(1) the application of sanctions described in paragraphs (1) through (8) that are applicable.

(b) PENALTIES.—A person that violates, at-
ttempts to violate, conspires to violate, or
causes a violation of any regulation, license, or order issued to carry out subsection (a) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an individual act de-
scribed in subsection (a) of that section.

(c) EXCEPTIONS.—

(1) INTELLIGENCE AND LAW ENFORCEMENT ACT-
IVITIES.—Sanctions under this section shall
not apply with respect to any activity by

(A) any activity subject to the reporting
requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.); or

(B) any authorized intelligence and law en-
forcement activities of the United States.

(2) EXCEPTION TO COMPLY WITH UNITED NA-
TIONS HEADQUARTERS AGREEMENT.—Sanctions
under subsection (a)(8) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement re-
garding the Headquarters of the United Na-
tions, signed at Lake Success June 26, 1947,
and entered into force November 21, 1947, be-
tween the United States and the United
States, the Convention on Consular Rela-
tions, done at Vienna April 24, 1963, and en-
tered into force March 19, 1967, or other ap-
pllicable international instruments.

(d) IMPLEMENTATION: REGULATORY AUTHORITY.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sec-
tions 203 and 205 of the International Emer-
and 1704) to carry out this section.

(2) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and or-
ers as are necessary to carry out this sec-
tion.

SEC. 6815. WAIVERS.

(a) WAIVER FOR STATE-OWNED FINANCIAL
INSTITUTIONS IN COUNTRIES THAT COOPERATE IN
MULTILATERAL ANTI-TRAFFICKING EFFORTS.

(1) IN GENERAL.—The President may waive for a period of not more than 12 months the application of sanctions described in subsection (d) with respect to a financial institution that is owned or controlled, directly or indirectly, by a foreign government or any political sub-
division, agency, or instrumentality of a for-
government, if, not less than 15 days be-
fore the expiration of the waiver period, the
President certifies to the appropriate congres-
sional committees that the foreign govern-
ment is closely cooperating with the United States in efforts to prevent opioid trafficking.

(2) CERTIFICATION.—The President may cer-
tify under paragraph (1) that a foreign gov-
ernment is closely cooperating with the United States in efforts to prevent opioid trafficking if that government—

(A) implementing domestic laws to sched-
ule all fentanyl analogues as controlled sub-
stances; and

(B) doing two or more of the following:

(i) Implementing substantial improve-
ments in regulations involving the chemical and pharmaceutical production and export of illicit opioids;

(ii) Implementing substantial improve-
ments in judicial regulations to combat transnational criminal organizations that traf-

(iii) Increasing efforts to prosecute foreign opioid traffickers.

(iv) Increasing intelligence sharing and law enforcement cooperation with the United States with respect to opioid trafficking.

(3) SUBSEQUENT RENEWAL OF WAIVER.—The President may renew a waiver under para-
graph (1) for subsequent periods of 12 to 18 months, if, not less than 15 days before the renewal is to take effect, the Di-
rector of National Intelligence certifies to the appropriate congressional committees and leadership that the government of the
country to which the waiver applies has ef-
effectively implemented and is effectively en-
forcing the measures that formed the basis for the certification under paragraph (2).

(b) WAIVERS FOR NATIONAL SECURITY AND
ACCESS TO PRESCRIPTION MEDICATIONS.

(1) IN GENERAL.—The President may waive the application of sanctions under this sub-
title if the President determines that the ap-
lication of such sanctions would harm—

(1) the national security interests of the
United States; or

2) the access of United States persons to prescription medi-
cations.

(2) MONITORING.—The President shall estab-
lish a mechanism for the certification to verify that a person that receives a waiver under para-
graph (1)(B) is not trafficking illicit opioids.

(3) NOTIFICATION.—Not later than 15 days
after making a determination under para-
graph (1), the President shall inform the ap-
propriate congressional committees and leadership of the determination and the rea-
sons for the determination.

(c) HUMANITARIAN WAIVER.—The President
may waive, for renewable periods of 180 days, the application of the sanctions under this sub-
title if the President certifies to the ap-
propriate congressional committees and leadership that the waiver is necessary for the

SEC. 6816. PROCEDURES FOR JUDICIAL REVIEW
OF CLASSIFIED INFORMATION.

(a) IN GENERAL.—If a finding under this sub-
title, or a prohibition, condition, or pen-
alty specified as a result of such a finding,
is based on classified information (as defined in section 1(a) of the Classified Information
Procedures Act (18 U.S.C. App.) and a court reviews the finding or the imposition of the prohibition, condition, or penalty, the President may submit such information to the court in accordance with the Federal Rules of Evidence.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to confer or imply any right to judicial review of any finding under subsection (a), or any prohibition, condition, or penalty imposed as a result of any such finding.

SEC. 6817. BRIEFINGS ON IMPLEMENTATION.
Not later than 90 days after the date of the enactment of the Fentanyl Sanctions Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the President, acting through the Secretary of State, in coordination with the Secretary of the Treasury, shall provide to the appropriate congressional committees and leadership a comprehensive briefing on efforts to implement this subtitle.

SEC. 6818. INCLUSION OF ADDITIONAL MATERIAL IN INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.
Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(a)) is amended by adding at the end the following:

“(f) Inclusion of Additional Material.—(1) I N GENERAL .—There is established a Commission on Synthetic Opioid Trafficking.

(a) ESTABLISHMENT.—
(1) IN GENERAL.—There is established a Commission to develop a consensus on a strategy for combating the flow of synthetic opioids into the United States.

(b) MEMBERSHIP.—
(i) The Administrator of the Drug Enforcement Administration.
(ii) The Secretary of Homeland Security.
(iii) The Secretary of Defense.
(iv) The Secretary of State.

(c) DUTIES.—The duties of the Commission shall be as follows:

(1) To define the core objectives and priorities of the strategic approach described in subsection (a).

(2) To weigh the costs and benefits of various strategic options to combat the flow of synthetic opioids from the People’s Republic of China and other countries.

(3) To evaluate whether the options described in paragraph (2) are exclusive or complementary, the best means for executing the strategic approach described in subsection (a).

(4) To recommend on the difficult choices present within such options, among them what norms-based regimes the United States should seek to establish to encourage the effective regulation of dangerous synthetic opioids.

(5) To report on efforts by actors in the People’s Republic of China to subvert United States laws and to supply illicit synthetic opioids to persons in the United States, including up-to-date estimates of the scale of illicit synthetic opioids flows from the People’s Republic of China.

(6) To report on the deficiencies in the regulation of pharmaceutical and chemical production of controlled substances and export controls that contribute to the illicit production of synthetic opioids.

(7) To report on the scale of contaminated or counterfeit drugs originating from the People’s Republic of China.

(8) To report on how the United States could work more effectively with provincial and local officials in the People’s Republic of China and other countries to combat the illicit production of synthetic opioids.

(9) In weighing the options for defending the United States against the dangers of trafficking in synthetic opioids, to consider possible structures and authorities that need to be established, revised, or augmented within the Federal Government.

(c) TREATMENT OF INFORMATION RELATING TO NATIONAL SECURITY.—
(1) RESPONSIBILITY OF DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall assume responsibility for the handling and dissemination of any information related to the national security of the United States that is received, considered, or used by the Commission under this section.

(2) INFORMATION PROVIDED BY CONGRESS.—Any information related to the national security of the United States that is provided to the Commission by the appropriate congressional committees and leadership may not be further provided or released without the approval of the chairperson of the committee, or the Member of Congress, as the case may be, that provided the information to the Commission.

(3) ACCESS AFTER TERMINATION OF COMMISSION.—Notwithstanding any other provision of law, after the termination of the Commission under subsection (h), only the Members of Congress that are designated as the appropriate congressional committees and leadership, the Director of National Intelligence (and the designee of the Director), and such other officials as the executive branch designates in the case of a presidential designation, have access to information related to the national security of the United States that is received, considered, or used by the Commission under this section.

(4) REPORTS.—The Commission shall submit to the appropriate congressional committees and leadership, not later than 270 days after the date of the enactment of this Act, an initial report on the activities and recommendations of the Commission under this section; and a final report on the activities and recommendations of the Commission under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Treasury for each of the fiscal years 2020 through 2023 to carry out this section.

(h) TERMINATION.—
Not later than 90 days after the date of the enactment of this Act, the Commission shall reorganize and submit its final report on the activities and recommendations of the Commission under this section.

(i) Two members appointed by the minority leader of the House of Representatives, one of whom shall be a Member of the House of Representatives and one of whom shall not be.

(ii) Two members appointed by the Speaker of the House of Representatives, one of whom shall be the Speaker of the House of Representatives and one of whom shall not be.

(iii) One of the members of the Commission who is not a Member of Congress and who are appointed by the minority leader of the Senate, one of whom shall not be a Member of the Senate and one of whom shall not be the President pro tempore of the Senate.

(iv) An official who appoints members of the Commission.

(v) The Secretary of State.

(vi) An official who appoints members of the Commission.

(vii) Two members appointed by the minority leader of the Senate, one of whom shall be a Member of the Senate and one of whom shall not be.

(viii) An official who appoints members of the Commission.

(ix) An official who appoints members of the Commission.

BRIEFINGS ON IMPLEMENTATION
Not later than 90 days after the date of the enactment of the Fentanyl Sanctions Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the President, acting through the Secretary of State, in coordination with the Secretary of the Treasury, shall provide to the appropriate congressional committees and leadership a comprehensive briefing on efforts to implement this subtitle.

INCLUSION OF ADDITIONAL MATERIAL IN INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT
Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(a)) is amended by adding at the end the following:

“(f) Inclusion of Additional Material.—(1) I N GENERAL .—There is established a Commission on Synthetic Opioid Trafficking.

(a) ESTABLISHMENT.—
(1) IN GENERAL.—There is established a Commission to develop a consensus on a strategy for combating the flow of synthetic opioids into the United States.

(b) MEMBERSHIP.—
(i) The Administrator of the Drug Enforcement Administration.
(ii) The Secretary of Homeland Security.
(iii) The Secretary of Defense.
(iv) The Secretary of State.

(c) DUTIES.—The duties of the Commission shall be as follows:

(1) To define the core objectives and priorities of the strategic approach described in subsection (a).

(2) To weigh the costs and benefits of various strategic options to combat the flow of synthetic opioids from the People’s Republic of China and other countries.

(3) To evaluate whether the options described in paragraph (2) are exclusive or complementary, the best means for executing the strategic approach described in subsection (a).

(4) To recommend on the difficult choices present within such options, among them what norms-based regimes the United States should seek to establish to encourage the effective regulation of dangerous synthetic opioids.

(5) To report on efforts by actors in the People’s Republic of China to subvert United States laws and to supply illicit synthetic opioids to persons in the United States, including up-to-date estimates of the scale of illicit synthetic opioids flows from the People’s Republic of China.

(6) To report on the deficiencies in the regulation of pharmaceutical and chemical production of controlled substances and export controls that contribute to the illicit production of synthetic opioids.

(7) To report on the scale of contaminated or counterfeit drugs originating from the People’s Republic of China.

(8) To report on how the United States could work more effectively with provincial and local officials in the People’s Republic of China and other countries to combat the illicit production of synthetic opioids.

(9) In weighing the options for defending the United States against the dangers of trafficking in synthetic opioids, to consider possible structures and authorities that need to be established, revised, or augmented within the Federal Government.

(c) TREATMENT OF INFORMATION RELATING TO NATIONAL SECURITY.—
(1) RESPONSIBILITY OF DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall assume responsibility for the handling and dissemination of any information related to the national security of the United States that is received, considered, or used by the Commission under this section.

(2) INFORMATION PROVIDED BY CONGRESS.—Any information related to the national security of the United States that is provided to the Commission by the appropriate congressional committees and leadership may not be further provided or released without the approval of the chairperson of the committee, or the Member of Congress, as the case may be, that provided the information to the Commission.

(3) ACCESS AFTER TERMINATION OF COMMISSION.—Notwithstanding any other provision of law, after the termination of the Commission under subsection (h), only the Members of Congress that are designated as the appropriate congressional committees and leadership, the Director of National Intelligence (and the designee of the Director), and such other officials as the executive branch designates in the case of a presidential designation, have access to information related to the national security of the United States that is received, considered, or used by the Commission under this section.

(4) REPORTS.—The Commission shall submit to the appropriate congressional committees and leadership, not later than 270 days after the date of the enactment of this Act, an initial report on the activities and recommendations of the Commission under this section; and a final report on the activities and recommendations of the Commission under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Treasury for each of the fiscal years 2020 through 2023 to carry out this section.

(h) TERMINATION.—
Not later than 90 days after the date of the enactment of this Act, the Commission shall reorganize and submit its final report on the activities and recommendations of the Commission under this section.

(i) Two members appointed by the minority leader of the House of Representatives, one of whom shall be a Member of the House of Representatives and one of whom shall not be.

(ii) Two members appointed by the Speaker of the House of Representatives, one of whom shall be the Speaker of the House of Representatives and one of whom shall not be.

(iii) One of the members of the Commission who is not a Member of Congress and who are appointed by the minority leader of the Senate, one of whom shall not be a Member of the Senate and one of whom shall not be the President pro tempore of the Senate.

(iv) An official who appoints members of the Commission.

(v) The Secretary of State.

(vi) An official who appoints members of the Commission.

(vii) Two members appointed by the minority leader of the Senate, one of whom shall be a Member of the Senate and one of whom shall not be.

(viii) Two members appointed by the Speaker of the House of Representatives, one of whom shall be the Speaker of the House of Representatives and one of whom shall not be.

(ix) Two members appointed by the minority leader of the House of Representatives, one of whom shall be a Member of the House of Representatives and one of whom shall not be.
The provisions of this title, and any sanctions imposed pursuant to this title, shall terminate on the date that is 7 years after the date of the enactment of this Act.

SEC. 6836. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) In General.—The authorities and requirements to impose sanctions under this title shall not include the authority for a requirement to impose sanctions on the importation of goods.

(b) Intelligence Community Defined.—In this section, the term “good” means any article, natural or manufactured product, including inspection and test equipment, and excluding technical data.

SEC. 6837. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.

In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

TITLE LXIX—OTTO WARMBIER BANKING RESTRICTIONS INVOLVING NORTH KOREA ACT OF 2019

SEC. 6891. SHORT TITLE.

This title may be cited as the “Otto Warmbier Banking Restrictions Involving North Korea Act of 2019”.

Subtitle A—Sanctions With Respect to North Korea

SEC. 6891. FINDINGS.

Congress finds the following:

(1) Since 2006, the United Nations Security Council has adopted 10 resolutions imposing sanctions against North Korea pursuant to Chapter VII of the United Nations Charter, which—

(A) prohibit the use, development, and proliferation of weapons of mass destruction by North Korea;

(B) prohibit the supply, sale, or transfer of arms and related material to or from North Korea;

(C) prohibit the transfer of luxury goods to North Korea;

(D) restrict access by North Korea to financial services that could contribute to nuclear, missile, or other programs related to the development of weapons of mass destruction;

(E) restrict North Korean shipping, including registration, refueling, or insuring of North Korean ships;

(F) prohibit, with limited exceptions, North Korean exports of coal, precious metals, iron, vanadium, and rare earth minerals;

(G) prohibit the transfer to North Korea of rocket, aviation, or jet fuel, as well as gasoline, condensates, and natural gas liquids;

(H) prohibit new work authorization for North Korean cultivation of nuclear, military, missile, or other technologies.

(2) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

(2) The Council has adopted 10 resolutions imposing sanctions against North Korea pursuant to Chapter VII of the United Nations Charter, which—

(A) prohibit the use, development, and proliferation of weapons of mass destruction by North Korea;

(B) prohibit the supply, sale, or transfer of arms and related material to or from North Korea;

(C) prohibit the transfer of luxury goods to North Korea;

(D) restrict access by North Korea to financial services that could contribute to nuclear, missile, or other programs related to the development of weapons of mass destruction;

(E) restrict North Korean shipping, including registration, refueling, or insuring of North Korean ships;

(F) prohibit, with limited exceptions, North Korean exports of coal, precious metals, iron, vanadium, and rare earth minerals;

(G) prohibit the transfer to North Korea of rocket, aviation, or jet fuel, as well as gasoline, condensates, and natural gas liquids;

(H) prohibit new work authorization for North Korean cultivation of nuclear, military, missile, or other technologies.

(1) May be cited as the “Otto Warmbier Banking Restrictions Involving North Korea Act of 2019”.

(2) The provisions of this title, and any sanctions imposed pursuant to this title, shall terminate on the date that is 7 years after the date of the enactment of this Act.

(3) May use the 120-day period described in paragraph (1) for the purposes of concluding its activities, including providing testimony to Congress concerning the final report required by subsection (f)(2) and disseminating the report.

Title C—Other Matters

SEC. 6831. DIRECTOR OF NATIONAL INTELLIGENCE PROGRAM ON CONTESTED TERRITORIES RESOURCES IN EF- FORTS TO SANCTION FOREIGN NARCOTIC TRAFFICKERS.

(a) Program Required.—

(1) In General.—The Director of National Intelligence shall, with the concurrence of the Director of the Office of National Drug Control Policy, carry out a program to allocate and enhance use of resources of the intelligence community, including intelligence collection, analysis, to assist the Secretary of the Treasury, the Secretary of State, and the Administrator of the Drug Enforcement Administration in efforts to identify, locate, and identify the persons and organizations with the necessary capabilities to conduct illicit narcotics trafficking.

(b) Focus on Illicit Finance.—To the extent practicable, efforts described in paragraph (1) shall—

(A) take into account specific illicit finance risks related to narcotics trafficking; and

(B) be developed in consultation with the Undersecretary of the Treasury for Terrorism and Financial Crimes, appropriate officials of the intelligence community, including intelligence collection, analysis, to assist the Secretary of the Treasury, the Director of the Financial Crimes Enforcement Network, and appropriate Federal law enforcement agencies.

(c) Counter narcotics Efforts of the Intelligence Community.—The Director of National Intelligence shall, in coordination with the Director of the Office of National Drug Control Policy, carry out a comprehensive review of the current intelligence community, including intelligence collection, analysis, to assist the Secretary of the Treasury, the Director of the Financial Crimes Enforcement Network, and appropriate Federal law enforcement agencies.

(d) Reports—

(1) Quarterly Reports on Program.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Director of National Intelligence and the Director of the Office of National Drug Control Policy shall jointly submit to the appropriate congressional committees and leadership a report on the status and accomplishments of the program required by subsection (a) during each of fiscal years 2017 and 2018.

(2) Report on Review.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence and the Director of the Office of National Drug Control Policy shall jointly submit to the appropriate congressional committees and leadership a comprehensive description of the results of the review required by subsection (a) during each of fiscal years 2017 and 2018.

SEC. 6832. DEPARTMENT OF DEFENSE FUNDING.

(a) Authorization of Appropriations.—There are authorized to be appropriated for the operations and activities described in subsection (b) $25,000,000 for each of fiscal years 2020 through 2025.

(b) Operations and Activities.—The operations and activities described in this section are the operations and activities of the Department of Defense in support of any other department or agency of the United States Government solely for purposes of carrying out this title.

(c) Supplement Not Supplant.—Amounts authorized to be appropriated by subsection (a) shall supplement and not supplant other amounts available to carry out the operations and activities described in subsection (b).

(d) Notification Requirement.—Amounts authorized to be appropriated by subsection (a) may not be obligated until 15 days after the date on which the President notifies the appropriate committees of Congress of the President’s intention to obligate such funds.

Title D—State Funding

SEC. 6833. DEPARTMENT OF STATE FUNDING.

(a) Authorization of Appropriations.—There are authorized to be appropriated to the Secretary of State to carry out the operations and activities described in subsection (b) $25,000,000 for each of fiscal years 2020 through 2025.

(b) Operations and Activities Described.—The operations and activities described in this subsection are the operations and activities of the Department of State in carrying on efforts described in subsection (b) carried out with foreign persons shall be conducted with the concurrence of the Secretary of State.

Title E—Intelligence Community Defined

SEC. 6834. DEPARTMENT OF THE TREASURY FUNDING.

(a) Authorization of Appropriations.—There are authorized to be appropriated to the Secretary of the Treasury to carry out the operations and activities described in subsection (b) $25,000,000 for each of fiscal years 2020 through 2025.

(b) Operations and Activities Described.—The operations and activities described in this subsection are the operations and activities of the Department of the Treasury in carrying out this title.

(c) Supplement Not Supplant.—Amounts authorized to be appropriated by subsection (a) shall supplement and not supplant other amounts available to carry out the operations and activities described in subsection (b).

(d) Notification Requirement.—Amounts authorized to be appropriated by subsection (a) may not be obligated until 15 days after the date on which the President notifies the appropriate committees of Congress of the President’s intention to obligate such funds.

SEC. 6835. EXCEPTION RELEVANT TO IMPORTATION OF GOODS.

(a) In General.—The authorities and requirements to impose sanctions under this title shall not include the authority for a requirement to impose sanctions on the importation of goods.

(b) Intelligence Community Defined.—In this section, the term “good” means any article, natural or manufactured product, including inspection and test equipment, and excluding technical data.

SEC. 6837. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.

In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.
(L) require member countries of the United Nations to seize, inspect, and impound any ship in its jurisdiction that is suspected of violating Security Council resolutions with respect to North Korea or to North Korean territory or to intercept any cargo heading to or from North Korea by land, sea, or air; (M) limit the transfer to North Korea of refined petroleum; and (N) ban the sale or transfer to North Korea of industrial machinery, transportation vehicles, electronics, iron, steel, and other metal.

(0) reduce North Korean diplomatic staff numbers in member countries of the United Nations by more than 60% and require that all North Korean diplomats found to be working on behalf of a person subject to sanctions or assisting in sanctions evasion; (P) limit North Korean diplomatic missions abroad with respect to staff size and access to banking privileges and prohibit commerce from being conducted out of North Korean consular or diplomatic offices; (Q) require member states of the United Nations to close representative offices, subsidiaries, and bank accounts in North Korea; (R) require everything from providing or receiving military training to or from North Korea or hosting North Koreans for specialized teaching or training that could contribute to the development of weapons of mass destruction; (S) ban countries from granting landing and flying rights to North Korean aircraft; and (T) prohibit trade in statuary of North Korean origin.

(2) The Government of North Korea has threatened to carry out nuclear attacks against the United States, South Korea, and Japan.

(3) The Government of North Korea tested its sixth and largest nuclear device on September 3, 2017.

(4) According to a report by the International Atomic Energy Agency released in August 2018, “the continuation and further development of the DPRK’s nuclear programs and related statements by the DPRK are a cause for grave concern. The DPRK’s nuclear activities, including those in relation to the Yongbyon Experimental Nuclear Power Station (ENPS) reactor and to the reactor building which houses the reported centrifuge enrichment facility and the construction of a water reactor, as well as the DPRK’s sixth nuclear test, are clear violations of relevant UN Security Council resolutions, including resolution 2375 (2017) and applicable resolutions.

(5) In July 2018, Secretary of State Mike Pompeo testified to the Committee on Foreign Relations on the Senate that North Korea continues to produce fissile material despite public pledges by North Korean leader Kim Jong-un to denuclearize.

(6) The 2019 Missile Defense Review document of the Department of Defense states that North Korea “continues to pose an extraordinary threat and the United States must remain vigilant. In the past, North Korea frequently issued explicit nuclear missile threats against the United States and allies, all the while working aggressively to field the capability to strike the U.S. homeland with nuclear-armed ballistic missiles. Over the past decade, it has invested considerable resources in its nuclear and ballistic missile programs, and undertaken extensive nuclear activities. If it chooses to proceed with developing a nuclear weapon and deliverable intercontinental range capability, the United States must be prepared to meet this threat with robust countermeasures.”

(7) Financial transactions and investments that provide financial resources to the Government of North Korea, and that fail to incorporate adequate safeguards against the misuse of those financial resources, pose an undue risk of contributing to— (A) weapons of mass destruction programs of that Government; and (B) efforts to evade restrictions required by the United Nations Security Council on imports or exports of arms and related material, services, or technology by that Government.

(8) The Federal Bureau of Investigation has determined that the Government of North Korea was responsible for cyberattacks against the United States, South Korea, and around the world.


(10) On February 22, 2018, the Secretary of State determined that the Government of North Korea was responsible for the lethal nerve agent attack in 2017 on Kim Jong Nam, the half-brother of North Korean leader Kim Jong-un, in Malaysia, triggering sanctions related to the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (22 U.S.C. 5601 et seq.).

(11) The strict enforcement of sanctions is essential to the international community to achieve the peaceful, complete, verifiable, and irreversible dismantlement of weapons of mass destruction programs of the Government of North Korea.

SEC. 102. SENSE OF CONGRESS.

It is the sense of Congress that— (1) the United States is committed to working with its allies and partners to halt the nuclear and ballistic missile programs of North Korea through a policy of maximum pressure and diplomatic engagement; (2) the imposition of sanctions, including those under this Act, is not intended to con- strain or limit the authority of the President to fully engage in diplomatic negotia- tions to further the policy objective de- scribed in paragraph (1); (3) the success of sanctions to halt the nuclear and ballistic missile programs of North Korea is part of a broader diplomatic and economic strategy that relies on effective coordination among relevant Federal agencies and officials, as well as with international partners of the United States; and (4) the coordination described in paragraph (3) should include proper vetting of external messaging and communications from, all parts of the Executive branch to ensure that these communications are an intentional component of and aligned with the strategy of the United States with respect to North Korea.

SEC. 103. DEFINITIONS.

In this subtitle, the terms “applicable Executive order”, “applicable United Nations Security Council resolution”, “appropriate congressional committees”, “Government of North Korea”, “North Korea”, and “North Korean financial institution” have the meanings given in section 8 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9292).

PART I—EXPANSION OF SANCTIONS AND RELATED MATTERS

SEC. 8211. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT PROVIDE FINANCIAL SERVICES TO CERTAIN SANCTIONED PERSONS.

(a) In General.—Title II of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9221 et seq.) is amended by inserting after the item relating to section 821, the following:

“SEC. 821. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT PROVIDE FINANCIAL SERVICES TO CERTAIN SANCTIONED PERSONS.

(a) In General.—The Secretary of the Treasury shall impose the sanctions described in subsection (b) with respect to a foreign financial institution that the Secretary determines, on or after the date that is 90 days after the date of the enactment of the Otto Warmbier Banking Restrictions Act of 2019, knowingly provides significant financial services to any person designated for the imposition of such sanctions—

(1) subsection (a) or (b) of section 104;

(2) an applicable Executive order; or

(3) an applicable United Nations Security Council resolution.

(b) SANCTIONS DESCRIBED.—The sanctions that may be imposed with respect to a foreign financial institution subject to subsection (a) are the following—

(1) ASSET BLOCKING.—The Secretary may block and prohibit, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of the foreign financial institution if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) RESTRICTIONS ON CORRESPONDENT AND PAYABLE-THROUGH ACCOUNTS.—The Secretary may prohibit, or impose strict conditions on, the opening or maintaining in the United States of a correspondent account or a pay- able-through account by the foreign financial institution.

(c) IMPLEMENTATION: PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 921 and 922 of the International Emergency Economic Powers Act of 1970 (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes violation of this section, including the registration, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 928 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) REGULATIONS.—Not later than 180 days after the date of the enactment of the Otto Warmbier Banking Restrictions Act of 2019, the President shall, as appropriate, prescribe regulations to carry out this section.

(e) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(1) IN GENERAL.—Notwithstanding section 494(b) or any provision of this section, the authorities and requirements to impose sanctions under this Act that in- clude the authority or a requirement to im- pose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this subsection, the term ‘‘good’’ means—

(A) a good, service, or article that (B) a good, service, or article that (C) a good, service, or article that (D) a good, service, or article that (E) a good, service, or article that (F) a good, service, or article that (G) a good, service, or article that (H) a good, service, or article that (I) a good, service, or article that (J) a good, service, or article that (K) a good, service, or article that (L) a good, service, or article that (M) a good, service, or article that (N) a good, service, or article that (O) a good, service, or article that (P) a good, service, or article that (Q) a good, service, or article that (R) a good, service, or article that (S) a good, service, or article that (T) a good, service, or article that (U) a good, service, or article that (V) a good, service, or article that (W) a good, service, or article that (X) a good, service, or article that (Y) a good, service, or article that (Z) a good, service, or article that
and test equipment, and excluding technical data.

'(1) Definitions.—In this section:

(A) Account; correspondent account; payables through account; The term ‘account’, ‘correspondent account’, and ‘payable-through account’ have the meanings given those terms in section 5318A of title 31, United States Code.

(B) Financial institution.—The term ‘financial institution’ means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (H), (J), (K), (M), or (V) of section 5312(a)(2) of title 31, United States Code.

(2) For purposes of this section, the term ‘foreign financial institution’ shall have the meaning of that term as determined by the Secretary of the Treasury.

(3) Knowingly.—The term ‘knowingly’, with respect to conduct, a circumstance, or the result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(b) Clerical Amendment.—The table of contents for the North Korea Sanctions and Policy Enforcement Act of 2016 is amended by inserting after the item relating to section 201A the following:

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(I) a description of the metrics used to measure the effectiveness of law enforcement and diplomatic initiatives of Federal, State, and foreign governments to comply with the requirements of applicable United Nations Security Council resolutions; and

(J) an assessment of the effectiveness of programs within the financial industry to ensure compliance with United States sanctions, applicable United Nations Security Council resolutions, and applicable Executive orders.

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

(b) INTERAGENCY COORDINATION.—The President shall ensure that any threat assessment pursuant to subsection (a) is shared among the Federal departments and agencies involved in investigations described in section 102(b) of the North Korea Sanctions and Policy Enforcement Act of 2016 (22 U.S.C. 9212(b)).

SEC. 6935. REPORT ON COUNTRIES OF CONCERN WITH RESPECT TO TRANSSHIPMENT, REEXPORTATION, OR DIVERSION OF CERTAIN ITEMS TO NORTH KOREA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through 2023, the Director of National Intelligence shall submit to the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of the Treasury, and the appropriate congressional committees a report that assesses for each country that the Director determines is of concern with respect to transshipment, reexportation, or diversion of items subject to the provisions of the Export Administration Regulations or the Export Control Regulations, applicable United Nations Security Council resolutions, applicable United States financial institutions, and other related regulations and requirements as may be necessary to carry out this subtitle and any amendments made by this subtitle.

(b) FORM.—Each report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

PART III—GENERAL MATTERS

SEC. 6941. RULEMAKING.

The President shall prescribe such rules and regulations as may be necessary to carry out this subtitle and amendments made by this subtitle.

SEC. 6942. AUTHORITY TO CONSOLIDATE REPORTS.

(a) IN GENERAL.—Any and all reports required under subsection (a)—

(1) shall contain all information required under this subtitle or an amendment made by this subtitle and any other elements that may be required by existing law; and

(b) CONTENTS.—Any reports consolidated under subsection (a)—

(1) must be consolidated into a single report that is submitted pursuant to that deadline.

(2) may be submitted to the appropriate congressional committees in sequential order.

SEC. 6943. WAIVERS, EXEMPTIONS, AND TERMINATION.

(a) APPLICATION AND MODIFICATION OF EXEMPTIONS AND WAIVERS FROM NORTH KOREA SANCTIONS AND POLICY ENFORCEMENT ACT OF 2016.—Section 208 of the North Korea Sanctions and Policy Enforcement Act of 2016 (22 U.S.C. 9212(b)) is amended—

(1) by inserting “201B,” after “201A,” each place it appears; and

(2) in subsection (c), by inserting “in addition to any waiver or exemption granted pursuant to this section,” after “if the President”.

(b) SUSPENSION.—(1) In general.—Subject to section 1731, any requirement imposed under the self-denial or any sanctions imposed pursuant to this subtitle may be suspended upon a finding of the Secretary to support each sanctions program.

(2) CONTENTS.—Any reports consolidated under subsection (a) shall meet the following requirements:

(1) The resources allocated by the Department of the Treasury to support each sanctions program administered by the Department: and

(2) any other elements that are included by the Department.

(3) OPPORTUNITY TO DEMONSTRATE COMPLIANCE.—(A) In general.—The State or local government shall provide written notice to each person with respect to which a measure under this section is to be applied.

(2) TIMING.—The measure applied under this subsection shall apply to a person not earlier than the date of the enactment of this Act, and not later than 90 days after the date on which written notice under paragraph (1) is provided to the person.

(3) NONAPPLICATION.—If a person with respect to which a measure is to be applied under this section demonstrates to the State or local government that the person does not engage in investment activities described in subsection (c), the measure shall not apply to that person.

(4) CAUSE. —It is the sense of Congress that a State or local government...
should not adopt a measure under subsection (b) with respect to a person unless the State or local government has—

(A) made every effort to avoid erroneously targeted persons being affected;

(B) verified that the person engages in investment activities described in subsection (c);

(c) NOTICE TO DEPARTMENT OF JUSTICE.—Not later than 30 days before a State or local government applies a measure under this section, the State or local government shall notify the Attorney General of that measure.

SEC. 6053. SENSE OF CONGRESS REGARDING CERTAIN ERISA PLAN INVESTMENTS.

It is the sense of Congress that—

(1) a fiduciary of an employee benefit plan, as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.), shall not have any continuing fiduciary responsibility, obligations, or duties imposed upon the fiduciary by subparagraph (A) or (B) of section 404(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104(a)(1)).

SEC. 6054. RULE OF CONSTRUCTION.

Nothing in this subtitle, an amendment made by this subtitle, or other provisions of law authorizing sanctions with respect to North Korea shall be construed to affect or displace—

(A) the authority of a State or local government to issue and enforce rules governing the safety, soundness, and solvency of a financial institution subject to its jurisdiction;

(B) the regulation and taxation by the several States of the business of insurance, pursuant to the Act of March 9, 1945 (59 Stat. 33, chapter 20, 15 U.S.C. 1011 et seq.), (commonly known as the “McCarran-Ferguson Act”).

Subtitle C—Financial Industry Guidance to Halt Trafficking

SEC. 6081. SHORT TITLE.

This subtitle may be cited as the “Financial Industry Guidance to Halt Trafficking” or the “FIGHT Act.”

SEC. 6082. FINDINGS.

Congress finds the following:

(1) The terms “human trafficking” and “trafficking in persons” are used interchangeably to describe crimes involving the exploitation of a person for the purposes of compelled labor or commercial sex through the use of force, fraud, or coercion.

(2) According to the International Labour Organization, the estimated 21.4 million people worldwide who are victims of forced labor, including human trafficking victims in the United States.

(3) Human trafficking is perpetuated for financial gain.

(4) According to the International Labour Organization, of the estimated 21.4 million people worldwide who are victims of human trafficking, 2.5 million were generated annually from human trafficking—

(A) approximately ½ are generated by commercial sexual exploitation, exacted by fraud or by the threat of violence; and

(B) approximately ½ are generated by forced labor.

(5) Most purchases of commercial sex acts are paid for in cash, making trafficking proceeds difficult to identify in the financial system. Nonetheless, traffickers rely heavily on access to financial institutions as described in subparagraph (A) and the end products to finance every step of the trafficking process.

(6) Under section 1956 of title 18, United States Code (relating to money laundering), human trafficking is a “specified unlawful activity” and transactions conducted with the proceeds earned from trafficking, or used to further trafficking operations, can be prosecuted as money laundering offenses.

SEC. 6083. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should aggressively apply, as appropriate, existing sanctions for human trafficking authorized under section 111 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7108);

(2) the Financial Crimes Enforcement Network of the Department of the Treasury should continue—

(A) to monitor reporting required under subchapter II of chapter 53 of title 31, United States Code (commonly known as the “Bank Secrecy Act”) and to update advisories, as warranted;

(B) to periodically review its advisories to provide covered financial institutions, as appropriate, with a list of new “red flags” for identifying activities of concern, particularly human trafficking;

(C) to encourage entities covered by the advisories described in subparagraph (B) to incorporate relevant elements provided in the advisories into their current transaction monitoring policies, procedures, and training on human trafficking to enable financial institutions to maintain ongoing efforts to examine transactions and accounts;

(D) to use geographic targeting orders, as appropriate, to impose additional reporting and recordkeeping requirements under section 5320(a) of title 31, United States Code, to carry out the purposes of, and prevent evasions of, the Bank Secrecy Act;

(E) to utilize the Bank Secrecy Act Advisory Group and other relevant entities to identify opportunities for nongovernmental organizations to share relevant actionable information on human traffickers’ use of the financial sector for nefarious purposes;

(F) Federal banking regulators, the Department of the Treasury, relevant law enforcement agencies, and the Human Smuggling and Trafficking Center, in partnership with representatives from the United States financial community, should adopt regular forums for sharing information to disrupt human trafficking, including developing protocols and procedures to share actionable information amongst and amongst covered institutions, law enforcement, and the United States intelligence community;

(G) training front line bank and money services business employees, law enforcement officers, foreign service officers, counselors, and the general public is an important factor in identifying trafficking victims;

(H) the Department of Homeland Security’s Blue Campaign, training by the BEST Employers Alliance, and similar efforts by domestic and international organizations focused on human trafficking provide good examples of current efforts to educate employees of critical sectors to save victims and disrupt trafficking networks;

(I) the President should intensify diplomatic efforts, bilaterally and in appropriate international fora, such as the United Nations, to develop and implement a coordinated, consistent, multilateral strategy for addressing the international financial networks supporting human trafficking; and

(J) the United States Government and any foreign country, including through participation in the Egmont Group of Financial Intelligence Units, should work to develop and implement a coordinated, consistent, multilateral strategy for addressing the international financial networks supporting human trafficking.;
(A) encourage cooperation by foreign gov-
ernments and relevant international fora in
identifying the extent to which the proceeds
from human trafficking are being used to fa-
cilitate terrorism, money laundering, or other
illicit financial crimes;

(B) encourage cooperation by foreign gov-
ernments and relevant international fora in iden-
tifying the length of the human traf-
icking and money laundering;

(C) advance policies that promote the co-
operation of foreign governments, through
informal information sharing, training, or other
measures, in the enforcement of this sub-
title;

(D) encourage the Financial Action Task
Force to update its July 2011 typology re-
ports entitled, ‘‘Laundering the Proceeds of
Corruption’’ and ‘‘Money Laundering Risks
Arising by Inserting Trafficking in Human Beings
and Smuggling of Migrants’’, to identify the
money laundering risk arising from the traf-
ficking of human beings; and

(E) encourage the Egmont Group of Finan-
cial Intelligence Units to study the extent to
which human trafficking operations are being
used for money laundering; terrorist fi-
cancial activities; or facilitating illicit financial
transactions.

SEC. 6864. COORDINATION OF HUMAN TRAFFICKING ISSUES BY THE OFFICE OF TERRORISM AND FINANCIAL INTEL-
LIGENCE.

(a) Functions.—Section 312(a)(4) of title 31,
United States Code, is amended—

(1) by redesignating subparagraphs (E), (F),
and (G) as subparagraphs (F), (G), and (H), re-
spectively; and

(2) by inserting after subparagraph (D) the fol-
lowing:

‘‘(E) combating illicit financial relating to
human trafficking;’’

(b) Interagency Coordination.—Section 312(a)(4)
of such title is amended by adding at the end
the following:

‘‘(8) INTERAGENCY COORDINATION.—The Sec-
retary of the Treasury, after consultation with
the Undersecretary for Terrorism and Finan-
cial Crimes, shall designate an office within
the OTFI that shall coordinate efforts to com-
test the illicit financial of human traf-
ficking with—

‘‘(A) other offices of the Department of the
Treasury;

‘‘(B) other Federal agencies, including—

‘‘(i) the Office to Monitor and Combat
Terrorism in Persons of the Department
of State; and

‘‘(ii) the Interagency Task Force to
Monitor and Combat Trafficking;

‘‘(C) State and local law enforcement agen-
cies; and

‘‘(D) foreign governments.’’."

SEC. 6865. STRENGTHENING THE ROLE OF ANTI-
MONEY LAUNDERING AND OTHER FINANCIAL TOOLS IN COMBAT-
ing HUMAN TRAFFICKING.

(a) Interagency Task Force Recommendations
Targeting Money Laundering Related to
Human Trafficking.—

(1) In general.—Not later than 270 days
after the date of the enactment of this Act, the
Interagency Task Force to Monitor and
Combat Trafficking shall submit to the Com-
mittee on Banking, Housing, and Urban Af-
fairs, the Committee on Foreign Relations,
and the Committee on the Judiciary of the
Senate, the Committee on Financial Serv-
cices, the Committee on Foreign Affairs, and
the Committee on the Judiciary of the House of
Representatives, the Secretary of the
Treasury, and each appropriate Federal
banking agency—

(A) by identifying anti-money laundering
efforts of the United States Government,
United States financial institutions, and
multilateral development banks related to
human trafficking and money laundering;

(B) by identifying anti-money laundering
requirements of the United States
Government, United States financial
institutions, and multilateral development
banks related to human trafficking and
money laundering;

(C) by identifying whether policies based on
successful anti-human trafficking programs currently in
place at domestic and international financial institutions
are suitable for broader adoption;

(D) by identifying feedback from stakeholders,
including victims of severe trafficking in persons,
advocates of persons at risk of becoming vic-
tims of severe forms of trafficking in persons,
the United States Advisory Council on
Human Trafficking, civil society organiza-
tions, and financial institutions; and

(E) by identifying any recommended changes to internal
laws, policies, and controls related to human traf-
ficking;

(F) and (G) any recommended changes to training
requirements of financial institutions to detect
and deter money laundering related to human trafficking,
including any recom-
mended changes to internal laws, policies,
and controls related to human traf-
ficking;

(G) by identifying any recommended changes to
training programs at financial institutions to better
equip employees to detect and deter
money laundering related to human trafficking;

(H) and (I) any recommended changes to expand
human trafficking-related information shar-
ing and cooperation activities and be-
tween such financial institutions, appro-
priate law enforcement agencies, and appro-
priate Federal agencies;

(i) any recommended changes to require
value-based financial institutions to pro-
tunity education and outreach and investiga-
tions, the private sector, and appropriate law
enforcement agencies,

(2) by reviewing the following:

‘‘(A) the Office to Monitor and Combat
Terrorism in Persons of the Department
of State;

‘‘(B) the Interagency Task Force to
Monitor and Combat Trafficking;

‘‘(C) State and local law enforcement agen-
cies; and

‘‘(D) foreign governments.’’."

SEC. 7801. PRIORITIZATION OF PROJECTS IN AN-
NUAL REPORT REQUIREMENTS FOR LABORATORY MILITARY CONSTRUCTION PROJECTS.

Section 2006 of the National Defense Author-
zation Act for Fiscal Year 2018 (Public
Law 115–91; 10 U.S.C. 222a note) is amended—

(1) by striking ‘‘Assistant Secretary of De-
fense for Energy, Installations, and Environ-
ment’’ after ‘‘the Committee on Bank-
ing, Housing, and Urban Affairs’’; and

(2) by inserting ‘‘the Committee on Foreign Affairs’’
and ‘‘the Committee on Foreign Relations’’
respectively.

SEC. 7802. PROHIBITION ON USE OF FUNDS TO REDUCE AIR BASE RESILIENCY OR DEMOLISH PROTECTED AIRCRAFT
SHELTERS IN THE EUROPEAN THE-
ATER WITHOUT CREATING A SIMI-
LAR PROTECTION FROM ATTACK.

(a) Ineffectiveness of Section 2802.—Sec-
tion 2802 shall have no force or effect.

(b) Prohibition.—No funds authorized to
to be appropriated by this Act for fiscal year 2020
for the Department of Defense may be obli-
gated or expended to implement any activity that
reduces air base resiliency or demol-
ishes protected aircraft shelters in the Euro-
pean theater, and the Department may not ob-
ligate or expend any funds for any activity that
creates a similar protection from attack in the European theater without the approval of
the Secretary of Defense.

SEC. 7803. PROHIBITION ON USE OF FUNDS TO CLOSE OR TERMINATE THE NATIONAL ANY EXISTING AIR BASE.

(a) Ineffectiveness of Section 2803.—Sec-
section 2803 shall have no force or effect.

(b) Prohibition.—No funds authorized to be
to be appropriated by this Act for fiscal year 2020
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for the Department of Defense may be obligated or expended to implement any activity that closes or returns to the host nation any existing air base, and the Department may not commence any such activity until such time as the Secretary of Defense certifies that there is no longer a need for a rotational military presence in the European theater.

SEC. 7804. REPORT ON UNFUNDED REQUIREMENTS FOR MAJOR AND MINOR MILITARY CONSTRUCTION PROJECTS FOR CHILD DEVELOPMENT CENTERS OF THE DEPARTMENT OF DEFENSE.

(a) REPORT.—

(1) IN GENERAL.—The Secretary of Defense, for each fiscal year beginning in such year as is submitted to Congress pursuant to section 1105(a) of title 31, United States Code, a report, in priority order, listing unfunded requirements for major and minor military construction projects for child development centers included in the budget of the President for the fiscal year, at the time the budget of the President for the fiscal year beginning in such year is submitted to Congress for each major and minor military construction project included in the report.

(b) MODIFICATION OF UNFUNDED REQUIREMENTS APPlicable to MINOR Construction Projects For Child Development Centers.—

(1) IN GENERAL.—For the purpose of any minor military construction project for a child development center carried out on or after the date of the enactment of this Act, the amount specified in section 2865(a)(2) of title 31, United States Code, is deemed to be $15,000,000.

(2) SUNSET.—This subsection shall terminate on the date that is three years after the date of the enactment of this Act.

(c) Sense of the Senate.—It is the sense of the Senate that the Department of Defense shall submit the report required by this section to the congressional defense committees each year, at the time the budget of the President for the fiscal year beginning in such year is submitted to Congress for each major and minor military construction project included in the report.

SEC. 7905. MODIFICATION OF AUTHORIZED USES OF CERTAIN PROPERTY CONVEYED BY THE UNITED STATES IN LOS ANGELES, CALIFORNIA.

(a) IN GENERAL.—Section 2 of Public Law 85–236 (71 Stat. 517) is amended in the first sentence thereof to read as follows: "Not more than 90 percent of the funds authorized to be appropriated by section 3101 for the National Nuclear Security Administration for fiscal year 2017 is appropriated for the implementation of the common financial reporting system for the nuclear security enterprise as required by section 3111 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C. 2512 note)."

(b) MODIFICATION TO CERTAIN REQUIREMENTS RELATING TO PLUTONIUM PIT PRODUCTION CAPACITY.

(C) $3,800,000 shall remain available until expended for activities authorized under section 5307 of title 46, United States Code.

(c) INEFFECTIVENESS OF TITLE XXXV.

This title may be cited as the "Maritime Administration Authorization and Enhancement Act of 2019."
training programs under section 54101 of title 46, United States Code, $10,000,000, which shall remain available until expended.  
(b) For expenses necessary to implement the Port and Intermodal Improvement Program, $600,000,000, except that no funds shall be used for a grant award to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary determines such equipment would result in a net loss of jobs that relate to the movement of goods through a port and its intermodal connections.

SEC. 8512. MARITIME SECURITY PROGRAM.  
(a) AWARD OF OPERATING AGREEMENTS.—Section 53105 of title 46, United States Code, is amended by striking “2025” each place it appears and inserting “2035”.  
(b) EFFECTIVENESS OF OPERATING AGREEMENT.—Section 53104(a) of title 46, United States Code, is amended by striking “2025” and inserting “2035”.  
(c) PAYMENTS.—Section 53106(a)(1) of title 46, United States Code, is amended—  
(1) in subparagraph (B), by striking “and” after the semicolon;  
(2) in subparagraph (C), by striking “$3,700,000 for each of fiscal years 2022, 2023, 2024, and 2025.” and inserting “$5,233,463 for each of fiscal years 2022, 2023, 2024, and 2025;” and  
(3) by adding at the end the following: “(D) $5,233,463 for each of fiscal years 2026 through 2035.”.  
(d) AUTHORIZATION OF APPROPRIATIONS.—Section 53111 of title 46, United States Code, is amended—  
(1) in paragraph (2), by striking “and” after the semicolon;  
(2) in paragraph (3), by striking “$222,000,000 for each fiscal year thereafter through fiscal year 2025.” and inserting “$314,000,000 for fiscal years 2022, 2023, 2024, and 2025;” and  
(3) by adding at the end the following: “(4) $314,007,780 for each of fiscal years 2026 through 2035.”.  
(e) FEES AND SERVICES.—The Secretary of Transportation shall seek to enter into an agreement with the National Academy of Public Administration to carry out the activities described in this section.

(b) STUDY ELEMENTS.—In accordance with the agreement described in subsection (a), the Academy shall conduct a study of the United States Merchant Marine Academy that consists of the following:  
(1) A comprehensive assessment of the United States Merchant Marine Academy’s systems, training, facilities, infrastructure, information technology, and stakeholder engagement.  
(2) Identification of needs and opportunities for modernization to help the United States Merchant Marine Academy keep pace with more modern operating environments.  
(3) Development of an action plan for the United States Merchant Marine Academy with specific metrics for future improvements or updates relating to the opportunities described in paragraph (2); and  
(4) Systemic changes needed to help the United States Merchant Marine Academy achieve its mission of inspiring and educating the next generation of the mariner workforce on a long-term basis.

(c) DEADLINE AND REPORT.—Not later than 1 year after the date of the agreement described in subsection (a), the Academy shall prepare and submit to the Administrator of the Maritime Administration a report containing the action plan described in subsection (b)(3), including specific findings and recommendations.

SEC. 8516. GENERAL SUPPORT PROGRAM.  
Section 51001 of title 46, United States Code, is amended by adding at the end the following: “(c) NATIONAL MARITIME CENTERS OF EXCELLENCE.—The Secretary shall designate up to 5 National Maritime Centers of Excellence.”.

SEC. 8517. MILITARY TO MARINER.  
(a) CREDENTIALING SUPPORT.—Not later than 1 year after the date of enactment of this title, the Secretary shall conduct a study of the utilization of the United States Merchant Marine Academy and National Maritime Center of Excellence for credentialing purposes, as described in subsection (b)(3).  
(b) REPORT.—Not later than 1 year after the date of enactment of this title, the Secretary shall report to the Congress on the utilization of the United States Merchant Marine Academy and National Maritime Center of Excellence for credentialing purposes, as described in subsection (b)(3).  
(c) DEADLINE AND REPORT.—Not later than 1 year after the date of enactment of this title, the Secretary shall conduct a study of the utilization of the United States Merchant Marine Academy and National Maritime Center of Excellence for credentialing purposes, as described in subsection (b)(3).  
(d) ADVANCING MILITARY TO MARINER WITH THE JOINT MRI ADVISORY BOARD.—Not later than 1 year after the date of enactment of this title, the Secretary shall establish the Joint MRI Advisory Board to advise the Secretary on the development of policy and strategy for the advancement of military to mariner credentialing.

SEC. 8518. SALVAGE RECOVERIES OF FEDERALLY OWNED CARGOES.  
Section 5300 of title 46, United States Code, is amended by adding at the end the following: “(c) FEES AND SERVICES.—The Secretary of Defense, the Secretary of the Department in which the Coast Guard operates, and the Secretary of Commerce, with respect to the Federal services in their respective departments, shall—  
(1) take all necessary and appropriate actions to provide for the waiver of fees, charges, and demands for any Federally owned goods through a port and its intermodal connections;  
(2) take all necessary and appropriate actions to provide for the payment of fees for members of the uniformed services on active duty, if a waiver is authorized and appropriate;  
(3) take all necessary and appropriate actions to provide for the payment of fees for members of the uniformed services on active duty, if a waiver is authorized and appropriate;  
(4) ensure that the applicable services have developed, or continue to operate, as appropriate, the online resource known as Credentialing Opportunities On-Line to support separating members of the uniformed services who are seeking information and assistance on merchant mariner credentialing; and  
(5) enact legislation to provide for the establishment and operation of a separate and distinct uniformed services merchant mariner credentialing program, including the Army Corps of Engineers, U.S. Customs and Border Protection, and the National Oceanic and Atmospheric Administration.

(a) CREDENTIALING SUPPORT.—Not later than 1 year after the date of enactment of this title, the Secretary shall conduct a study of the utilization of the United States Merchant Marine Academy and National Maritime Center of Excellence for credentialing purposes, as described in subsection (b)(3).  
(b) REPORT.—Not later than 1 year after the date of enactment of this title, the Secretary shall conduct a study of the utilization of the United States Merchant Marine Academy and National Maritime Center of Excellence for credentialing purposes, as described in subsection (b)(3).  
(c) DEADLINE AND REPORT.—Not later than 1 year after the date of enactment of this title, the Secretary shall conduct a study of the utilization of the United States Merchant Marine Academy and National Maritime Center of Excellence for credentialing purposes, as described in subsection (b)(3).  
(d) ADVANCING MILITARY TO MARINER WITH THE JOINT MRI ADVISORY BOARD.—Not later than 1 year after the date of enactment of this title, the Secretary shall establish the Joint MRI Advisory Board to advise the Secretary on the development of policy and strategy for the advancement of military to mariner credentialing.

SEC. 8519. MILITARY TO MARINER.  
(a) CREDENTIALING SUPPORT.—Not later than 1 year after the date of enactment of this title, the Secretary shall conduct a study of the utilization of the United States Merchant Marine Academy and National Maritime Center of Excellence for credentialing purposes, as described in subsection (b)(3).  
(b) REPORT.—Not later than 1 year after the date of enactment of this title, the Secretary shall conduct a study of the utilization of the United States Merchant Marine Academy and National Maritime Center of Excellence for credentialing purposes, as described in subsection (b)(3).  
(c) DEADLINE AND REPORT.—Not later than 1 year after the date of enactment of this title, the Secretary shall conduct a study of the utilization of the United States Merchant Marine Academy and National Maritime Center of Excellence for credentialing purposes, as described in subsection (b)(3).  
(d) ADVANCING MILITARY TO MARINER WITH THE JOINT MRI ADVISORY BOARD.—Not later than 1 year after the date of enactment of this title, the Secretary shall establish the Joint MRI Advisory Board to advise the Secretary on the development of policy and strategy for the advancement of military to mariner credentialing.
subject to audit or certification in advance of payment.”

SEC. 8519. SALVAGE RECOVERIES FOR SUB- ROBBERIES OF VESSELS AND CARGOES.

Section 53909 of title 46, United States Code, is amended by adding at the end the following:

"(e) SALVAGE AGREEMENTS.—The Secretary of Transportation is authorized to enter into marine salvage agreements for the re- cuperation, sale, sale, or the disposal of sunken, sunk, or dam- aged vessels, cargoes, or properties owned or insured by or on behalf of the Maritime Admin- istration, United States Shipping Board, the U.S. Shipping Bureau, the United States Maritime Commission, or the War Shipping Administration.

"(f) NOTICE.—The Secretary of Transportation shall consult with the Sec- retary of the military department concerned prior to engaging in or authorizing any ac- tivity under subsection (e) that will disturb sunken military craft, as defined in title XIV of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (10 U.S.C. 113 note).

"(g) RECOVERIES.—Notwithstanding other provisions of law, the net proceeds from sal- vage agreements, as authorized in subsection (e), shall remain available until expended and be distributed as follows for marine insurance:

"(1) Fifty percent of the net funds recov- ered shall be deposited in the war risk re- solving fund and shall be available for the purposes of the war risk revolving fund.

"(2) Fifty percent of the net funds recov- ered shall be deposited in the Vessel Oper- ating Revolving Fund as established by sec- tion 508103 of title 46.

"(h) FUNDS TRANSFER AUTHORITY RELATED TO THE USE OF NATIONAL DEFENSE RESERVE FLEET VESSELS AND THE PROVISION OF MARI- TIME-RELATED SERVICES.—

"(i) IN GENERAL.—When the Secretary of Transportation provides for the use of its vessels or maritime-related services and goods under a reimbursable agreement with a Federal entity, or State or local entity, au- thorizied by section 308703 of title 54, the Maritime Administration may or will provide such services and goods to Federal entities for all such reimbursable agreements with Federal entities.

"(2) REIMBURSABLE AGREEMENT WITH A FED- ERAL ENTITY.—

"(A) IN GENERAL.—The Maritime Admin- istration may negotiate reimbursement agreements for maritime-related services and goods under a reimbursable agree- ment with a Federal entity.

"(B) BENEFIT.—SMALL SHIPS DEFINED.—For the purposes of this subsection, maritime-related services includes the acqui- sition, procurement, operation, main- tenance, preservation, sale, lease, charter, con- struction, reconstruction, or reconditioning (including outfitting and equipping inci- dential to construction, reconstruction, or re- condition of a merchant vessel or ship- yard, ship site, terminal, pier, dock, ware- house, or other installation related to the maritime operations of a Federal entity.

"(2) REIMBURSEMENT.—Reimbursement as provided for in subparagraph (A) may come from—

"(i) the proceeds recovered from such salv- age; or

"(ii) the Federal entity for which the Mar- itime Administration has or will provide such goods or services, depending on the agree- ment of the parties involved.

"(3) AMOUNTS RECEIVED.—Amounts re- ceived as reimbursements under this sub- section shall be credited to the fund on ac- count that was used to cover the costs in-urred by the Secretary or, if the period of availability of obligations for that appropri- ation has expired, to the appropriation of funds that is currently available to the Sec- retary for substantially the same purpose.

Amounts so credited shall be merged with amounts available in the fund to cover the amounts available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

"(6) BILL OR REQUEST FOR PAYMENT.—A bill submitted or a request for payment is not

"E Indian tribe (as defined in section 4 of the Indian Self-Determination and Edu- cation Assistance Act (25 U.S.C. 5304), with- out regard to capitalization), or a con- sorium of Indian tribes.

"(F) A multisite or multijurisdictional group of entities described in subpara- graph (A), (B), (C), (D), or (E) jointly with a private entity or group of private en- ties.

SEC. 8519. ELIGIBLE PROJECTS.—The Secretary may make a grant under this subsection—

"(A) for a project, or package of projects, that—

"(i) is either—

"(I) within the boundary of a port; or

"(II) outside the boundary of a port, but is directly related to port operations or to an intermodal connection to a port; and

"(ii) will be used to improve the safety, ef- ficiency, or reliability of—

"(I) the loading and unloading of goods at the port, such as for marine terminal equip- ment;

"(II) the movement of goods into, out of, around, or within a port, such as for highway or rail infrastructure, intermodal facilities, freight intelligent transportation systems, and digital infrastructure systems;

"(III) environmental mitigation measures and operational improvements directly re- lated to enhancing port efficiency and/or intermodal connections to ports; or

"(B) notwithstanding paragraph (6)(A)(v), to provide financial assistance to 1 or more projects under subparagraph (A) for develop- ment phase activities, including planning, feasibility analysis, revenue forecasting, en- vironmental review, permitting, and prelimi- nary engineering and design work.

"(4) PROHIBITED USES.—The grant award under this subsection may not be used—

"(A) to finance or refinance the construc- tion, reconstruction, reconditioning, or pur- chase of a vessel that is eligible for such as- sistance under chapter 357, unless the Sec- retary determines such vessel—

"(i) is necessary for a project described in paragraph (3)(A)(i)(I) of this subsection;

"(ii) is not receiving assistance under chapter 357; or

"(B) for any project within a small ship- yard (as defined in section 54101).

"(5) APPLICATIONS AND PROCESS.—

"(A) APPLICATIONS.—To be eligible for a grant under this subsection, an eligible ap- plicant shall submit to the Secretary an ap- plication in such form, at such time, and on such information as the Sec- retary considers appropriate.

"(B) SOLICITATION PROCESS.—Not later than 60 days after the date that amounts are made available for grants under this subsection for a fiscal year, the Secretary shall solicit grant applications for eligible projects in ac- cordance with this subsection.

"(6) PROJECT SELECTION CRITERIA.—

"(A) IN GENERAL.—The Secretary may se- lect a project described in paragraph (3) for funding under this subsection if the Sec- retary determines that—

"(i) the project improves the safety, effi- ciency, or reliability of the movement of goods through a port or intermodal connec- tion to a port;

"(ii) the project is cost effective;

"(iii) the eligible applicant has authority to carry out the project;

"(iv) the eligible applicant has sufficient funding available to meet the matching re- quirements under paragraph (8); and

"(vi) the project cannot be easily and effi- ciently completed without Federal funding.

"(7) ELIGIBLE SUPPORTING ACTIVITIES.—The Secretary may make grants under this subsection for—

"(A) support services related to projects, such as—

"(i) operational planning or development; or

"(ii) environmental mitigation measures.

"(B) the planning, execution, and eval- uation of projects;

"(C) the acquisition of equipment or facilities for infrastructure projects; or

"(D) any other activity, the Secretary considers appropriate.

"(8) MATCHING REQUIREMENTS.—No grant shall be made unless the applicant has shown the amount that will—

"(A) the eligible applicant has authority to carry out the project;

"(i) the project is cost effective;

"(ii) the project cannot be easily and effi- ciently completed without Federal funding;
(c) SAVINGS CLAUSE.—A repeal made by subsection (b) of this section shall not affect amounts apportioned or allocated before the effective date of the repeal. Such apportionments or allocations shall continue to be subject to the requirements to which the funds were subject under section 50302(c) of title 46, United States Code, as in effect on the date before the date of enactment of this title.

SEC. 8521. ASSESSMENT AND REPORT ON STRATEGIC SEAPORTS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this title, the Secretary of Defense shall submit to the congressional defense committees a report on statutory purposes at ports designated by the Department of Defense as strategic seaports.

(b) ELEMENTS.—The report required by subsection (a) shall include, with respect to port facilities included in the report, the following:

(1) An assessment whether there are structural integrity or other deficiencies in such facilities.

(2) If there are such deficiencies—

(A) an assessment of infrastructure improvements to such facilities that would be needed to meet, directly or indirectly, national security and readiness requirements;

(B) an assessment of the impact on operational readiness of the Armed Forces if such improvements are not undertaken; and

(C) an identification of, to the maximum extent practical, all potential funding sources for such improvements from existing authorities.

(3) An identification of the support that would be appropriate for the Department of Defense to provide in the execution of the Secretary of Transportation’s responsibilities under section 50302 of title 46, United States Code, with respect to such facilities.

(4) An identification of the administrative authorities that would be required for the provision of support as described in paragraph (3), recommendations for legislative or administrative action to establish such authorities.

(c) CONSULTATION.—The Secretary of Defense shall prepare the report required by subsection (a) in consultation with the Maritime Administrator and the individual responsible for each port facility described in such subsection.

SEC. 8522. MARITIME TECHNICAL ASSISTANCE PROGRAM.

Section 50307 of title 46, United States Code, is amended—

(A) in subsection (a), by striking “The Secretary of Transportation may engage in the environmental study” and inserting “The Maritime Administrator, on behalf of the Secretary of Transportation, shall engage in the study”;

(B) in subsection (a), by striking “may” and inserting “shall”;

(C) by redesignating subparagraphs (B) and (C) as clauses (i) through (iii), respectively;

(D) by striking “(ii) the Committee on Commerce, Science, and Transportation of the Senate; and (ii) the Committee on Transportation and Infrastructure of the House of Representatives.”;

(E) by striking “(D) RURAL AREA.—The term ‘rural area’ means an area that is outside an urbanized area.”;

(F) by inserting a new clause (d) to read as follows:

(d) ADDITIONAL AUTHORITY OF THE SECRETARY.—In carrying out this section, the Secretary may—

(1) receive funds from a Federal or non-Federal entity that has a specific agreement with the Secretary to further the purposes of this section;

(2) coordinate with other Federal agencies to expedite the process established under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the improvement of port facilities to improve the efficiency of the transportation system, to increase port security, or to provide greater access to port facilities;

(3) seek to coordinate all reviews or requirements with appropriate Federal, State, and local agencies;

(4) in addition to any financial assistance provided under subsection (c), provide such technical assistance to port authorities or other Federal, State, and local agencies as are needed for project planning, design, and construction.”.
(iv) reducing propeller cavitation; and
(b) the efficiency and safety of domestic maritime industries; and
(2) coordinate with the Environmental Protection Agency, the Coast Guard, and other Federal, State, local, or tribal agencies, as appropriate.

(3) in subsection (c)(2), by striking "benefits" and inserting "or other benefits to domestic maritime industries"; and
(4) by adding at the end the following:

"(e) LIMITATIONS ON THE USE OF FUNDS.—Not more than 3 percent of funds appropriated to carry out this program may be used for administrative purposes.".

SEC. 8523. REQUIREMENTS FOR SMALL SHIPYARD GRANTEEES.

Section 5410(d) of title 46, United States Code, is amended—

(1) by striking "Grants awarded" and inserting the following:

"(1) IN GENERAL.—Grants awarded; and
(2) BUY AMERICA.

(A) IN GENERAL.—Subject to subparagraph (B), no funds may be obligated by the Administrator of the Maritime Administration under this section, unless each product and material purchased with those funds (including products and materials purchased by a grantee including any commercially available off-the-shelf item)—

(i) an unmanufactured article, material, or supply that has been mined or produced in the United States;

(ii) a manufactured article, material, or supply that has been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States.

(B) EXCEPTIONS.—

(1) LOCAL MATERIAL.—Notwithstanding subparagraph (A), the requirements of that subparagraph shall not apply with respect to a particular product or material if the Administrator determines—

(i) that the application of those requirements would be inconsistent with the public interest;

(ii) that such product or material is not available in the United States in sufficient and reasonably available quantities, of a satisfactory quality, or on a timely basis; or

(iii) that a domestic product or material will increase the cost of that product or material by more than 25 percent, with respect to a certain contract between a grantee and its supplier.

(C) FEDERAL REGISTER.—A determination made by the Administrator under this subparagraph may be published in the Federal Register.

(D) DEFINITIONS.—In this paragraph:

(i) the term 'commercially available off-the-shelf item' means—

(aa) a commercial item, as defined by section 2.101 of title 48, Code of Federal Regulations (as in effect on the date of enactment of the Maritime Administration Authorization and Enforcement Act of 2019); and

(bb) sold in substantial quantities in the United States;

(ii) the term 'bulk cargo, as defined by section 40102(4) of this title, such as agricultural products and petroleum products;

(iii) the term 'product or material' means an article, material, or supply brought to the site by the recipient for incorporation into the building or work and that are produced as building, altering, or maintaining the facility, or for use in the operation of the facility, or for use in the provision of services, or for any work that is incident to the construction, alteration, or maintenance of the facility or project.

(iv) reducing propeller cavitation; and

(b) the efficiency and safety of domestic maritime industries; and

(2) coordinate with the Environmental Protection Agency, the Coast Guard, and other Federal, State, local, or tribal agencies, as appropriate.

(3) in subsection (c)(2), by striking "benefits" and inserting "or other benefits to domestic maritime industries"; and

(4) by adding at the end the following:

"(e) LIMITATIONS ON THE USE OF FUNDS.—Not more than 3 percent of funds appropriated to carry out this program may be used for administrative purposes.

SEC. 8524. IMPROVEMENT OF NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.

(a) ADDITIONAL MEANS OF ACHIEVEMENT OF GOALS OF PROGRAM THROUGH OCEANOGRAPHIC EFFORTS.—Section 8932 of title 10, United States Code, is amended—

(1) by inserting "; creating," after "identifying;" and

(2) by inserting "scientific," after "areas of,".

(b) NATIONAL OCEAN RESEARCH LEADERSHIP COUNCIL.—Section 8932 of title 10, United States Code, is amended—

(1) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively;

(2) in subsection (b)—

(A) by striking paragraph (10);

(B) by redesigning paragraphs (11) through (14) as paragraphs (12) through (15), respectively;

(C) by inserting after paragraph (9) the following new paragraphs:


"(11) The Director of the Bureau of Safety and Environmental Enforcement of the Department of the Interior.

"(12) The Secretary of Energy.

"(13) The Secretary of Defense.

"(14) The Secretary of Transportation.

"(15) The Assistant Secretary of Energy for Nuclear Management.

(b) LIMITATIONS ON THE USE OF FUNDS.—

"(A) IN GENERAL.—Subject to subparagraph (B), no funds may be obligated by the Administrator of the Maritime Administration under this section, unless each product and material purchased with those funds (including products and materials purchased by a grantee including any commercially available off-the-shelf item)—

(i) an unmanufactured article, material, or supply that has been mined or produced in the United States;

(ii) a manufactured article, material, or supply that has been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States.

(B) EXCEPTIONS.—

(1) LOCAL MATERIAL.—Notwithstanding subparagraph (A), the requirements of that subparagraph shall not apply with respect to a particular product or material if the Administrator determines—

(i) that the application of those requirements would be inconsistent with the public interest;

(ii) that such product or material is not available in the United States in sufficient and reasonably available quantities, of a satisfactory quality, or on a timely basis; or

(iii) that a domestic product or material will increase the cost of that product or material by more than 25 percent, with respect to a certain contract between a grantee and its supplier.

(C) FEDERAL REGISTER.—A determination made by the Administrator under this subparagraph may be published in the Federal Register.

(D) DEFINITIONS.—In this paragraph:

(i) the term 'commercially available off-the-shelf item' means—

(aa) a commercial item, as defined by section 2.101 of title 48, Code of Federal Regulations (as in effect on the date of enactment of the Maritime Administration Authorization and Enhancement Act of 2019); and

(bb) sold in substantial quantities in the United States;

(ii) the term 'bulk cargo, as defined by section 40102(4) of this title, such as agricultural products and petroleum products;

(iii) the term 'product or material' means an article, material, or supply brought to the site by the recipient for incorporation into the building or work and that are produced as building, altering, or maintaining the facility, or for use in the operation of the facility, or for use in the provision of services, or for any work that is incident to the construction, alteration, or maintenance of the facility or project.

(iv) reducing propeller cavitation; and

(b) the efficiency and safety of domestic maritime industries; and

(2) coordinate with the Environmental Protection Agency, the Coast Guard, and other Federal, State, local, or tribal agencies, as appropriate.

(3) in subsection (c)(2), by striking "benefits" and inserting "or other benefits to domestic maritime industries"; and

(4) by adding at the end the following:

"(e) LIMITATIONS ON THE USE OF FUNDS.—Not more than 3 percent of funds appropriated to carry out this program may be used for administrative purposes.

SEC. 8525. IMPROVEMENTS TO THE MARITIME GUARANTEED LOAN PROGRAM.

(a) DEFINITIONS.—Section 53701 of title 46, United States Code, is amended—

(1) by striking paragraph (5); and

(2) by redesignating paragraphs (6) through (15) as paragraphs (7) through (16), respectively;

(b) by adding at the end the following:

"(16) VESSEL OF NATIONAL INTEREST.—The term 'Vessel of National Interest' means a vessel deemed to be of national interest that
meets characteristics determined by the Administrator, in consultation with the Secretary of Defense, the Secretary of the Department in which the Coast Guard Operates, or the heads of other Federal agencies, as described in section 53703(d).''.

(b) PREFERRED LENDER.—Section 53702(a) of title 46, United States Code, is amended by adding at the end the following:

``(2) PREFERRED LENDER.—The Federal Financing Bank shall be the preferred eligible lender of the principal and interest of the guaranteed obligations issued under this chapter.''

(c) APPLICATION AND ADMINISTRATION.—Section 53703 of title 46, United States Code, is amended—

(1) in the section heading, by striking "procedures" and inserting "and administration"; and

(2) by adding at the end the following:

``(c) INDEPENDENT ANALYSIS.—''

(1) IN GENERAL.—To assess and mitigate the risks due to factors associated with markets, technology, financial, or legal structures related to an application or guarantee under this chapter, the Secretary or Administrator may utilize third party experts, including legal counsel, to—

(A) process and review applications under this chapter that the bureau, conducting independent analysis and review aspects of an application; (B) represent the Secretary or Administrator in structuring and documenting the obligation guarantee; (C) analyze and review aspects of, structure, and document the obligation guarantee during the term of the guarantee; (D) recommend financial covenants or financial ratios to be met by the applicant during the time a guarantee under this chapter is outstanding and that are based on the financial covenants or financial ratios, if any, that are then applicable to the obligor under private sector credit agreements; and

(E) represent the Secretary or Administrator to protect the security interests of the Government relating to an obligation guarantee.

(2) PRIVATE SECTOR EXPERT.—Independent analysis, review, and representation conducted under this subsection shall be performed by a private sector expert in the applicable field who is selected by the Secretary or Administrator.

(d) VESSELS OF NATIONAL INTEREST.—

``(1) NOTICE OF FUNDING.—The Secretary or Administrator may post a notice in the Federal Register regarding the availability of funding for guarantees under this chapter for the construction, reconstruction, or reconditioning of a Vessel of National Interest and include a timeline for the submission of applications for such vessels.

(2) VESSEL CHARACTERISTICS.—''

(A) IN GENERAL.—The Secretary or Administrator, in consultation with the Secretary of Defense, the Secretary of the Department in which the Coast Guard Operates, or the heads of other Federal agencies, shall develop and publish a list of vessel types that would be considered Vessels of National Interest.

(B) REVIEW.—Such list shall be reviewed and revised every 4 years or as necessary, as determined by the Administrator.

(d) FUNDING LIMITS.—Section 53704 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "that amount" and all the follows through (B) by striking "that amount, $500,000,000"; and

(B) by striking "facilities" and all that follows through and the subsection and inserting "facilities.";

(2) in subsection (c)(4)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B) through (K), as subparagraphs (A) through (J), respectively.

(e) ELIGIBLE PURPOSES OF OBLIGATIONS.—Section 53706 of title 46, United States Code, is amended—

(1) in subsection (a)(1)(A)—

(A) in the preceding clause (i), by striking "(including an eligible export vessel);

(B) in clause (iv) by adding "or" after the semicolon;

(C) in clause (v) by striking "; or" and inserting a period; and

(D) by striking clause (vi); and

(2) in subsection (c)(4)—

(A) in subparagraph (A), by striking "and" after the semicolon;

(B) in subparagraph (B)(ii), by striking the period at the end and inserting "; and"

(C) by adding at the end the following:

``(C) after applying subparagraphs (A) and (B), Vessels of National Interest.''

(f) ACCOUNTS.—Section 53709 of title 46, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking subparagraph (A); and

(B) by striking period at the end and inserting "; and"

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(g) CONTENTS OF OBLIGATIONS.—Section 53710 of title 46, United States Code, is amended—

(1) in subsection (a)(4)—

(A) in subparagraph (A), by striking "or, in the case of" and all that follows through "party"; and

(B) by striking "and" after the semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting "; and"

(C) by adding at the end the following:

``(C) documented under the laws of the United States for the term of the guarantee of the obligation or until the obligation is paid in full, whichever is sooner.''; and

(3) in subsection (b)—

(A) in the subsection heading, by inserting "AND PROVIDE FOR THE FINANCIAL STABILITY OF THE OBLIGOR" after "INTERESTS.''

(B) by striking "provisions for the protection of" and inserting "provisions, which shall include—"

(i) provisions for the protection of;

(C) by striking "; and"; and other matters that the Secretary or Administrator may prescribe." and inserting "; and";

(D) by adding at the end the following:

``(2) any other provisions that the Secretary or Administrator may prescribe.''

(h) ADMINISTRATIVE FEES.—Section 53713 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "reasonable for—" and inserting "reasonable for—";

(B) in paragraph (1), by striking "; and" and inserting "or a deposit fund under section 53716 of this title.";

(C) in paragraph (5), by striking the period at the end and inserting "; and"

(D) by adding at the end the following:

``(D) monitors and providing services related to the obligor’s compliance with any terms related to the obligations, the guarantee, or maintenance of the Secretary or Administrator’s security interests under this chapter;''

(2) in subsection (b)—

(A) by striking "under section 53708(d) of this title" and inserting "under section 53708(c) of this title";

(B) by redesignating paragraphs (A) through (C) as subparagraphs (A) through (C), respectively;

(C) by striking "The Secretary and" and inserting the following:

``(1) GENERAL.—The Secretary;''

and

(D) by adding at the end the following:

``(2) PER LIMITATION INAPPLICABLE.—Fees collected under this subsection are not subject to the limitation of subsection (b).''

(i) BEST PRACTICES; ELIGIBLE EXPORT VESSELS.—Chapter 337 of title 46, United States Code, is further amended—

(1) in subchapter I, by adding at the end the following new section:

``§ 53719. Best practices

"The Secretary or Administrator shall ensure that all standard documents and agreements that relate to loan guarantees made pursuant to this chapter are reviewed and updated every four years to ensure that such documents and agreements meet the current commercial best practices to the extent permitted by law.''; and

(2) in subchapter III, by striking section 53732.

(j) EXPRESS CONSIDERATION OF LOW-RISK APPLICATIONS.—Not later than 180 days after the date of enactment of this title, the Administrator shall, in consultation with affected stakeholders, create a process for express processing of low-risk maritime guaranteed loan applications under section 537 of title 46, United States Code, based on Federal and industry best practices, including proposals to better assist applicants to submit complete applications within 6 months of the initial application.

(k) CONGRESSIONAL NOTIFICATION.—

``(1) NOTIFICATION.—Not less than 60 days before forwarding or certifying to the Congress or personnel covered under chapter 337 of title 46, United States Code, the Secretary of Transportation shall notify, in writing, the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the proposed reorganization and consolidation.

(2) CONTENTS.—Each notification under paragraph (1) shall include an evaluation of, and justification for, the reorganization or consolidation.

(l) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of chapter 337 of title 46, United States Code, is amended by inserting the following new item after section 53718:

``§ 53719. Best practices.''

(2) The table of sections at the beginning of chapter 337 of title 46, United States Code, is further amended by striking the item relating to section 53732.

SEC. 8528. TECHNICAL CORRECTIONS

AMENDMENT OF OFFICE OF MANAGEMENT GUIDANCE.—Not later than 120 days after the date of enactment of this title, the Director of the Office of Personnel Management, in consultation with the Director of the Maritime Administration, shall identify key skills and competencies necessary to maintain a balance of expertise in merchant maritime, reorganizing or consolidating the activities or personnel covered under chapter 337 of title 46, United States Code, is amended by inserting the following new item after section 53718:

``§ 53719. Best practices.''.

(2) The table of sections at the beginning of chapter 337 of title 46, United States Code, is further amended by striking the item relating to section 53732.
SEC. 8527. UNITED STATES MERCHANT MARINE ACADEMY'S SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM.

SEC. 8528. REPORT ON VESSELS FOR EMERGING OFFSHORE ENERGY INFRASTRUCTURE.

SEC. 8529. SECURE THE OCEAN.

SUBTITLE B—Maritime SAFE Act

SEC. 8530. SHORT TITLES.

SEC. 8531. Definitions.

SEC. 8532. Combined Maritime Forces.

SEC. 8533. Purposes.

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inserting “domestic and international” after “criteria that.”

interest in a writing published in the Federal Register, the term “exclusive economic zone” means—

1. The area within a zone established by a maritime boundary that has been established by a treaty in force or a treaty that is being provisionally applied by the United States; or

2. In the absence of a treaty described in clause (1)—

(a) A zone, the outer boundary of which is 200 nautical miles from the baseline from which the breadth of the territorial sea is measured; or

(b) If the distance between the United States and another country is less than 400 nautical miles, a zone, the outer boundary of which is represented by a line equidistant between the United States and the other country.

(B) INNER BOUNDARY.—Without affecting any authority of the Department of Defense, the Department of the Interior, or any other Federal department or agency, the term “food security” means—

1. Access to, and availability, utilization, and stability of, sufficient food to meet caloric and nutritional needs for an active and healthy life;

2. The global record of fishing vessels, refrigerated transport vessels, and supply vessels of the United States that are licensed or inspected by the Food and Agriculture Organization of the United Nations’ initiative to rapidly make available certified data from state authorities about vessels and related activities.

(C) RULE OF CONSTRUCTION.—Nothing in this section shall include the term “IUU fishing” means illegal fishing, unreported fishing, or unregulated fishing (as such terms are defined in paragraph 3 of the International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing, adopted at the 24th Session of the Commission on Fisheries in Rome on March 2, 2001).

(D) PORT STATE MEASURES AGREEMENT.—The term “Port State Measures Agreement” means the Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing set forth by the Food and Agriculture Organization of the United Nations, done at Rome, Italy June 5, 2016, which entered into force June 15, 2016, and from which standards for reporting and inspecting fishing activities of foreign-flagged fishing vessels at port.

(E) IPU FISHING.—The term “IUU fishing” means illegal fishing, unreported fishing, or unregulated fishing (as such terms are defined in paragraph 3 of the International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing, adopted at the 24th Session of the Commission on Fisheries in Rome on March 2, 2001).

1. To prevent the use of IUU fishing as a financing source for transnational organized crime.

2. To improve global enforcement operations against IUU fishing through a whole-of-government approach by the United States.

3. To promote the use of IUU fishing as a financing source for transnational organized crime against its fleet.

4. That is high at risk for IUU fishing activity or the entry of illegally caught seafood into the markets of countries in the region and

5. In which countries lack the capacity to fully address the illegal activity described in subpart A.

10. Regional Fisheries Management Organization.—The term “Regional Fisheries Management Organization” means an intergovernmental fisheries organization or arrangement, as appropriate, that has the competence to establish conservation and management measures.

(1) SEAFOOD.—The term “seafood” means—

(A) Means marine finfish, mollusks, crustaceans, and all other forms of marine animal and plant life, including those grown, produced, or reared for aquaculture operations or techniques; and

(B) Does not include marine mammals, turtles, or birds.

(2) TRANSMISSION.—The term “transmission” means the use of refrigerated vessels that—

(A) Collect catch from multiple fishing boats;

(B) Carry the accumulated catches back to port; and

(C) Deliver supplies to fishing boats, which allows fishing vessels to remain at sea for extended periods without coming into port.

(1) To support a whole-of-government approach across the Federal Government to counter IUU fishing and related threats to maritime security;

(2) To improve data sharing that enhances surveillance, enforcement, and prosecution against IUU fishing and related activities at a global level;

(3) To support coordination and collaboration to counter IUU fishing within priority regions;

(4) To increase and improve global transparency and traceability across the seafood supply chain.

(A) Detain IUU fishing; and

(B) A tool for strengthening fisheries management and food security; and

(C) To support global and national efforts to combat IUU fishing through a whole-of-government approach by the United States.

11. Priority flag state.—The term “priority flag state” means a country selected in accordance with section 8552(b)(3)—

(A) Whereby the flagged vessels of which actively engage in, knowingly profit from, or are complicit in IUU fishing; and

(B) That is willing, but lacks the capacity, to take action or take effective enforcement action against its fleet.

12. Priority region.—The term “priority region” means a region selected in accordance with section 8552(b)(3)

(A) At high risk for IUU fishing activity or the entry of illegally caught seafood into the markets of countries in the region and

(B) In which countries lack the capacity to fully address the illegal activity described in subpart A.

10. Regional Fisheries Management Organization.—The term “Regional Fisheries Management Organization” means an intergovernmental fisheries organization or arrangement, as appropriate, that has the competence to establish conservation and management measures.

(1) SEAFOOD.—The term “seafood” means—

(A) Means marine finfish, mollusks, crustaceans, and all other forms of marine animal and plant life, including those grown, produced, or reared for aquaculture operations or techniques; and

(B) Does not include marine mammals, turtles, or birds.

(2) TRANSMISSION.—The term “transmission” means the use of refrigerated vessels that—

(A) Collect catch from multiple fishing boats;

(B) Carry the accumulated catches back to port; and

(C) Deliver supplies to fishing boats, which allows fishing vessels to remain at sea for extended periods without coming into port.
(2) to develop holistic diplomatic, military, law enforcement, economic, and capacity-building tools to counter IUU fishing;  
(3) to provide technical assistance to countries in priority regions and priority flag states to combat IUU fishing, including assistance—  
(A) to increase local, national, and regional capacity to counter IUU fishing through the engagement of law enforcement and security forces;  
(B) to enhance port capacity and security, including building tools to counter IUU fishing with efforts to combat other illegal activities, such as—  
(1) to promote global maritime security through improved capacity and technological assistance to support improved maritime domain awareness;  
(2) to engage with multilateral organizations working on fisheries issues, including Regional Fisheries Management Organizations and the Food and Agriculture Organization of the United Nations, to combat and deter IUU fishing;  
(3) to provide targeted, country- and region-specific training on combating IUU fishing, including in those countries that have not adopted the Port State Measures Agreement;  
(D) to enhance information sharing within and across governments and multilateral organizations through the development and use of agreed standards for information sharing; and  
(E) to support effective, science-based fisheries management regimes that promote legal and safe fisheries and act as a deterrent to IUU fishing;  
(4) to promote global maritime security through improved capacity and technological assistance to support improved maritime domain awareness;  
(5) to engage with authorities in priority flag states to ensure the use of high quality vessel tracking technologies where existing enforcement tools are lacking;  
(6) to engage with multilateral organizations working on fisheries issues, including Regional Fisheries Management Organizations and the Food and Agriculture Organization of the United Nations, to combat and deter IUU fishing;  
(7) to advance information sharing across governments and multilateral organizations in areas where multiple jurisdictions, through the development and use of an agreed standard for information sharing;  
(8) to continue to use existing and future trade agreements to combat IUU fishing;  
(9) to employ appropriate assets and resources of the United States Government in a coordinated manner as an integral part of enforcing the IUU fishing laws in US waters;  
(10) to continue to declassify and make available, as appropriate and practicable, technical tools developed by the United States Government that can be used to help counter IUU fishing;  
(11) to recognize the ties of IUU fishing to transnational organized illegal activity, including human rights and organized crime in narcotics and arms, and as applicable, to focus on illicit activity in a coordinated, cross-cutting manner;  
(12) to recognize and respond to poor working conditions, labor abuses, and other violent crimes in the fishing industry;  
(13) to increase and improve global transparency and traceability along the seafood supply chain as—  
(A) a deterrent to IUU fishing; and  
(B) a mechanism for strengthening fisheries management and food security; and  
(14) to promote technological investment and innovation to combat IUU fishing.  

Part I—Programs to combat IUU fishing and increase maritime security  

SEC. 8541. Coordination with international organizations.  

The Secretary of State, in conjunction with the Secretary of Commerce, shall coordinate with Regional Fisheries Management Organizations and the Food and Agriculture Organization of the United Nations, and may coordinate with other relevant international governmental or nongovernmental organizations, or the private sector, as appropriate, to enhance regional responses to IUU fishing and related transnational organized illegal activities.  

SEC. 8542. Increase technical assistance for priority nations.  

Not later than 1 year after the date of the enactment of this title, each chief of mission shall evaluate opportunities to assist those countries in designing and implementing programs in such countries, as appropriate, to increase the capacity of law enforcement and customs and border security officers to combat IUU fishing by expanding, as appropriate, the use of the following mechanisms:  
(1) to conduct effective investigations, including using law enforcement techniques such as undercover investigations and the development of informer networks and actionable intelligence;  
(2) to conduct vessel boardings and inspections at sea and associated enforcement actions;  
(3) to exercise existing shipper agreements and to enter into and implement new shipper agreements, as appropriate, including in those countries that have not adopted the Port State Measures Agreement;  
(4) to conduct vessel inspections at port and associated enforcement actions;  
(5) to assess technology needs and promote the use of technology to improve monitoring, enforcement, and prosecution of IUU fishing;  
(6) to conduct DNA-based and forensic identification of seafood products;  
(7) to conduct training on techniques, such as collecting electronic evidence and using computer forensics, for law enforcement personnel involved in investigations related to international matters, financial issues, and government corruption that include IUU fishing;  
(8) to assess financial flows and the use of financial institutions to launder profits related to IUU fishing;  
(9) to conduct training on the legal mechanisms that can be used in the United States and elsewhere to identify those identified in the investigations as alleged perpetrators of IUU fishing and other associated crimes such as trafficking and forced labor; and  
(10) to conduct training to raise awareness of the use of whistleblower information and ways to incentivize whistleblowers to come forward with original information related to IUU fishing.  

SEC. 8543. Assistance by federal agencies to improve law enforcement within priority nations and priority flag states.  

(a) In general.—The Secretary of State, in collaboration with the Secretary of Commerce, the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, and other relevant agencies shall conduct or provide assistance, as appropriate, to countries in priority regions and priority flag states to improve the effectiveness of IUU fishing enforcement, with clear and measurable targets and indicators of success, including—  
(1) by assessing and using existing resources, enforcement tools, and legal authorities to coordinate efforts to combat IUU fishing with efforts to combat other illegal trade, including weapons, drugs, and human trafficking;  
(2) by expanding existing IUU fishing enforcement training;  
(3) by providing targeted, country- and region-specific training on combating IUU fishing, including in those countries that have not adopted the Port State Measures Agreement;  
(4) by supporting increased effectiveness and transparency of the fisheries enforcement sectors of the governments of such countries; and  
(5) by supporting increased outreach to stakeholders in those affected communities as key partners in combating and prosecuting IUU fishing.  

(b) Law enforcement training and coordination activities.—The officials referred to in subsection (a) shall evaluate opportunities to provide assistance, as appropriate, to key countries in priority regions and priority flag states to support efforts to combat IUU fishing with efforts to combat other illegal activities, such as—  
(1) by assessing and using existing resources, enforcement tools, and legal authorities to coordinate efforts to combat IUU fishing with efforts to combat other illegal trade, including weapons, drugs, and human trafficking;  
(2) by expanding existing IUU fishing enforcement training;  
(3) by providing targeted, country- and region-specific training on combating IUU fishing, including in those countries that have not adopted the Port State Measures Agreement;  
(4) by supporting increased effectiveness and transparency of the fisheries enforcement sectors of the governments of such countries; and  
(5) by supporting increased outreach to stakeholders in the affected communities as key partners in combating and prosecuting IUU fishing.  

SEC. 8544. Expansion of existing mechanisms to combat IUU fishing.  

The Secretary of State, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, and the Secretary of Commerce, shall coordinate with other relevant agencies, as appropriate, in accordance with this section.  

(a) To combat IUU fishing in existing shipper agreements in which the United States is a party.  

(b) To conduct investigations, including using law enforcement techniques such as undercover investigations and the development of informer networks and actionable intelligence;  
(2) to conduct vessel boardings and inspections at sea and associated enforcement actions;  
(3) to exercise existing shipper agreements and to enter into and implement new shipper agreements, as appropriate, including in those countries that have not adopted the Port State Measures Agreement;  
(4) to conduct vessel inspections at port and associated enforcement actions;  
(5) to assess technology needs and promote the use of technology to improve monitoring, enforcement, and prosecution of IUU fishing;  
(6) to conduct DNA-based and forensic identification of seafood products;  
(7) to conduct training on techniques, such as collecting electronic evidence and using computer forensics, for law enforcement personnel involved in investigations related to international matters, financial issues, and government corruption that include IUU fishing;  
(8) to assess financial flows and the use of financial institutions to launder profits related to IUU fishing;  
(9) to conduct training on the legal mechanisms that can be used in the United States and elsewhere to identify those identified in the investigations as alleged perpetrators of IUU fishing and other associated crimes such as trafficking and forced labor; and  
(10) to conduct training to raise awareness of the use of whistleblower information and ways to incentivize whistleblowers to come forward with original information related to IUU fishing.  

(c) Capacity building for information sharing.—The officials referred to in subsection (a) shall evaluate opportunities to provide assistance, as appropriate, to key countries in priority regions and priority flag states to support efforts to combat IUU fishing with efforts to combat other illegal activities, such as—  
(1) by assessing and using existing resources, enforcement tools, and legal authorities to coordinate efforts to combat IUU fishing with efforts to combat other illegal trade, including weapons, drugs, and human trafficking;  
(2) by expanding existing IUU fishing enforcement training;  
(3) by providing targeted, country- and region-specific training on combating IUU fishing, including in those countries that have not adopted the Port State Measures Agreement;  
(4) by supporting increased effectiveness and transparency of the fisheries enforcement sectors of the governments of such countries; and  
(5) by supporting increased outreach to stakeholders in the affected communities as key partners in combating and prosecuting IUU fishing.  

(d) Capacity building for investigations and prosecutions.—The officials referred to in subsection (a), in collaboration with the governments of countries in priority regions and priority flag states, shall evaluate opportunities to assist those countries in designing and implementing programs in such countries, as appropriate, to increase the capacity of law enforcement and customs and border security officers to improve their ability—  
(1) to conduct effective investigations, including using law enforcement techniques such as undercover investigations and the development of informer networks and actionable intelligence;  
(2) to conduct vessel boardings and inspections at sea and associated enforcement actions;  
(3) to exercise existing shipper agreements and to enter into and implement new shipper agreements, as appropriate, including in those countries that have not adopted the Port State Measures Agreement;  
(4) to conduct vessel inspections at port and associated enforcement actions;  
(5) to assess technology needs and promote the use of technology to improve monitoring, enforcement, and prosecution of IUU fishing;  
(6) to conduct DNA-based and forensic identification of seafood products;  
(7) to conduct training on techniques, such as collecting electronic evidence and using computer forensics, for law enforcement personnel involved in investigations related to international matters, financial issues, and government corruption that include IUU fishing;  
(8) to assess financial flows and the use of financial institutions to launder profits related to IUU fishing;  
(9) to conduct training on the legal mechanisms that can be used in the United States and elsewhere to identify those identified in the investigations as alleged perpetrators of IUU fishing and other associated crimes such as trafficking and forced labor; and  
(10) to conduct training to raise awareness of the use of whistleblower information and ways to incentivize whistleblowers to come forward with original information related to IUU fishing.  

(e) Capacity building for information sharing.—The officials referred to in subsection (a) shall evaluate opportunities to provide assistance, as appropriate, to key countries in priority regions and priority flag states to support efforts to combat IUU fishing with efforts to combat other illegal trade, including weapons, drugs, and human trafficking;  
(2) by expanding existing IUU fishing enforcement training;  
(3) by providing targeted, country- and region-specific training on combating IUU fishing, including in those countries that have not adopted the Port State Measures Agreement;  
(4) by supporting increased effectiveness and transparency of the fisheries enforcement sectors of the governments of such countries; and  
(5) by supporting increased outreach to stakeholders in the affected communities as key partners in combating and prosecuting IUU fishing.  

(f) Coordination with other relevant agencies.—The Secretary of State, in collaboration with the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, and the Secretary of Commerce, shall coordinate with other relevant agencies, as appropriate, in accordance with this section.  

SEC. 8545. Authorization of appropriations.  

There are authorized to be appropriated to carry out this title $15,000,000 for each of fiscal years 2020 through 2025.
(2) Entering into shipper agreements that include counter-IUU fishing with priority flag states and countries in priority regions with which the United States does not already have an agreement.
(3) Including counter-IUU fishing as part of the mission of the Combined Maritime Forces.
(4) Including counter-IUU fishing exercises in the annual at-sea exercises conducted by the Department of Defense, in coordination with the United States Coast Guard.
(5) Establish partnerships similar to the Oceania Maritime Security Initiative and the Africa Maritime Law Enforcement Partnership.

SEC. 8545. IMPROVEMENT OF TRANSPARENCY AND TRACEABILITY PROGRAMS.

The Secretary of State, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, the Secretary of Commerce, and the heads of other Federal agencies, if merited, shall work, as appropriate, with priority flag states and key countries in priority regions—
(1) to increase knowledge within such countries about the United States transparency and traceability standards for imports of seafood and seafood products;
(2) to improve the capacity of seafood industries within such countries through information sharing and training to meet requirements of transparency and traceability standards for seafood and seafood product imports, including catch documentation and trade tracking programs adopted by relevant regional fisheries management organizations;
(3) to improve the capacities of government, industry, and civil society groups to develop and implement comprehensive traceability systems that—
(A) deter IUU fishing;
(B) strengthen fisheries management; and
(C) enhance maritime domain awareness; and
(4) to support the implementation of seafood traceability standards in such countries to prevent IUU fishing products from entering the global seafood market and assess capacity and training needs in those countries.

SEC. 8550. TECHNOLOGY PROGRAMS.

The Secretary of State, the Administrator of the United States Agency for International Development, the Commandant of the Coast Guard when the Coast Guard is operating in, or as a component of, the Department of Homeland Security, the Secretary of Defense, the Secretary of Commerce, and the heads of other Federal agencies, as appropriate, shall pursue programs to expand the role of technology for combating IUU fishing, including by—
(1) promoting the use of technology to combat IUU fishing;
(2) assessing the technology needs, including vessel technologies and data sharing, in priority regions and priority flag states;
(3) engaging with priority flag states to encourage the mandated use of vessel tracking technologies, including vessel monitoring systems, AIS, or other vessel movement monitoring technologies on fishing vessels and trawls molasses at all times, as appropriate, while at sea as a means to identify IUU fishing activities and the shipment of illegally caught fish products; and
(4) establishing partnerships with the private sector, including universities, nonprofit research organizations, the seafood industry, and the technology, transportation and logistics industries and organizations to provide technologies and data analytics to address IUU fishing.

SEC. 8547, SAVINGS CLAUSE.

No provision of section 8532 or of this part shall impose, or be interpreted to impose, any duty, responsibility, requirement, or obligation on the Department of the Navy, or any other official or component of either.

PART II—ESTABLISHMENT OF INTERAGENCY WORKING GROUP ON IUU FISHING

SEC. 8551. INTERAGENCY WORKING GROUP ON IUU FISHING

(a) In General.—There is established a collaborative interagency working group on maritime security and IUU fishing (referred to in this subtitle as the “Working Group”).
(b) MEMBERS.—The members of the Working Group shall be composed of—
(1) 1 chair, who shall rotate between the Commandant of the Coast Guard, the Secretary of State, and the National Oceanographic and Atmospheric Administration on a 3-year term;
(2) 2 deputy chairs, who shall be appointed by their respective agency heads and shall be from a different Department than that of the chair, from—
(A) the Coast Guard;
(B) the Department of State; and
(C) the National Oceanic and Atmospheric Administration;
(3) 11 members, who shall be appointed by their respective agency heads, from—
(A) the Department of Defense;
(B) the United States Navy;
(C) the National Oceanic and Atmospheric Administration;
(D) the United States Fish and Wildlife Service;
(E) the Department of Justice;
(F) the Department of the Treasury;
(G) U.S. Customs and Border Protection;
(H) U.S. Immigration and Customs Enforcement;
(I) the Federal Trade Commission;
(J) the Department of Agriculture;
(K) the Food and Drug Administration; and
(L) the Department of Labor;
(4) 5 members, who shall be appointed by the President, from—
(A) the National Security Council;
(B) the Council on Environmental Quality;
(C) the Office of Management and Budget;
(D) the Office of Science and Technology Policy; and
(E) the Office of the United States Trade Representative.
(c) RESPONSIBILITIES.—The Working Group shall ensure an integrated Federal Government-wide response to IUU fishing globally, including by—
(1) improving the coordination of Federal agencies, departments, and agencies, to investigate, prosecute, and dismantle IUU fishing activities and organizations perpetrating and knowingly benefitting from IUU fishing;
(2) assessing areas for increased interagency information sharing on matters related to IUU fishing and related crimes;
(3) establishing standards for information sharing related to maritime enforcement;
(4) developing a strategy to determine how military assets and intelligence can contribute to enforcement strategies to combat IUU fishing; and
(5) increasing maritime domain awareness relating to IUU fishing and related crimes and developing a strategy to leverage awareness for increased intelligence and enforcement actions against IUU fishing;
(6) supporting the adoption and implementation of the Port State Measures Agreement by relevant countries and assessing the capacity and training needs in such countries;
(7) outlining a strategy to coordinate, in partnership with the seafood industry and nongovernmental organizations, the work of international fora, the U.S. Government, and the Committee on Appropriations of the House of Representatives that contains—
(A) the flagged vessels of which actively engage in, knowingly profit from, or are complicit in IUU fishing;
(B) that lack the capacity to police their fleet.

SEC. 8552. STRATEGIC PLAN.

(a) STRATEGIC PLAN.—Not later than 2 years after the date of the enactment of this title, the Working Group shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Natural Resources of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives a 5-year integrated strategic plan on combating IUU fishing and enhancing maritime security, including specific strategies with monitoring benchmarks for addressing IUU fishing in priority regions.

(b) IDENTIFICATION OF PRIORITY REGIONS AND PRIORITY FLAG STATES.—
(1) IN GENERAL.—The strategic plan submitted under subsection (a) shall identify priority regions and priority flag states to be the focus of assistance coordinated by the Working Group under section 8551.
(2) PRIORITY REGION SELECTION CRITERIA.—In selecting priority regions under paragraph (1), the Working Group shall select regions that—
(A) are at high risk for IUU fishing activity or the entry of illegally caught seafood into their markets; and
(B) lack the capacity to fully address the issues described in subparagraph (A).

(c) PRIORITY FLAG STATES SELECTION CRITERIA.—In selecting priority flag states under paragraph (1), the Working Group shall select countries that—
(A) are at high risk for IUU fishing activity or the entry of illegally caught seafood into their markets; and
(B) lack the capacity to police their fleet.

SEC. 8553. REPORTS.

Not later than 5 years after the submission of the 5-year integrated strategic plan under section 8552, and 5 years after, the Working Group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on the Judiciary of the Senate, the Select Committee on Intelligence of the Senate, the Select Committee on Intelligence of the House of Representatives, the House Committee on Appropriations of the House of Representatives, the Committee on Natural Resources of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that contains—

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(1) a summary of global and regional trends in IUU fishing;

(2) an assessment of the extent of the convergence between transnational organized illegal activities and human trafficking and forced labor, and IUU fishing;

(3) an assessment of the topics, data sources, and strategies that would benefit from increased information sharing and recommendations regarding harmonization of data collection and sharing;

(4) an assessment of assets, including military assets in intelligence, which can be used for either enforcement operations or strategies to combat IUU fishing;

(5) summaries of IUU fishing and the situational threats with respect to IUU fishing in priority regions and an assessment of the capacity of countries within such regions to respond to those threats;

(6) an assessment of the progress of countries in priority regions in responding to those threats as a result of assistance by the United States pursuant to the strategic plan developed under section 8552, including—

(A) the identification of—

(i) relevant supply routes, ports of call, methods and entry into the country, vessels utilized, and supply chains used in each country by participants engaged in IUU fishing; and

(ii) instances of IUU fishing that are related to money laundering;

(B) an assessment of the adherence to, or progress toward adoption of, international treaties related to IUU fishing, including the Port State Measures Agreement, by countries in priority regions;

(C) an assessment of the implementation by countries in priority regions of seafood traceability or capacity to apply traceability to verify the legality of catch and strengthen fisheries management; and

(D) an assessment of the capacity of countries in priority regions to implement shiprider agreements;

(E) an assessment of the capacity of countries in priority regions to increase maritime domain awareness; and

(F) an assessment of the capacity of governments of relevant countries in priority regions to sustain the programs for which the United States has provided assistance under this subtitle;

(7) an assessment of the capacity of priority regions to track the movement of and police their fleet, prevent their flagged vessels from engaging in IUU fishing, and enforce applicable laws and regulations;

(8) the extent of involvement in IUU fishing of organizations designated as foreign terrorist organizations under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8554. GULF OF MEXICO IUU FISHING SUBWORKING GROUP.

(a) In General.—Not later than 90 days after the date of the enactment of this title, the Administrator of the National Oceanic and Atmospheric Administration, in coordination with the Coast Guard and the Department of State, shall establish a subworking group to address IUU fishing in the exclusive economic zone of the United States in the Gulf of Mexico.

(b) Functions.—The subworking group established under subsection (a) shall identify—

(1) Federal actions taken and policies established during the 5-year period immediately preceding the date of the enactment of this title that are relevant to IUU fishing in the exclusive economic zone of the United States in the Gulf of Mexico, including such actions and policies related to—

(A) assistance, training, and prosecution of any foreign nationals engaged in such fishing; and

(B) the application of the provisions of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826d et seq.) to any relevant nation, including the status of any past or ongoing consultations and certification procedures;

(2) actions and policies, in addition to the actions and policies described in paragraph (1), that the Federal agencies described in subsection (a) can take, using existing resources, to combat IUU fishing in the exclusive economic zone of the United States in the Gulf of Mexico;

(3) any additional authorities that could assist each such agency in more effectively addressing such IUU fishing;

(c) Report.—Not later than 1 year after the IUU Fishing Subworking Group is established under subsection (a), the subworking group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives that contains—

(1) the findings identified pursuant to subsection (b); and

(2) a timeline for each of the Federal agencies described in subsection (a) to implement each action or policy identified pursuant to subsection (b).

PART III—COMBATING HUMAN TRAFFICKING IN CONNECTION WITH THE CATCHING AND PROCESSING OF SEAFOOD PRODUCTS

SEC. 8561. FINDING.

Congress finds that human trafficking, including forced labor, is a pervasive problem in the catching and processing of certain seafood products imported into the United States, particularly seafood products obtained through illegal, unreported, and unregulated fishing.

SEC. 8562. ADDING THE SECRETARY OF COMMERCE TO THE INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

Section 105(b) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(b)) is amended by inserting “the Secretary of Commerce,” after “the Secretary of Education.”.

SEC. 8563. HUMAN TRAFFICKING IN THE SEAFOOD SUPPLY CHAIN REPORT.

(a) In General.—Not later than 1 year after the date of enactment of this title, the Secretary of State and the Administrator of the National Oceanic and Atmospheric Administration shall jointly submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Appropriations of the Senate, the Committee on Natural Resources of the House of Representatives, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Appropriations of the House of Representatives that describes the existence of human trafficking, including forced labor, in the seafood supply chains of seafood products imported into the United States.

(b) REPORT ELEMENTS.—The report required under subsection (a) shall include—

(1) a list of the countries at risk for human trafficking, including forced labor, in their seafood catching and processing industries, and an assessment of such risk for each listed country;

(2) a description of the quantity and economic value of seafood products imported into the United States from the countries on the list compiled pursuant to paragraph (1);

(3) a description and assessment of the methods, if any, in the countries on the list that are used to compel foreign workers to work and conduct trace and account for the manner in which seafood is caught; and

(4) a description of domestic and international enforcement mechanisms to deter illegal practices in the catching of seafood in the countries on the list compiled pursuant to paragraph (1);

(5) such recommendations as the Secretary of State and the Administrator of the National Oceanic and Atmospheric Administration may consider appropriate for legislative or administrative action to enhance and improve actions against human trafficking, including forced labor, in the catching and processing of seafood products outside of the United States waters.

DIVISION F—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2020

SEC. 9001. SHORT TITLE.

This division may be cited as the “Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Year 2020”.

SEC. 9002. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term “congressional intelligence committees” has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given such term in section 1.

TITLE XCI—INTELLIGENCE ACTIVITIES

SEC. 9010. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Defense Intelligence Agency.

(4) The Defense Intelligence Agency.


(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.


(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

are those specified in the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3906(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 9103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2020 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 9102(a).

(b) IN GENERAL.—The Secretary of Defense shall, consistent with Department of Defense and the Director of National Intelligence shall, consistent with Department of Defense and the Director of National Intelligence.

(c) AGREEMENTS.—

(A) shall require that the employee of the

(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) COVERED ELEMENTS OF THE INTELLIGENCE COMMUNITY.—The term ‘‘covered elements of the intelligence community’’ refers to 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.

(F) The Department of Defense.

(G) The Permanent Select Committee on Intelligence.

(H) The Select Committee on Intelligence.

(I) The Intelligence Community Management Account.

(J) The Intelligence Community Retirement and Disability Fund.

The authorization of appropriations by the enactment of this Act, issue metrics for assessing key phases in the onboarding described in paragraph (1) 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 collaboration among covered elements of the intelligence community on their onboarding processes;

(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.

SEC. 9304. INTELLIGENCE COMMUNITY PUBLIC-PRIVATE TALENT EXCHANGE

(a) POLICIES, PROCEDURES REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Director of National Intelligence shall develop policies, procedures, and mechanisms in covered elements of the intelligence community, including for tracking personnel as they pass through each phase of the onboarding process; and

(b) TAILING TO PRIVATE-SECTOR ORGANIZATIONS.—

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term ‘‘Department’’ means—

(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.

(F) the Department of Defense.

(G) the Permanent Select Committee on Intelligence.

(H) the Select Committee on Intelligence.

(I) the Intelligence Community Management Account.

(J) the Intelligence Community Retirement and Disability Fund.

(k) INDIVIDUAL.—The term ‘‘individual’’ means any person who is an employee of the intelligence community.

(l) INDIVIDUALS.—The term ‘‘individuals’’ means any individuals who are covered individuals.

(m) INTELLIGENCE—The term ‘‘intelligence’’ means any information, whether classified or unclassified.

(n) INTELLIGENCE COMMUNITY.—The term ‘‘intelligence community’’ means the elements of the intelligence community.

(o) INTELLIGENCE COMMUNITY PERSONNEL.—The term ‘‘intelligence community personnel’’ means—

(A) the intelligence community;

(B) the intelligence community.

(C) the intelligence community.

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(g) Terms and Conditions for Private-sector Employees.—An employee of a private-sector organization who is detailed to an element of the intelligence community under this section—

(1) shall continue to receive pay and benefits from the private-sector organization from which such employee is detailed and shall not receive pay or benefits from the element, except as provided in paragraph (2);

(2) is deemed to be an employee of the element for the purposes of—

(A) chapters 73 and 81 of title 5, United States Code;

(B) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, United States Code;

(C) sections 1343, 1344, and 1349(b) of title 31, United States Code;

(D) chapter 171 of title 28, United States Code (commonly known as the "Federal Tort Claims Act") and any other Federal tort liability statute;

(E) the Ethics in Government Act of 1978 (5 U.S.C. app.);

(F) chapter 21 of title 41, United States Code;

(3) may perform work that is considered inherent in the element's functions in nature only when requested in writing by the head of the element;

(4) may not be used to circumvent any limitation on positions or funding on the size of the workforce of the element;

(5) shall subject to the same requirements applicable to an employee performing the same functions and duties proposed for performance by the private sector employee; and

(6) is the case of an element of the intelligence community in the Department of Defense, may not be used to circumvent the provisions of section 2461 of title 10, United States Code.

(h) Prohibition Against Charging Certain Costs to the Federal Government.—A private-sector organization may not charge an element of the intelligence community in the Department of Defense, the costs of pay or benefits paid by the organization to an employee detailed to an element of the intelligence community under this section for the period of the detail and any subsequent renewal periods.

(i) Additional Administrative Matters.—In carrying out this section, the Director, pursuant to procedures developed under subsection (a) shall—

(1) detail.—The term “detail” means, as appropriate in the context in which such term is used—

(A) the assignment or loan of an employee of a private-sector organization to a private-sector organization without a change of position from the intelligence community element that employs the individual; or

(B) the assignment or loan of an employee of a private-sector organization to an element of the intelligence community without a change of position from the private-sector organization that employs the individual.

(2) Private-sector organization.—The term “private-sector organization” means—

(A) a for-profit organization;

(B) a not-for-profit organization.

(3) Small business concern.—The term “small business concern” has the meaning given such term in section 3706(e)(2) of title 5, United States Code.

SEC. 9305. EXPANSION OF SCOPE OF PROTECTION FOR IDENTITY OF COVERT AGENTS.

Section 605(4) of the National Security Act of 1947 (50 U.S.C. 3124(4)) is amended—

(1) in subparagraph (A)—

(A) by striking “(A)” and inserting “:”;

(B) in clause (i), by striking “, or” and inserting “;”;

(C) by striking “agency whose identity” and inserting “agency’s identity”;

(D) in clause (ii), by striking “, and” and inserting “,”;

(2) in paragraph (4), by striking “security risks,” after “agency” and inserting “acts.”

SEC. 9306. INCLUSION OF SECURITY RISKS IN ACQUISITION OF MAJOR SYSTEMS IN NATIONAL INTELLIGENCE PROGRAM.

Section 102(a)(1)(A) of the National Security Act of 1947 (50 U.S.C. 3011(a)(1)(A)) is amended by inserting “security risks,” after “schedule,”.

SEC. 9307. PAID PARENTAL LEAVE.

(a) Purpose.—The purpose of this section is to—

(1) help the intelligence community recruit and retain a dynamic, multi-talented, and diverse workforce capable of meeting the security goals of the United States; and

(2) establish best practices and processes for other elements of the Federal Government seeking similar policies.

(b) Authorization of Paid Parental Leave for Intelligence Community Employees.—

(1) In General.—Title III of the National Security Act of 1947 (50 U.S.C. 3071 et seq.) is amended by inserting after section 303 the following:

"SEC. 305. PAID PARENTAL LEAVE.

"(a) Paid Parental Leave.—Notwithstanding any other provision of law, a civilian employee of an element of the intelligence community shall have available a total of 12 administrative workweeks of paid parental leave in the event of the birth of a son or daughter to the employee, or placement of a son or daughter with the employee for adoption or foster care, in order to care for such son or daughter, to be used during the 12-month period beginning on the date of the birth or placement.

"(b) Treatment of Parental Leave Request.—Notwithstanding any other provision of law—

"(1) an element of the intelligence community shall accommodate an employee’s leave schedule request under subsection (a), including a request to use such leave intermittently or on a reduced leave schedule, to the extent that the requested leave schedule does not unduly disrupt agency operations; and

"(c) Rules Relating to Paid Leave.—Notwithstanding any other provision of law, an employee may not be required to first use all or any portion of any unpaid leave available to the employee before being approved to use the paid parental leave described in subsection (a); and

"(2) paid parental leave under subsection (a) shall be payable from any appropriation or fund available for salaries or expenses for positions within the employing element.

"(C) May not be used to help meet the needs of the intelligence community.

"(D) shall not receive pay or benefits from the employee during the period of the detail or any subsequent renewal periods.

"(2) Proportionate Number of Hours for Employees with Part-time, Seasonal, or Reduced Leave Schedules.—

"(A) may not be converted into a cash payment; and

"(B) a not-for-profit organization.

"(C) if not used by the employee before the end of the 12-month period described in subsection (a) to which the leave relates, may not be available for any subsequent use and may not be converted into a cash payment;

"(D) may be granted only to the extent that the employee does not receive a total of more than 12 weeks of paid parental leave in any 12-month period beginning on the date of a birth or placement;

"(E) may not be granted—

"(i) in excess of a lifetime aggregate total of 30 administrative workweeks based on placements of a foster child for any individual employee; or

"(ii) in connection with temporary foster care placements expected to last less than 1 year;

"(F) may not be granted for a child being placed for foster care or adoption if such leave was previously granted to the same employee when the same child was placed with the employee for foster care in the past;

"(G) shall be used in increments of hours (or fractions thereof), with 12 administrative workweeks equal to 480 hours for employees with a regular full-time work schedule and to a proportional number of hours for employees with part-time, seasonal, or uncommon tours of duty;

"(H) may not be used during off-season (summer status) periods for employees with seasonal work schedules.

"(3) Implementation Plan.—Not later than 1 year after the date of enactment of this section, the Director of National Intelligence shall provide the congressional intelligence committees with an implementation plan that includes—

"(i) processes and procedures for implementing the paid parental leave policies under subsections (a) through (c);

"(ii) an explanation of how the implementation of subsections (a) through (c) will be reconciled with policies of other elements of the Federal Government, including the impact on elements funded by the National Intelligence Program that are housed within agencies outside the intelligence community;

"(iii) the projected impact of the implementation of subsections (a) through (c) on the workforce of the intelligence community, including take rates, retention, recruiting, and attrition; and

"(iv) all costs or operational expenses associated with the implementation of subsections (a) through (c).

"(e) Directive.—Not later than 90 days after the Director of National Intelligence
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submits the implementation plan under subsection (d), the Director of National Intelligence shall issue a written directive to implement this section, which directive shall take effect 90 days after issuance.

(f) ANNUAL REPORT.—The Director of National Intelligence shall submit to the congressional intelligence committees an annual report that—

(1) details the number of employees of each element of the intelligence community who applied for and took paid parental leave under subsection (a) during the year covered by the report;

(2) includes updates on major implementation challenges or costs associated with paid parental leave; and

(3) contains a statement of the extent to which the procedures currently in effect that the Director of National Intelligence issues the written directive under subsection (e) of such section 305.

Subtitle B—Office of the Director of National Intelligence

SEC. 9311. EXCLUSIVITY, CONSISTENCY, AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES.

(a) EXCLUSIVITY OF PROCEDURES.—In this section, the term 'Office of the Director of National Intelligence' means the Office of the Director of National Intelligence as established pursuant to section 801(a). (b) DEFINITION.—The term 'Central Intelligence Agency' means the Central Intelligence Agency as established pursuant to section 801(a).

(c) EXCLUSIVITY.—Except as provided in subsection (b), the procedures established pursuant to subsection (a) shall be the exclusive procedures by which decisions about eligibility for access to classified information are governed.

(1) PUBLICATION.—Not later than 180 days after the date of the enactment of this Act, and each 360 days after such date, the Director shall publish in the Federal Register the procedures established pursuant to section 801(a).

(2) CONSISTENCY.—The Director shall issue a written directive to implement this section, which directive shall take effect not later than 90 days after issuance.

(3) APPLICABILITY.—Section 305 of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended by adding at the end the following:

''Sec. 305. Paid parental leave.

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director shall issue a written directive to implement this section, which directive shall take effect not later than 90 days after issuance.

(a) DEFINITIONS.—In this section—

(1) the term 'Eligible family member' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

(2) CLASSIFIED INFORMATION.—The term 'classified information' includes sensitive compartmented information, restricted data, restricted handling information, and other compartments.

(b) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' means the meaning given such term in section 6381 of title 5, United States Code.

(c) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' means the meaning given such term in section 6381(b)(3) of title 5, United States Code.

(d) NON-FELIX.—Not later than 90 days after the date of the enactment of this Act, the Director shall issue a written directive to implement this section, which directive shall take effect not later than 90 days after issuance.

(1) PUBLICATION.—Not later than 90 days after the date of the enactment of this Act, the Director shall issue a written directive to implement this section, which directive shall take effect not later than 90 days after issuance.

(2) CONSISTENCY.—The Director shall issue a written directive to implement this section, which directive shall take effect not later than 90 days after issuance.

SEC. 9311. EXCLUSIVITY, CONSISTENCY, AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES.

(a) EXCLUSIVITY OF PROCEDURES.—In this section, the term 'Office of the Director of National Intelligence' means the Office of the Director of National Intelligence as established pursuant to section 801(a).

(b) Definitions.—In this section—

(1) the term 'Eligible family member' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

(2) the term 'Central Intelligence Agency' means the Central Intelligence Agency as established pursuant to section 801(a).

(3) the term 'Central Intelligence Agency' means the Central Intelligence Agency as established pursuant to section 801(a).

(4) the term 'Central Intelligence Agency' means the Central Intelligence Agency as established pursuant to section 801(a).

SEC. 9312. LIMITATION ON TRANSFER OF NATIONAL SECURITY INFORMATION.

(a) LIMITATION.—Not later than 60 days after the date of the enactment of this Act, the National Security Council shall issue a policy that requires the head of each Federal agency to create, not later than December 31, 2023, an electronic portal that can be used by human resources personnel and applicants for security clearances to view information about the status of an application for a security clearance and the average time needed to process each phase of the security clearance process.

(b) SHARING OF POLICIES AND PLANS REQUIRED.——Each head of a Federal agency shall share policies and plans relating to security clearances with appropriate industry partners and shall ensure that is protected under section 1104 of the National Security Act of 1947, as added by section 10605 of division G.

(c) DEVELOPMENT OF POLICIES AND PROCEDURES REQUIRED.——Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall develop procedures by which appropriate industry partners can share information with appropriate industry partners.

Subtitle C—Inspector General of the

SEC. 9321. DEFINITIONS.

In this subtitle:

(1) WHISTLEBLOWER.—The term 'whistleblower' means a person who makes a whistleblower disclosure.

(2) WHISTLEBLOWER DISCLOSURE.—The term 'whistleblower disclosure' means a disclosure made by an employee who has taken relevant action to protect its classified information.

SEC. 9321. DEFINITIONS.

In this subtitle:

(1) WHISTLEBLOWER.—The term 'whistleblower' means a person who makes a whistleblower disclosure.

(2) WHISTLEBLOWER DISCLOSURE.—The term 'whistleblower disclosure' means a disclosure made by an employee who has taken relevant action to protect its classified information.

(3) WHISTLEBLOWER.—The term 'whistleblower' means a person who makes a whistleblower disclosure.

(4) WHISTLEBLOWER DISCLOSURE.—The term 'whistleblower disclosure' means a disclosure made by an employee who has taken relevant action to protect its classified information.

SEC. 9321. DEFINITIONS.

In this subtitle:

(1) WHISTLEBLOWER.—The term 'whistleblower' means a person who makes a whistleblower disclosure.

(2) WHISTLEBLOWER DISCLOSURE.—The term 'whistleblower disclosure' means a disclosure made by an employee who has taken relevant action to protect its classified information.

SEC. 9321. DEFINITIONS.

In this subtitle:

(1) WHISTLEBLOWER.—The term 'whistleblower' means a person who makes a whistleblower disclosure.

(2) WHISTLEBLOWER DISCLOSURE.—The term 'whistleblower disclosure' means a disclosure made by an employee who has taken relevant action to protect its classified information.
Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)).

SEC. 9322. INSPECTOR GENERAL EXTERNAL REVIEW PANEL.

(a) AUTHORITY TO CONVENE EXTERNAL REVIEW PANELS.—

(1) In general.—Title XI of the National Security Act of 1947 (50 U.S.C. 3231 et seq.) is amended by adding at the end the following new section:

``SEC. 1105. INSPECTOR GENERAL EXTERNAL REVIEW PANEL.

''(a) REQUEST FOR REVIEW.—An individual with a claim described in subsection (b) may submit to the Inspector General of the Intelligence Community a request for a review of such claim by an external review panel convened under subsection (c).

''(b) CLAIMS AND INDIVIDUALS DESCRIBED.—A claim described in this subsection is any—

''(1) claim by an individual—

''(A) that the individual has been subjected to a personnel action that is prohibited under section 1104; and

''(B) who has exhausted the applicable review process for the claim pursuant to enforcement of such section; or

''(2) claim by an individual—

''(A) that he or she has been subjected to a reprisal by an employee—

''(I) of a covered agency; or

''(II) by an external review panel convened under subsection (a)(2) of section 3301(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)); and

''(B) who received a decision on an appeal regarding that claim under paragraph (4) of such section.

''(c) EXTERNAL REVIEW PANEL CONVENE.—

''(1) DISCRETION TO CONVENE.—Upon receipt of a request under subsection (a) regarding a claim, the Inspector General of the Intelligence Community may, at the discretion of the Inspector General, convene an external review panel under this subsection to review the claim.

''(2) MEMBERSHIP.—

''(A) COMPOSITION.—An external review panel convened under this subsection shall be composed of three members as follows:

''(i) The Inspector General of the Intelligence Community.

''(ii) Except as provided in subparagraph (B), two members selected by the Inspector General of the Intelligence Community, one from each of the following:

''(I) The Department of Defense.

''(II) The Department of Energy.


''(IV) The Department of Justice.

''(V) The Department of State.

''(VI) The Department of the Treasury.

''(VII) The Central Intelligence Agency.

''(VIII) The Defense Intelligence Agency.

''(IX) The National Geospatial-Intelligence Agency.

''(X) The National Reconnaissance Office.


''(B) CHAIRPERSON.—An inspector general of an agency may not be selected to sit on the panel under subparagraph (A)(ii) to review any matter relating to a decision made by such agency.

''(C) CHAIRPERSON.—

''(i) In general.—Except as provided in clause (i), the chairperson of any panel convened under this subsection shall be the Inspector General of the Intelligence Community.

''(ii) CONFLICTS OF INTEREST.—If the Inspector General of the Intelligence Community finds cause to recuse himself or herself from a panel convened under this subsection, the Inspector General of the Intelligence Community shall select a chairperson from inspectors general of the elements listed under subparagraph (A)(ii) whom the Inspector General of the Intelligence Community considers appropriate; and

''(ii) notify the congressional intelligence committees of such selection.

''(3) PERIOD OF REVIEW.—Each external review panel convened under this subsection to review a claim shall complete review of the claim not later than 360 days after the date on which the Inspector General convenes the external review panel.

''(d) REMEDIES.—

''(1) PANEL RECOMMENDATIONS.—If an external review panel convened under subsection (c) determines, pursuant to a review of a claim submitted by an individual under subsection (a)(2), that the subject of a personnel action prohibited under section 1104 or was subjected to a reprisal prohibited by section 3301(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)), the panel may recommend that the agency head take corrective action—

''(A) in the case of an employee or former employee—

''(i) to return the employee or former employee, as nearly as practicable and reasonable, to the position or former position from which the employee or former employee would have held had the reprisal not occurred; or

''(ii) reconsider the employee’s or former employee’s suitability to access to classified information consistent with national security; or

''(B) in any other case, such other action as the external review panel considers appropriate.

''(2) AGENCY ACTION.—

''(A) IN GENERAL.—Not later than 90 days after the date on which the head of an agency receives a recommendation from an external review panel convened under paragraph (1), the head shall—

''(i) give full consideration to such recommendation; and

''(ii) inform the panel and the Director of National Intelligence of what action the head has taken with respect to the recommendation.

''(B) FAILURE TO INFORM.—The Director of National Intelligence shall notify the President of any failures to comply with subparagraph (A).

''(e) ANNUAL REPORTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees and the Director of National Intelligence an annual report on the activities under this section during the previous year.

''(2) CONTENTS.—Subject to such limitations as the Inspector General of the Intelligence Community considers necessary to protect the privacy of an individual who has made a claim described in subsection (b), each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

"(A) The determinations and recommendations made by the external review panels convened under subsection (c).

"(B) The responses of the heads of agencies that received recommendations from the external review panels.

"(C) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by adding at the end the following new item:

"Sec. 1105. Inspector General external review panel.

(b) RECOMMENDATION ON ADDRESSING WHISTLEBLOWER APPEALS RELATING TO REFUSAL COMPLAINTS AGAINST INSPECTORS GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a recommendation on how to ensure that—

"(A) a whistleblower in the intelligence community who has a complaint against an inspector general in the intelligence community and who alleges a reprisal, has available the agency adjudication and appellate review process provided under section 1104 of the National Security Act of 1947 (50 U.S.C. 3234); and

"(B) any such whistleblower who has exhausted the applicable review process may request an external review panel, at the discretion of the Inspector General of the Intelligence Community.

``(2) The recommendation submitted pursuant to paragraph (1) shall include the following:

''(A) A discussion of whether and to what degree section 1105 of the National Security Act of 1947, as added by subsection (a)(1), provides appropriate authorities and mechanisms to provide an external review panel as described in paragraph (1) and for the purposes described in such paragraph.

''(B) Such recommendations or legislative or administrative action as the Inspector General may have with respect to providing an external review panel as described in paragraph (1) and for the purposes described in such paragraph.

SEC. 9323. HARMONIZATION OF WHISTLEBLOWER PROCESSES AND PROCEDURES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in coordination with the Intelligence Community Inspectors General Forum, shall develop recommendations, applicable to all inspectors general of elements of the intelligence community, regarding the harmonization of inspections, and directives relating to processes, procedures, and timelines for claims and appeals relating to allegations of personnel actions prohibited under section 1104 of the National Security Act of 1947 or reprisals prohibited by section 3301(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)).

(b) TRANSPARENCY AND PROTECTION.—In developing recommendations under subsection (a), the Inspector General of the Intelligence Community shall make efforts to maximize transparency and protect whistleblowers.

SEC. 9324. INTELLIGENCE COMMUNITY OVERSIGHT OF AGENCY WHISTLEBLOWER ACTIONS.

(a) FEASIBILITY STUDY.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community, in consultation with the Intelligence Community Inspectors General Forum, shall conduct a feasibility study on establishing a hotline whereby all complaints of whistle-blowers relating to the intelligence community are automatically referred to the Inspector General of the Intelligence Community.

''(2) ELEMENTS.—The feasibility study conducted pursuant to paragraph (1) shall include the following:

''(A) The anticipated number of annual whistle-blower complaints processed by all elements of the intelligence community.

''(B) The additional resources required to implement the hotline, including personnel and technology.

''(C) The resulting budgetary effects.

''(D) Findings from the system established pursuant to subsection (a).

''(O) OVERSIGHT SYSTEM REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall establish a system whereby the Inspector General is provided, in near real time, the following:
(1) All information relating to complaints by whistleblowers relating to the programs and activities under the jurisdiction of the Director of National Intelligence.

(2) Any investigation or general actions relating to such complaints.

(c) PRIVACY PROTECTIONS.—

(1) POLICIES AND PROCEDURES REQUIRED.—Before the system required by subsection (b), the Inspector General of the Intelligence Community shall establish policies and procedures to protect the privacy of whistleblowers and prevent against further dissemination of whistleblower information without consent of the whistleblower.

(2) CONTROL OF DISTRIBUTION.—The system established by subsection (b) shall provide whistleblowers the option of prohibiting distribution of their complaints to the Inspector General of the Intelligence Community.

SEC. 9325. REPORT ON CLEARED WHISTLEBLOWER ATTORNEYS.

(a) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report on access to cleared attorneys by whistleblowers in the intelligence community.

(b) REPORTS.—The report submitted pursuant to subsection (a) shall include the following:

(1) The number of whistleblowers in the intelligence community who sought to retain a cleared attorney and at what stage they sought such an attorney.

(2) For the 5-year period preceding the report, the following:

(A) The number of limited security agreements (LSAs).

(B) The scope and clearance levels of such limited security agreements.

(C) The number of whistleblowers represented by cleared counsel.

(3) Recommendations for legislative or administrative action to ensure that whistleblowers in the intelligence community have access to cleared attorneys, including improvements to the limited security agreement process and such other options as the Inspector General of the Intelligence Community considers appropriate.

(c) SURVEY.—The Inspector General of the Intelligence Community shall conduct a survey of cleared personnel to determine whether the survey submitted under subsection (a) is pursuant to section 9324;

(d) REPORT AND PLAN.—The report submitted pursuant to subsection (c) shall include—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services and the Committee on Foreign Relations of the Senate;

(C) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives;

(2) C ONTROL OF DISTRIBUTION.—The system established under subsection (b) shall provide the whistleblowers the option of prohibiting distribution of their complaints to the Inspector General of the Intelligence Community.

SEC. 9402. COMPREHENSIVE ECONOMIC ASSESSMENT OF INVESTMENT IN KEY UNITED STATES TECHNOLOGIES BY COMPANIES AND ORGANIZATIONS LINKED TO CHINA.

(a) ASSESSMENT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the National Counterintelligence and Security Center, the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, the Secretary of the Treasury, and the heads of other Federal agencies as the Director of National Intelligence considers appropriate, shall submit to the congressional intelligence committees a comprehensive economic assessment of investments by companies and organizations linked to China, including the implications of these investments on the national security of the United States.

(b) FORM OF ASSESSMENT.—The assessment submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 9403. ANALYSIS OF AND PERIODIC BRIEFINGS ON MAJOR INITIATIVES OF THE INTELLIGENCE COMMUNITY IN ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING.

(a) ANALYSIS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall conduct an analysis of the major initiatives of the intelligence community in artificial intelligence and machine learning.

(b) REPORT TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The analysis required by paragraph (1) shall include analyses of how the initiatives described in such paragraph—

(A) correspond with the strategy of the intelligence community entitled "Augmenting Intelligence Using Machines"; 

(B) complement each other and avoid unnecessary duplication; 

(C) are coordinated with the efforts of the Defense Department on artificial intelligence, including efforts at the Joint Artificial Intelligence Center (JAIC) and Project Maven; and 

(D) leverage advances in artificial intelligence and machine learning in the private sector.

(b) PERIODIC BRIEFINGS.—Not later than 30 days after the date of the enactment of this Act, and not less frequently than once each year thereafter until the date that is 7 years after the date of the enactment of this Act, the Director of National Intelligence shall conduct briefing with the congressional intelligence committees and other committees coordinated with the efforts of the respective artificial intelligence and machine learning initiatives, particularly the Department of Defense machines initiative and the Joint Artificial Intelligence Center.

SEC. 9404. ENCOURAGING COOPERATIVE ACTIONS TO DETECT AND COUNTER FOREIGN INFLUENCE OPERATIONS.

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

(1) The Russian Federation, through military intelligence units, also known as the "GRU", and Kremlin-linked troll organizations often referred to as the "Internet Research Agency" deploy information warfare operations against the United States, its allies and partners, with the goal of advancing strategic interests of the Russian Federation.

(2) One line of effort deployed as part of these information warfare operations is the weaponization of social media platforms with the goals of intensifying societal tensions, undermining trust in governmental institutions within the United States, its allies and partners, with the goal of advancing strategic interests of the Russian Federation.

(3) These information warfare operations are a threat to the national security of the United States and those of the allies and partners of the United States. As Director of National Intelligence Dan Coats stated, "These actions are persistent, they are pervasive and they are meant to undermine America's democracy."

(4) These information warfare operations continue to evolve and increase in sophistication.

(5) Other foreign adversaries and hostile non-state actors will increasingly adopt similar tactics of deploying information warfare operations against Western interests.

(6) Technological advances, including artificial intelligence, will only make it more difficult in the future to detect fraudulent activity, deceptive material posted on social media, and malign behavior on social media platforms.

(7) Because these information warfare operations are being deployed within and across private and social media platforms, the companies that own these platforms have a responsibility to detect and remove foreign adversary content, deceptive material posted on social media, and malign behavior on social media platforms.

(8) The social media companies are inherently technologically sophisticated and are uniquely qualified to rapidly analyze and identify indications of data and developing software-based solutions to diverse and ever-changing challenges on
their platforms, which makes them well-equipped to address the threat occurring on their platforms. (9) Independent analyses confirmed Kremlin-linked operations based on data provided by several social media companies to the Select Committee on Intelligence of the Senate, thereby demonstrating that it is possible to conduct effective, cross-platform information warfare operations linked to foreign governments.

(10) Independent analyses confirmed that companies and third-party experts, nongovernmental organizations, data journalists, federally funded research and development centers, and academic researchers have developed capabilities to conduct cyber operations to frustrate Kremlin-linked information warfare operations against the 2018 mid-term elections. General Nakasone stated that these capabilities were "very, very helpful in terms of being able to understand exactly what our adversary was trying to do to build dissent within our nation.

(11) Institutionalizing ongoing robust, independent, and vigorous analysis of data related to foreign threat networks within and across social media platforms will help counter ongoing information warfare operations against the United States, its allies, and its partners.

(12) Archiving and disclosable to the public the results of the analyses by the social media companies and trusted third-party experts in a transparent manner will serve to demonstrate that the social media companies are effectively removing foreign influences from their platforms while protecting the privacy of the people of the United States and building public understanding of the scale and scope of these foreign threats to our democracy, since exposure is one of the most effective means to build resilience.

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

(1) the social media companies should cooperate among themselves and with independent organizations and researchers on a sustained and regular basis to share and analyze data and indicators relevant to foreign information warfare operations within and across their platforms in order to detect and counter foreign information warfare operations that threaten the national security of the United States and allies and partners;

(2) these analytic efforts should be organized in such a fashion as to meet the highest standards of ethics, confidentiality, and privacy protection of the people of the United States;

(3) these analytic efforts should be undertaken as soon as possible to facilitate countering ongoing Kremlin, Kreml-linked, and other foreign information warfare operations and to aid in preparations for the United States presidential and congressional elections of 2020 and thereafter;

(4) the structure and operations of social media companies make them well positioned to address foreign adversary threat networks within and across their platforms, and these efforts could be conducted without direct Government involvement, direction, or regulation and

(5) if the social media industry fails to take sufficient action to address foreign adversary threat networks operating within or across their platforms, Congress would have to consider alternative safeguards for ensuring that this threat is effectively mitigated.

(c) AUTHORITY TO FACILITATE ESTABLISHMENT OF SOCIAL MEDIA DATA ANALYSIS CENTER.—

(1) AUTHORITY.—The Director of National Intelligence, in coordination with the Secretary of Defense, may facilitate, by contract or under an existing authority of the Director, the establishment of a Social Media Data Analysis Center with the functions described in paragraph (2) at an independent, nonprofit organization.

(2) FUNCTIONS.—The functions described in this paragraph are—

(A) acting as a convening and sponsoring authority for cooperative social media data analysis of foreign threat networks involving the social media companies and third-party experts, nongovernmental organizations, data journalists, federally funded research and development centers, and academic researchers;

(B) facilitating analysis within and across the individual social media platforms for the purpose of detecting, exposing, and countering clandestine influence operations and related unlawful activities that fund or subsidize such operations;

(C) developing processes to share information from government entities on foreign influence operations with the individual social media companies to inform threat analysis, and working with the Office of the Director of National Intelligence as appropriate;

(D) determining and making public criteria for identifying which companies, organizations, or researchers qualify for inclusion in the analysis center, and inviting entities that fit the criteria to join;

(E) determining jointly with the social media companies what data and metadata related to foreign adversary threat networks from their platforms and business operations will be made available for access and analysis;

(F) developing and making public the criteria and standards that must be met for companies, other organizations, and individual researchers to access and analyze data collected by social media platforms containing foreign threat networks within and across social media platforms and publish or otherwise use the results;

(G) developing and making public the ethical standards for investigation of foreign threat networks and use of analytic results and for protection of the privacy of the customers and users of the social media platforms and of the proprietary information of the social media companies;

(H) developing technical, contractual, and procedural controls to prevent misuse of data, including any necessary auditing procedures, compliance checks, and review mechanisms;

(I) developing and making public criteria and conditions under which the Center shall share information with the appropriate Government agencies regarding threats to national security from, or violations of the law relating to, foreign adversary threat networks from the social media companies;

(J) developing a searchable, public archive aggregating information related to foreign influence and disinformation operations to build a collective understanding of the threats and facilitating future examination consistent with privacy protections.

(d) REPORTING AND NOTIFICATIONS.—If the Director of National Intelligence chooses to use funds under subsection (c)(1) to facilitate the establishment of the Center, the Director of the Center shall—

(1) not later than March 1, 2020, submit to Congress a report on—

(A) the establishment needs of the Center for fiscal year 2021 and for subsequent years;

(B) such statutory protections from liability and facilitating future examination necessary for the Center, participating social media companies, and participating third-party analytical participants;

(C) such statutory penalties as the Director considers necessary to ensure against misuse of data by researchers; and

(D) such changes to the Center’s mission to fully capture broader unlawful activities that intersect with, complement, or support information warfare tactics; and

(e) PERIODIC REPORTING TO THE PUBLIC.—The Director of the Center shall—

(1) once each quarter, make available to the public a report on key trends in foreign influence and disinformation operations, including any threats to campaigns and elections, to inform the public of the United States of—

(a) exactly what our adversary was trying to do to build dissent within our nation.

(b) the effectiveness of the Center in detecting and removing clandestine foreign information warfare operations from social media platforms;

(c) includes such recommendations for legislative or administrative action as the Center considers appropriate to carry out the functions of the Center.

(2) as the Director considers necessary, provide more timely assessments relating to ongoing disinformation campaigns.

(3) not later than March 1, 2020, use any appropriated funds or otherwise make available to the National Intelligence Program (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3000) and in fiscal year 2020 and 2021, the Director of National Intelligence may use up to $30,000,000 to carry out this section.

(4) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on Foreign Relations of the Senate;

(4) the Committee on the Judiciary of the Senate;

(5) the Select Committee on Intelligence of the Senate;

(6) the Committee on the Judiciary of the House of Representatives;

(7) the Committee on Homeland Security and Governmental Affairs of the House of Representatives;

(8) the Committee on Foreign Affairs of the House of Representatives;

(9) the Committee on the Judiciary of the House of Representatives;

(10) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 9405. OVERSIGHT OF FOREIGN INFLUENCE IN ACADEMIA.

(a) DEFINITIONS.—In this section:

(1) COVERED INSTITUTION OF HIGHER EDUCATION.—The term ‘‘covered institution of higher education’’ means an institution of higher education as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002) that receives Federal funds in any amount and for any purpose.

(2) SENSITIVE RESEARCH SUBJECT.—The term ‘‘sensitive research subject’’ means a subject of research that is carried out at a covered institution of higher education that receives funds that were appropriated for—

(A) the National Intelligence Program; or

(B) any Federal agency the Director of National Intelligence deems appropriate.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once each calendar year, the Director of National Intelligence, in consultation with such elements of the intelligence community as the
Director considers appropriate and consistent with the privacy protections afforded to United States persons, shall submit to congressional intelligence committees a report on investigative research subject posed by foreign entities in order to provide Congress and covered institutions of higher education with complete information on these risks and to help ensure academic freedom.

(c) CONTENTS.—The report required by subsection (a) shall include the following:

(1) A list of sensitive research subjects that could affect national security.

(2) A list of foreign entities, including government corporations, nonprofit organizations, and any subsidiary or affiliate of such an entity, that the Director determines pose a counterintelligence, espionage, (including economic espionage), or other national security threats with respect to sensitive research subjects.

(3) A list of any known or suspected attempts by foreign entities to exert pressure on covered institutions of higher education, including attempts to limit freedom of speech, propagate misinformation or disinformation, or to influence professors, researchers, or students.

(4) Recommendations for collaboration between the National Intelligence and the intelligence community to mitigate threats to sensitive research subjects associated with foreign influence in academia, including any necessary legislative or administrative action.

(d) CONGRESSIONAL NOTIFICATIONS REQUIRED.—Within 30 days after the date on which the Director identifies a change to either list described in paragraph (1) or (2) of subsection (c), the Director shall notify the congressional intelligence committees of the change.

SEC. 9406. DIRECTOR OF NATIONAL INTELLIGENCE ASSESSMENT OF FOREIGN INTERFERENCE IN ELECTIONS.

(a) ASSESSMENT REQUIRED.—Not later than 45 days after the conclusion of a United States election, the Director of National Intelligence, in consultation with the heads of such other executive departments and agencies as the Director considers appropriate, shall—

(1) conduct an assessment of any information indicating that a foreign government, or any person acting as an agent of or on behalf of a foreign government, has acted with the intent or purpose of interfering in that election; and

(2) transmit the findings of the Director with respect to the assessment conducted under paragraph (1), along with such supporting information as the Director considers appropriate, to the following:

(A) The President.

(B) The Secretary of State.

(C) The Secretary of the Treasury.

(D) The Secretary of Defense.

(E) The Attorney General.

(F) The Secretary of Homeland Security.

(G) Congress.

(b) ELEMENTS.—An assessment conducted under subsection (a) with respect to an act described in such subsection, shall identify, to the maximum extent ascertainable, the following:

(1) The nature of any foreign interference and any methods employed to execute the act.

(2) The persons involved.

(3) The foreign government or governments that authorized, directed, sponsored, or supported the act.

(c) PUBLICATION.—In a case in which the Director conducts an assessment under subsection (a)(1) with respect to an election, the Director shall, as soon as practicable after the date of such election and not later than 60 days after the date of such conclusion, make available to the public, to the extent possible consistent with the protection of sources and methods, the findings transmitted under subsection (a)(2).

SEC. 9407. ANNUAL REPORT BY COMPTROLLER GENERAL OF THE UNITED STATES ON CYBERSECURITY AND SURVEILLANCE THREATS TO CONGRESS.

(a) ANNUAL REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Comptroller General of the United States shall submit to the congressional intelligence committees a report on cybersecurity and surveillance threats to Congress.

(b) STATISTICS.—Each report submitted under paragraph (1) shall include statistics on cyber attacks and other incidents of espionage or surveillance targeted against Senators or the immediate families or staff of the Senators, in which the nonpublic communications and other private information of such targeted individuals were lost, stolen, or otherwise subject to unauthorized access by criminals or a foreign government.

(c) CONSULTATION.—In preparing a report to be submitted under subsection (a), the Comptroller General shall consult with the Director of National Intelligence, the Secretary of Homeland Security, and the Sergeant at Arms of the Senate.

SEC. 9408. DIRECTOR OF NATIONAL INTELLIGENCE ASSESSMENT OF FOREIGN INTERFERENCE IN ELECTIONS.

(a) ASSESSMENT REQUIRED.—Not later than 45 days after the conclusion of a United States election, the Director of National Intelligence, in consultation with the heads of such other executive departments and agencies as the Director considers appropriate, shall—

(1) conduct an assessment of any information indicating that a foreign government, or any person acting as an agent of or on behalf of a foreign government, has acted with the intent or purpose of interfering in that election; and

(2) transmit the findings of the Director with respect to the assessment conducted under paragraph (1), along with such supporting information as the Director considers appropriate, to the following:

(A) The President.

(B) The Secretary of State.

(C) The Secretary of the Treasury.

(D) The Secretary of Defense.

(E) The Attorney General.

(F) The Secretary of Homeland Security.

(G) Congress.

(b) ELEMENTS.—An assessment conducted under subsection (a) with respect to an act described in such subsection, shall identify, to the maximum extent ascertainable, the following:

(1) The nature of any foreign interference and any methods employed to execute the act.

(2) The persons involved.

(3) The foreign government or governments that authorized, directed, sponsored, or supported the act.

(c) PUBLICATION.—In a case in which the Director conducts an assessment under subsection (a)(1) with respect to an election, the Director shall, as soon as practicable after the date of such election and not later than 60 days after the date of such conclusion, make available to the public, to the extent possible consistent with the protection of sources and methods, the findings transmitted under subsection (a)(2).

SEC. 9409. STUDY ON FEASIBILITY AND ADVISABILITY OF ESTABLISHING GEOSPATIAL-INTELLIGENCE MUSEUM AND LEARNING CENTER.

(a) STUDY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Geospatial-Intelligence Agency shall complete a study on the feasibility and advisability of establishing a Geospatial-Intelligence Museum and learning center.

(b) ELEMENTS.—The study required by subsection (a) shall include the following:

(1) Identifying the costs, opportunities, and challenges of establishing the museum and learning center as described in such subsection.

(2) Developing recommendations concerning such establishment.

(3) Identifying and reviewing lessons learned from the establishment of the Cyber Center for Education and Innovation-Homeland Security and the National Cryptologic Museum.

SEC. 9410. REPORT ON DEATH OF JAMAL KHASHOGGI.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of the National Intelligence shall submit to Congress a report on the death of Jamal Khashoggi, consistent with protecting sources and methods. Such report shall include an identification of those who carried out, participated in, ordered, or were otherwise complicit in or responsible for the death of Jamal Khashoggi.

(b) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form.

DIVISION G—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEARS 2018 AND 2019

SEC. 10001. SHORT TITLE.

This division may be cited as the "Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019."
(14) The National Reconnaissance Office.
(15) The National Geospatial-Intelligence Agency.

(b) Fiscal Year 2018.—Funds that were appropriated for fiscal year 2018 for the conduct of the intelligence and intelligence-related activities of the United States set forth in subsection (a) are hereby authorized.

SEC. 10101. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 10101 for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 10101, section 10101 for the conduct of the intelligence and intelligence-related activities of the United States set forth in subsection (a) are hereby authorized.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to the approval of the President, the President shall—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (30 U.S.C. 3306(a));

(B) in subsection (c), by striking such Schedule of Authorizations referred to in section 10101, or of any portion of such Schedule, within the executive branch;

(C) as otherwise required by law.

SEC. 10103. INCREASE IN EMPLOYER COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 10301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 10302. INCREASE IN EMPLOYER COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 10303. MODIFICATION OF SPECIAL PAY AUTHORITY FOR SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.

"(1) IN GENERAL.—Notwithstanding part III of title 5, United States Code, the head of an element of the intelligence community may, for 1 or more categories of positions in such element that require expertise in science, technology, engineering, or mathematics—

(A) establish higher minimum rates of pay; and

(B) make corresponding increases in all rates of pay of the pay range for each grade or level, subject to subsection (b) or (c), as applicable.

(2) TREATMENT.—The special rate supplements resulting from the establishment of higher rates under paragraph (1) shall be basic pay for the same or similar purposes as those specified in section 5330(b)(1) of title 5, United States Code.

(3) IN GENERAL.—Notwithstanding subsection (c), the Director, the National Security Agency may establish a special rate of pay for—

(A) not to exceed the rate of basic pay payable for level II of the Executive Schedule under section 5313 of title 5, United States Code, for a position that performs functions that execute the cyber mission of the Agency; or

(B) not to exceed the rate of basic pay payable for the Vice President of the United States under section 101 of title 3, United States Code, if the Director certifies to the Secretary of Defense for Intelligence, in consultation with the Under Secretary of Defense for Intelligence, that the employment of persons in such position that perform functions that execute the cyber mission of the Agency; or

(C) to increase the rate of basic pay payable for the Director of the National Geospatial-Intelligence Agency, the Under Secretary of Defense for Intelligence, the Under Secretary of Defense for Personnel and Readiness, and the Secretary of Defense for the Vice President of the United States under title 5, United States Code.
‘‘(2) PAY LIMITATION.—Employees receiving a special rate under paragraph (1) shall be subject to an aggregate pay limitation that parallels the limitation established in section 5305 of title 5, United States Code, except that—

‘‘(A) any allowance, differential, bonus, award, or other similar cash payment in addition to basic pay that is authorized under title 10, United States Code, (or any other applicable law in addition to title 5 of such Code, excluding the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.)) shall also be counted as part of aggregate compensation; and

‘‘(B) aggregate compensation may not exceed the rate established for the Vice President of the United States under section 104 of title 3, United States Code.

‘‘(3) LIMITATION ON NUMBER OF RECEIPTENTS.—The number of individuals who receive basic pay established under paragraph (1)(B) may not exceed 100 at any time.

‘‘(4) LIMITATION ON USE AS COMPARATIVE REFERENCE.—Notwithstanding any other provision of law, special rates of pay and the limitation established under paragraph (1)(B) may not be used as comparative references for those below the rate of basic pay or maximum pay limitations of qualified positions under section 1599f of title 10, United States Code, or section 226 of the Homeland Security Act of 2002 (6 U.S.C. 147).

‘‘(5) in subsection (c), as redesignated by paragraph (2), by striking ‘‘A minimum’’ and inserting ‘‘Except as provided in subsection (b), a minimum’’;

‘‘(6) in subsection (d), as redesignated by paragraph (2), by inserting ‘‘or (b)’’ after ‘‘by subsection (a)’’;

‘‘(7) in subsection (g), as redesignated by paragraph (2)—

‘‘(A) in paragraph (1), by striking ‘‘Not later than 90 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2017’’ and inserting ‘‘Not later than 90 days after the date of the enactment of the Domen Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019’’; and

‘‘(B) in paragraph (2)(A), by inserting ‘‘or (b)’’ after ‘‘by subsection (a)’’.

SEC. 10304. MODIFICATION OF APPOINTMENT OF CHIEF INFORMATION OFFICER OF DEPARTMENT OF DEFENSE TO INCLUDE PERSONNEL OF THE INTELLIGENCE COMMUNITY

Section 10304(a) of the National Security Act of 1947 (50 U.S.C. 3022(a)) is amended by striking ‘‘President’’ and inserting ‘‘Director’’.

SEC. 10305. DIRECTOR OF NATIONAL INTELLIGENCE REVIEW OF PLACEMENT OF POSITIONS WITHIN THE INTELLIGENCE COMMUNITY ON THE EXECUTIVE SCHEDULE.

(a) REVIEW.—The Director of National Intelligence, in coordination with the Director of the Office of Personnel Management, shall conduct a review of positions within the intelligence community regarding the placement of such positions on the Executive Schedule under subchapter II of chapter 53 of title 5, United States Code. In carrying out such review, the Director of National Intelligence, in coordination with the Director of the Office of Personnel Management, shall determine—

(1) the standards under which such review will be conducted;

(2) which positions should or should not be on the Executive Schedule; and

(3) the process that should be on the Executive Schedule, the level of the Executive Schedule at which such positions should be placed.

(b) REPORT.—Not later than 60 days after the date on which the review under subsection (a) is completed, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives an unredacted report describing the standards by which the review was conducted and the outcome of the review.

SEC. 10306. SUPPLY CHAIN AND COUNTERINTELLIGENCE RISK MANAGEMENT TASK FORCE

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘‘appropriate congressional committees’’ means the following:

(1) the congressional intelligence committees;

(2) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Oversight and Reform of the House of Representatives;

(b) REQUIREMENT TO ESTABLISH.—The Director of National Intelligence shall establish a Supply Chain and Counterintelligence Risk Management Task Force to standardize information sharing between the intelligence community and the acquisition community of the United States Government with respect to the supply chain and counterintelligence risks.

(c) MEMBERS.—The Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall be composed of—

(1) a representative of the Defense Security Service of the Department of Defense;

(2) a representative of the General Services Administration;

(3) a representative of the Office of Federal Procurement Policy of the Office of Management and Budget;

(4) a representative of the Department of Homeland Security;

(5) a representative of the Federal Bureau of Investigation;

(6) the Director of the National Counterintelligence and Security Center; and

(7) any other members the Director of National Intelligence determines appropriate.

(d) SECURITY CLEARANCES.—Each member of the Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall have a security clearance at the top secret level and be able to access sensitive compartmented information.

(e) ANNUAL REPORT.—The Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall submit to the appropriate congressional committees an annual report that describes the activities of the Task Force during the previous year, including identification of the supply chain and counterintelligence risks shared with the acquisition community of the United States Government by the intelligence community.

SEC. 10307. CONSIDERATION OF ADVERSARIAL TELECOMMUNICATIONS AND CYBERSECURITY INFRASTRUCTURE WHEN SHARING INTELLIGENCE WITH FOREIGN GOVERNMENTS AND ENTITIES.

Whenever the head of an element of the intelligence community (as defined in section 105 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112-87; 50 U.S.C. 3329 note) is amended by striking ‘‘the date that is 180 days after’’.

(a) DEFINITIONS.—In this section—

(1) PERSONAL ACCOUNTS.—The term ‘‘personal accounts’’ means accounts for online and telecommunications services, including phone, residential Internet access, email, text and multimedia using computing, social media, health care, and financial services, used by personnel of the intelligence community outside of the scope of their employment with elements of the intelligence community.

(2) PERSONAL TECHNOLOGY DEVICES.—The term ‘‘personal technology devices’’ means technology devices used by personnel of the intelligence community outside of the scope of their employment with elements of the intelligence community, including networks to which such devices connect.

(b) AUTHORITY TO PROVIDE CYBER PROTECTION SUPPORT.—

(1) IN GENERAL.—Subject to a determination by the Director of National Intelligence, the Director may provide cyber protection support for the personal technology devices and personal accounts of the personnel described in paragraph (2).

(2) AT-RISK PERSONNEL.—The personnel described in paragraph (2) are personnel of the intelligence community who the Director determines to be highly vulnerable to cyber attacks and hostile information collection activities because of the positions occupied by such personnel in the intelligence community, and

(3) NATURE OF CYBER PROTECTION SUPPORT.—Subject to the availability of resources, the cyber protection support provided to personnel under subsection (b) may include training, advice, assistance, and other services relating to cyber attacks and hostile information collection activities.

(d) LIMITATION ON SUPPORT.—Nothing in this section shall be construed—

(1) to encourage personnel of the intelligence community to use personal technology devices for official purposes;

(2) to authorize cyber protection support for senior intelligence community personnel using personal devices, networks, and personal accounts in an official capacity; or

(e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees a report on the provision of cyber protection support under subsection (b). The report shall include—

(1) a description of the methodology used to make the determination under subsection (b); and

(2) guidance for the use of cyber protection support and tracking of support requests for personnel receiving cyber protection support under subsection (b).

SEC. 10308. MODIFICATION OF AUTHORITIES RELATED TO THE SUPPLY-CHAIN RISK.

(a) MODIFICATION OF EFFECTIVE DATE.—Subsection (f) of section 309 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112-87; 50 U.S.C. 3329 note) is amended by striking ‘‘the date that is 180 days after’’.

(b) TERMINAL DATES.—Such sections are hereby redesignated (f), as amended by subsection (a), as subsection (g), and...
(2) by inserting after subsection (e) the following:

"(f) ANNUAL REPORTS.—

(1) IN GENERAL.—Except as provided in paragraph (2) and before the date of the enactment of this Act, and during each of the second and fourth fiscal quarters thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report detailing the transition or restructuring efforts of such environment, including phase-out of legacy systems.

(2) SECURITY PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall develop and maintain a security plan for the intelligence community information technology environment.

(3) LONG-TERM ROADMAP.—Not later than 180 days after the date of the enactment of this Act, and during each of the second and fourth fiscal quarters thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a long-term roadmap that shall include each of the following:

(A) A description of the minimum required and desired core service requirements, including:
   (i) key performance parameters; and
   (ii) an assessment of current, measured performance;
   (iii) implementation milestones for the intelligence community information technology environment, including each of the following:
      (I) Concept refinement and technology maturity demonstration;
      (II) Development, integration, and demonstration;
      (III) Production, deployment, and sustainment;
      (IV) System retirement;
   (B) Dependencies of such core service capabilities;
   (C) Plans for the transition or restructuring necessary to incorporate core service capabilities;
   (D) A description of any legacy systems and discontinued capabilities to be phased out.

(3) Such other matters as the Director determines appropriate.

(f) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of this Act, and during each of the second and fourth fiscal quarters thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a business plan that includes each of the following:

(A) A systematic approach to identify core service funding requests for the intelligence community information technology environment within the proposed budget, including multiyear plans to implement the long-term roadmap required by subsection (e);

(B) A uniform approach by which each element of the intelligence community shall identify the cost of legacy information technology or alternative capabilities where services of the intelligence community information technology environment will also be available.

(3) A uniform effort by which each element of the intelligence community shall identify transition and restructuring costs for new, existing, and retiring services of the intelligence community information technology environment, as well as services of such environment that have changed designations as a core service.

(g) QUARTERLY PRESENTATIONS.—Beginning not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the congressional intelligence committees quarterly updates regarding ongoing implementation of the intelligence community information technology environment as compared to the requirements in the most recently submitted
security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f).

(b) ADDITIONAL NOTIFICATIONS.—The Director of National Intelligence shall provide timely notification to the congressional intelligence committees any policy changes affecting the intelligence community information technology environment, new initiatives or strategies related to or impacting such environment, and causes or deficiencies in the execution of the security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f).

(i) SUNSET.—The section shall have no effect on or after September 30, 2024.

SEC. 10313. REPORT ON DEVELOPMENT OF SECURE MOBILE VOICE SOLUTION FOR INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency and the Director of the National Security Agency, shall submit to the congressional intelligence committees a classified report on the feasibility, desirability, cost, and required schedule associated with the implementation of a secure mobile voice solution for the intelligence community.

(b) CONTENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) The benefits and disadvantages of a secure mobile voice solution.

(2) Whether the intelligence community could appropriately use commercially available technology for classified voice communications that operates on commercial mobile networks in a secure manner and identifying the accompanying security risks to such networks.

(3) A description of any policies or community guidance that would be necessary to govern the potential solution, such as a process for determining the appropriate use of a secure mobile telephone and any limitations associated with such use.

SEC. 10314. MINIMUM INSIDER THREAT STANDARDS.

(a) POLICY REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall establish a policy for minimum insider threat standards that is consistent with the National Insider Threat Policy and Minimum Standards for Executive Branch In- sider Threat Programs.

(b) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the head of each element of the intelligence community shall implement the policy established under subsection (a).

SEC. 10315. SUBMISSION OF INTELLIGENCE COMMUNITY POLICY REQUIREMENTS.

(a) DEFINITIONS.—In this section:

(1) ELECTRONIC REPOSITORY.—The term ‘‘electronic repository’’ means the electronic distribution mechanism, in use as of the date of the enactment of this Act, or any successor electronic distribution mechanism, by which the Director of National Intelligence submits to the congressional intelligence committees information.

(2) POLICY.—The term ‘‘policy’’ with respect to the intelligence community, included.—

(A) directives, policy guidance, and policy memoranda of the intelligence community;

(B) executive correspondence of the Director of National Intelligence;

and

(C) any equivalent successor policy instruments.

(b) SUBMISSION OF POLICIES.—

(1) CURRENT POLICY.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees using the electronic repository all nonpublicly available policies issued by the Director of National Intelligence that are in effect as of the date of the submission.

(2) CONTINUOUS UPDATES.—Not later than 15 days after the date on which the Director of National Intelligence issues, modifies, or rescinds a policy of the intelligence community, the Director shall—

(A) notify the congressional intelligence committees of such addition, modification, or removal; and

(B) update the electronic repository with respect to such addition, modification, or removal.

SEC. 10316. EXPANSION OF INTELLIGENCE COMMUNITY RECRUITMENT EFFORTS.

In order to further increase the diversity of the intelligence community workforce, not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with heads of elements of the Intelligence Community, shall create, subject to the guidance of the congressional intelligence committees a written plan to ensure that rural and under-represented regions are more fully and consistently represent ‘‘rural’’ employment recruitment efforts. Upon receipt of the plan, the congressional committees shall have 60 days to submit comments to the Director of National Intelligence before such plan shall be implemented.

TITLE CIV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 10401. AUTHORITY FOR PROTECTION OF CURRENT AND FORMER EMPLOYEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 3(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by striking ‘‘such personnel of the Office of the Director of National Intelligence as the Director of National Intelligence may designate’’ and inserting ‘‘current and former personnel of the Office of the Director of National Intelligence and their immediate families as the Director of National Intelligence may designate’’.

SEC. 10402. DESIGNATION OF THE PROGRAM MANAGER INFORMATION SHARING ENVIRONMENT.

(a) INFORMATION SHARING ENVIRONMENT.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

(1) in paragraph (1), by striking ‘‘President’’ and inserting ‘‘Director of National Intelligence’’; and

(2) in paragraph (2), by striking ‘‘President’’ and inserting ‘‘Director of National Intelligence’’.

(b) PROGRAM MANAGER.—Section 1016(f)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(f)(1)) is amended by striking ‘‘The individual designated as the program manager shall serve as program manager until removed from service or replaced by the President (at the President’s sole discretion)’’ and inserting ‘‘The individual designated as the program manager shall serve as program manager until removed from service or replaced by the President (at the President’s sole discretion)’’.

Subtitle B—Central Intelligence Agency

SEC. 10411. CENTRAL INTELLIGENCE AGENCY SUBSISTENCE FOR PERSONNEL ASSIGNED TO AUSTERE LOCATIONS.

Subsection (a) of section 5 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506) is amended—

(1) in paragraph (1), by striking ‘‘500 feet’’; and inserting ‘‘500 yards’’; and

(2) in paragraph (6), by striking ‘‘and’’ at the end.

(3) in paragraph (7), by striking the period at the end and inserting ‘‘; and’’; and

(4) by adding at the end the following new paragraph (8):

‘‘(8) Upon the approval of the Director, provide, during any fiscal year, with or without reimbursement, subsistence to any personnel assigned to an overseas location designated by the Agency as an austere location.’’.

SEC. 10412. EXPANSION OF SECURITY PROTECTIVE SERVICE JURISDICTION OF THE CENTRAL INTELLIGENCE AGENCY.

(a) REPEAL OF FOREIGN LANGUAGE PROFICIENCY REQUIREMENT FOR CERTAIN SENIOR LEVEL POSITIONS IN THE CENTRAL INTELLIGENCE AGENCY.

(b) CONFORMING REPEAL OF REPORT REQUIREMENT.—Section 611 of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487) is amended by striking subsection (c).

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

SEC. 10421. CONSOLIDATION OF DEPARTMENT OF ENERGY OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE.

(a) IN GENERAL.—Section 215 of the Department of Energy Organization Act (42 U.S.C. 714b) is amended to read—

‘‘OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE’’.

SEC. 10403. TECHNICAL MODIFICATION TO THE EXECUTIVE SCHEDULE.

Section 3315 of title 5, United States Code, is amended by adding at the end the following new section:

‘‘Director of the National Counterintelligence and Security Center’’.

SEC. 10404. CHIEF FINANCIAL OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103(a)(1) of the National Security Act of 1947 (50 U.S.C. 303(a)(1)) is amended by adding at the end the following new sentence: ‘‘The Chief Financial Officer shall report directly to the Director of National Intelligence.’’.

SEC. 10405. CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103G(a)(1) of the National Security Act of 1947 (50 U.S.C. 303(a)(1)) is amended by adding at the end the following new sentence: ‘‘The Chief Information Officer shall report directly to the Director of National Intelligence.’’.

Subtitle B—Central Intelligence Agency

SEC. 10411. CENTRAL INTELLIGENCE AGENCY SUBSISTENCE FOR PERSONNEL ASSIGNED TO AUSTERE LOCATIONS.

Subsection (a) of section 5 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506) is amended—

(1) in paragraph (1), by striking ‘‘500 feet’’; and inserting ‘‘500 yards’’; and

(2) in paragraph (6), by striking ‘‘and’’ at the end.

(3) in paragraph (7), by striking the period at the end and inserting ‘‘; and’’; and

(4) by adding at the end the following new paragraph (8):

‘‘(8) Upon the approval of the Director, provide, during any fiscal year, with or without reimbursement, subsistence to any personnel assigned to an overseas location designated by the Agency as an austere location.’’.

SEC. 10412. EXPANSION OF SECURITY PROTECTIVE SERVICE JURISDICTION OF THE CENTRAL INTELLIGENCE AGENCY.

(a) REPEAL OF FOREIGN LANGUAGE PROFICIENCY REQUIREMENT.—Section 104A of the National Security Act of 1947 (50 U.S.C. 3036) is amended by striking subsection (g).

(b) CONFORMING REPEAL OF REPORT REQUIREMENT.—Section 611 of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487) is amended by striking subsection (c).

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

SEC. 10421. CONSOLIDATION OF DEPARTMENT OF ENERGY OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE.

(a) IN GENERAL.—Section 215 of the Department of Energy Organization Act (42 U.S.C. 714b) is amended to read—

‘‘OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE’’.

SEC. 10403. TECHNICAL MODIFICATION TO THE EXECUTIVE SCHEDULE.

Section 3315 of title 5, United States Code, is amended by adding at the end the following new sentence: ‘‘The Director of the National Counterintelligence and Security Center’’.

SEC. 10404. CHIEF FINANCIAL OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103(a)(1) of the National Security Act of 1947 (50 U.S.C. 303(a)(1)) is amended by adding at the end the following new sentence: ‘‘The Chief Financial Officer shall report directly to the Director of National Intelligence.’’.

SEC. 10405. CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103G(a)(1) of the National Security Act of 1947 (50 U.S.C. 303(a)(1)) is amended by adding at the end the following new sentence: ‘‘The Chief Information Officer shall report directly to the Director of National Intelligence.’’.
(b) In General.—There is in the Department an Office of Intelligence and Counterintelligence. Such office shall be under the National Intelligence Program.

(c) Director.—(1) The head of the Office shall be the Director of the Office of Intelligence and Counterintelligence, who shall be an employee in the Senior Executive Service, the Senior Intelligence Service, the Senior National Intelligence Service, or any other Service that the Secretary, in coordination with the Director of National Intelligence, one such Service Appropriate. The Director of the Office shall report directly to the Secretary.

(2) The Secretary shall select an individual to serve as the Director from among individuals who have substantial expertise in matters relating to the intelligence community, including foreign intelligence and counterintelligence.

(d) Duties.—(1) Subject to the authority, direction, and control of the Secretary, the Director shall perform such duties and exercise such powers as the Secretary may prescribe.

(2) The Director shall be responsible for establishing policy for Intelligence and Counterintelligence programs and activities at the Department.

(b) REPEAL.—Section 216 of the Department of Energy Organization Act (42 U.S.C. 7144c) is hereby repealed.

(c) CHEMICAL AMENDMENT.—The table of contents at the beginning of the Department of Energy Organization Act is amended by striking the items relating to sections 215 and 216 and inserting the following new item: "215. Office of Intelligence and Counterintelligence.

SEC. 1041D. PLAN FOR DESIGNATION OF COUNTERINTELLIGENCE COMPONENT OF DEFENSE SECURITY SERVICE AS AN ELEMENT OF INTELLIGENCE COMMUNITY.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and Under Secretary of Defense for Intelligence, in coordination with the Director of the National Counterintelligence and Security Center, shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a plan to designate the counterintelligence component of the Defense Security Service of the Department of Defense as an element of the intelligence community by at least by January 1, 2019. Such plan shall—

(1) address the implications of such designation on the authorities, governance, personnel, resources, information technology, collection, analytical products, information sharing, and business processes of the Defense Security Service and the intelligence community;

(2) not address the personnel security functions of the Defense Security Service.

SEC. 1041E. NOTICE NOT REQUIRED FOR PRIVATE TRAVEL EXPENSES.

Section 3553 of title 44, United States Code, is amended—

(1) by redesignating subsection (j) as subsection (k);

(2) by inserting after subsection (i) the following:

"(j) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Secretary to provide notice to any private entity before the Secretary issues a binding operational directive under subsection (b)(2)."

SEC. 10433. FRAMEWORK FOR ROLES, MISSIONS, AND FUNCTIONS OF DEFENSE INTELLIGENCE AGENCY.

(a) In General.—The Director of National Intelligence and the Secretary of Defense shall jointly establish a framework to ensure the appropriate balance of resources for the roles, missions, and functions of the Defense Intelligence Agency in its capacity as an element of the intelligence community and as a combat support agency. The framework shall include supporting processes to provide for the consistent and regular reevaluation of the responsibilities and resources of the Defense Intelligence Agency to prevent imbalanced priorities, insufficient or misaligned resources, and the unauthorized expansion of mission parameters.

(b) MATTERS FOR INCLUSION.—The framework required under subsection (a) shall include each of the following:

(1) A lexicon providing for consistent definitions of relevant terms used by the intelligence community and the Department of Defense, including, but not limited to, the following:

(A) Defense intelligence enterprise.

(B) Enterprise manager.

(C) Functional manager.

(D) Function.

(E) Mission.

(F) Mission manager.

(G) Responsibility.

(H) Role.

(I) Role manager.

(J) Service of common concern.

(2) A description of the necessity of maintaining separate designations for the intelligence community and the Department of Defense for intelligence functional or enterprise management constructs.

(3) A repeatable process for evaluating the addition, transfer, or elimination of defense intelligence missions, roles, and functions, currently performed or to be performed in the future by the Defense Intelligence Agency, which includes each of the following:

(A) A justification for the addition, transfer, or elimination of a mission, role, or function.

(B) The identification of which, if any, element of the Federal Government performs the considered mission, role, or function.

(C) In the case of any new mission, role, or function—

(i) an assessment of the most appropriate agency or agencies to perform such mission, role, or function, taking into account the resource profiles, scope of responsibilities, primary customers, and existing infrastructure necessary to support such mission, role, or function; and

(ii) a determination of the appropriate resource profile and an identification of the employees, programs, projects, and other resources necessary to support such mission, role, or function.

(D) In the case of any mission, role, or function—

(i) an assessment of the most appropriate agency or agencies to perform the mission, role, or function, taking into account the resource profiles, scope of responsibilities, primary customers, and existing infrastructure necessary to support such mission, role, or function; and

(ii) a determination of the appropriate resource profile and an identification of the employees, programs, projects, and other resources necessary to support such mission, role, or function.

(4) MEETINGS.—The Board shall meet not less than quarterly, but may meet more frequently, at the call of the Director.

(5) DUTIES.—The Board shall—

(A) study matters relating to the mission of the National Reconnaissance Office, in consultation with the Director of National Intelligence, to develop recommendations for promoting innovation, competition, and resilience in space, overseas reconnaissance, acquisition, and other matters; and

(B) advise and report directly to the Director with respect to such matters.

(6) MEMBERS.—

(A) NUMBERS AND APPOINTMENT.—

(i) In General.—The Board shall be composed of 5 members appointed by the Director from among individuals with demonstrated academic, government, business, or other expertise relevant to the mission and functions of the National Reconnaissance Office.

(ii) Appointment.—Not later than 30 days after the date on which the Director appoints a member to the Board, the Director shall notify the congressional intelligence committees and the congressional defense committees (as defined in section 101(a) of title 10, United States Code) of such appointment.

(B) TERMS.—Each member shall be appointed for a term of 2 years. Except as provided by subparagraph (C), a member may not serve more than 3 terms.

(C) VACANCY.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

(D) CHAIR.—The Board shall have a Chair, who shall be appointed by the Director from among the members.

(E) TRAVEL EXPENSES.—Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(F) EXECUTIVE SECRETARY.—The Director may appoint an executive secretary, who shall be an employee of the National Reconnaissance Office, to support the Board.

(G) REPORTS.—The Board shall submit to the Director and to the congressional intelligence committees a report on the activities and significant findings of the Board during the preceding year.

(H) NONAPPLICABILITY OF CERTAIN REQUIREMENTS.—The Federal Advisory Committee
Act (5 U.S.C. App. shall not apply to the Board.

"(7) TERMINATION.—The Board shall terminate on the date that is 3 years after the date of the enactment of this Act.

(b) INITIAL APPOINTMENTS.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Reconnaissance Office shall appoint the initial 5 members to the advisory board under subsection (d) of section 106A of the National Security Act of 1947 (50 U.S.C. 3041a), as added by subsection (a).

SEC. 10455. COLLOCATION OF CERTAIN DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT FIELD LOCATIONS.

(a) IDENTIFICATION ON OPPORTUNITIES FOR COLLOCATION.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall identify, in consultation with the Commissioner of U.S. Customs and Border Protection, the Administrator of the Transportation Security Administration, and other elements of the Department of Homeland Security, opportunities for collocation of officers of the Office of Intelligence and Analysis in the field outside of the greater Washington, District of Columbia, and to support operational units from U.S. Customs and Border Protection, the Transportation Security Administration, U.S. Immigration and Customs Enforcement, and other elements of the Department of Homeland Security.

(b) PLAN FOR COLLOCATION.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary shall submit to the congressional intelligence committees a report that includes a plan for collocation as described in subsection (a).

TITLE XI: CONGRESSIONAL MATTERS

SEC. 10501. REPORT ON CYBER ATTACKS BY FOREIGN GOVERNMENTS AGAINST UNITED STATES ELECTION INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Foreign Affairs of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term "congressional leadership" means—

(A) the majority leader of the Senate;

(B) the majority leader of the House of Representatives.

(c) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall submit to congressional intelligence committees a report on cyber attacks and attempted cyber attacks by foreign governments on United States election infrastructure in States and localities in connection with the 2016 presidential election in the United States and such cyber attacks or attempted cyber attacks as the Under Secretary anticipates against such infrastructure. Such report shall include an assessment of the State and localities affected and shall include cyber attacks and attempted cyber attacks against voter registration databases, voting machines, voting tabulation equipment and networks, and the networks of Secretaries of State and other election officials of the various States.

(d) FORM.—The report submitted under subsection (c) shall be submitted in unclassified form, but may include a classified annex.

SEC. 10502. REVIEW OF INTELLIGENCE COMMUNITY'S POSTURE TO COLLECT, ANALYZE, AND SHARE INFORMATION AGAINST AND ANALYZE RUSSIAN EFFORTS TO INFLUENCE THE PRESIDENTIAL ELECTION OF 2016.

(a) REVIEW REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) complete an after action review of the posture of the intelligence community to collect against and analyze efforts of the Government of Russia to interfere in the 2016 Presidential election in the United States; and

(2) submit to the congressional intelligence committees a report on the findings of the Director with respect to such review.

(b) ELEMENTS.—The review required by subsection (a)(1) with respect to the posture and efforts described in paragraph (1) of such subsection, the following:

(1) An assessment of whether the resources of the intelligence community were properly aligned to detect and respond to the efforts described in subsection (a)(1).

(2) An assessment of the information sharing that occurred within elements of the intelligence community.

(3) An assessment of the information sharing that occurred between elements of the intelligence community.

(4) An assessment of the cyber attacks that occurred within elements of the intelligence community.

(5) An assessment of the cyber attacks that occurred between elements of the intelligence community.

(6) An assessment of whether the intelligence community identified the resources of the intelligence community were properly aligned to detect and respond to the efforts described in subsection (a)(1).

(7) An assessment of whether the intelligence community identified the information sharing that occurred within elements of the intelligence community.

(8) An assessment of the information sharing that occurred between elements of the intelligence community.

(9) An assessment of the cyber attacks that occurred within elements of the intelligence community.

(10) An assessment of the cyber attacks that occurred between elements of the intelligence community.

(c) FORM OF REPORT.—The report required under subsection (a)(1) shall be submitted to the congressional intelligence committees in a classified form.

SEC. 10503. ASSESSMENT OF FOREIGN INTELLIGENCE THREATS TO FEDERAL ELECTIONS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Foreign Affairs of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term "congressional leadership" means—

(A) the majority leader of the Senate;

(B) the majority leader of the House of Representatives.

(c) UPDATE.—Not later than 90 days before and regularly scheduled Federal election occurring after December 31, 2018, the Director of National Intelligence shall—

(1) commence not later than 1 year before any regularly scheduled Federal election occurring after December 31, 2018, and complete not later than 180 days before such election, an assessment of security vulnerabilities of State election systems; and

(2) not later than 180 days before any regularly scheduled Federal election occurring after December 31, 2018, the Director of National Intelligence shall—

(a) submit the update to the congressional intelligence committees;

(b) The Speaker of the House of Representatives.

(2) C ONGRESSIONAL LEADERSHIP .—The term "congressional leadership" includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(3) C OMPETITION AGAINST ELECTORAL SYSTEMS.—The report required by subsection (b) shall include the following elements:

(1) A whole-of-government approach to protecting United States electoral systems and processes that includes the agencies and departments indicated in subsection (b) as well as any other agencies and departments of the United States, as determined appropriate by the Director of National Intelligence and the Secretary of Homeland Security.

(2) Input solicited from Secretaries of State of the various States and the chief election officials of the States.

(3) Technical security measures, including audible paper trails for voting machines, securing wireless and Internet connections, and technical controls.

(4) Detection of cyber threats, including attacks and attempted attacks by Russian intelligence officials against State election systems and processes in the United States, including Federal, State, and local election systems, voter registration databases, voting tabulation equipment, and equipment and processes for the secure transmission of election results.
government or nongovernment cyber threat actors.
(5) Improvements in the identification and attribution of Russian government or nongovernment cyber threat actors.

(6) Deterrence, including actions and measures that could or should be undertaken to prevent or deter the use of cyber tools to target or interfere with, United States election systems and processes.

(7) Improvements in Federal Government coordination and integration with State and local election officials.

(8) Public education and communication efforts.

(9) Benchmarks and milestones to enable the measurement of concrete steps taken and progress made in the implementation of the strategy.

SEC. 10505. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLUENCE CAMPAIGNS DIRECTED AT FOREIGN ELECTION CAMPAIGNS.
(a) Russian influence campaign defined.—In this section, the term "Russian influence campaign" means any effort, covert or overt, and by any means, attributable to the Russian government directed at an election, referendum, or similar process in a country other than the Russian Federation or the United States.

(b) Assessment required.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional committees on national security affairs a report containing an analytical assessment of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any.

Such assessment shall include:
(1) a summary of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, if known or likely to be conducted, and an assessment of the effectiveness of such defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;
(2) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and
(3) an assessment of the effectiveness of such defenses and responses described in paragraphs (1) and (2).

(c) Form.—The report required by subsection (b) may be submitted in classified form, but if so submitted, shall contain an unclassified summary.

SEC. 10506. FOREIGN COUNTERINTELLIGENCE AND CYBERSECURITY THREATS TO FOREIGN ELECTION CAMPAIGNS.
(a) Reports required.—

(1) In general.—As provided in paragraph (2), for each Federal election, the Director of National Intelligence, in coordination with the Under Secretary of Homeland Security for Intelligence and Analysis and the Director of the Federal Bureau of Investigation, shall submit to the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate, and the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the House of Representatives, a website an advisory report on foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices. Each such report shall include, consistent with the protection of sources and methods, each of the following:

(A) A description of foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices.

(B) A summary of best practices that election campaigns for Federal office can employ in seeking to counter such threats.

(C) An identification of any publicly available resources, including United States Government resources forcountering such threats.

(2) Schedule for submittal.—A report under this subsection shall be made available as follows:

(A) In the case of a report regarding an election held for the office of Senator or Member of the House of Representatives during 2018, not later than the date that is 60 days after the date of the enactment of this Act.

(B) In the case of a report regarding an election for a Federal office held any subsequent year, not later than the date that is 1 year before the date of the election.

(C) Information to be included.—A report under this subsection shall include the most recent information available to the Director of National Intelligence regarding foreign counterintelligence and cybersecurity threats.

(3) Treatment of campaigns subject to heightened threats.—If the Director of the Federal Bureau of Investigation and the Under Secretary of Homeland Security for Intelligence and Analysis jointly determine that an election campaign for Federal office is subject to a heightened foreign counterintelligence or cybersecurity threat, the Director and the Under Secretary, consistent with the protection of sources and methods, may make available to the appropriate representatives of such campaigns:

(a) STATE DEFINED.—In this section, the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(b) Security clearances.—

(1) In general.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate, and the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the House of Representatives, a report containing a high-quality information from multiple sources.

(c) Information sharing.—

(1) In general.—The Director of National Intelligence shall assist the Under Secretary of Homeland Security for Intelligence and Analysis and the Under Secretary responsible for critical infrastructure protection, cybersecurity, and other related programs of the Department (as specified in section 103(a)(1)(H) of the Homeland Security Act of 2002 (42 U.S.C. 18013(a)(1)(H))) with sharing any appropriate classified information related to threats to election systems and to the integrity of the election process with chief election officials and such designees who have received a security clearance under subsection (b).

(2) Definitions.—In this section:

(A) The term "active measures campaign" means a foreign semi-covert or covert intelligence operation.

(B) The terms "candidate," "election," and "political party" have the meanings given those terms in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).

(C) The term "congressional leadership" includes the following:

(1) The majority leader of the Senate.

(2) The minority leader of the Senate.

(3) The Speaker of the House of Representatives.

(4) The minority leader of the House of Representatives.

(D) The term "cyber intrusion" means an electronic occurrence of actual or potential unauthorized, or uncontrolled, access to, or use of critical infrastructure without lawful authority, electronic election infrastructure, or the integrity, confidentiality, or availability of information within such infrastructure.

(5) Electronic election infrastructure.—The term "electronic election infrastructure" means an electronic information system of any of the following that is related to an election for Federal office:

(A) The Federal Government.

(B) A State or local government.

(C) A political party.

(D) The election campaign of a candidate.

(E) The Federal official.

(F) Other appropriate congressional committees.—The term "other appropriate congressional committees" means:

(A) The Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) The Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(G) Determinations of significant foreign cyber intrusions and active measures campaigns.—The Director of National Intelligence and the Under Secretary responsible for critical infrastructure protection, cybersecurity, and other related programs of the Department shall coordinate with the Director of the Federal Bureau of Investigation, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate, and the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives, on their determination of whether to bring forward for further consideration any recommendation for an active measures campaign to help defend against any Russian influence campaigns for Federal offices.
subsection (c) if such Directors and the Secretary jointly determine—

(1) that on or after the date of the enactment of this Act, a significant foreign cyber intrusion or active measures campaign intended to influence an upcoming election for a foreign state or to a foreign nonstate person, group, or other entity.

(c) In General.—(1) Not later than 14 days after making a determination under subsection (b), the Secretary of Homeland Security shall jointly provide a briefing to the appropriate congressional committees and, consistent with the protection of sources and methods, the appropriate other congressional committees. The briefing shall be classified and address, at a minimum, the following:

(A) A description of the significant foreign cyber intrusion or active measures campaign, as the case may be, covered by the determination.

(B) Identification of the foreign state or foreign nonstate person, group, or other entity, to which such intrusion or campaign has been attributed.

(C) The feasibility and feasibility of the public release of information about the cyber intrusion or active measures campaign.

(D) Any other information such Directors and the Secretary jointly determine appropriate.

(2) ELECTRONIC ELECTION INFRASTRUCTURE BRIEFINGS.—With respect to a significant foreign cyber intrusion or active measures campaign, as the case may be, the Secretary of Homeland Security shall jointly provide a briefing to the appropriate congressional committees and, consistent with the protection of sources and methods, the appropriate other congressional committees. The briefing shall be classified and address, at a minimum, the following:

(A) A description of the significant foreign cyber intrusion or active measures campaign, as the case may be, covered by the determination.

(B) Identification of the foreign state or foreign nonstate person, group, or other entity, to which such intrusion or campaign has been attributed.

(C) The feasibility and feasibility of the public release of information about the cyber intrusion or active measures campaign.

(D) Any other information such Directors and the Secretary jointly determine appropriate.

(3) PROTECTION OF SOURCES AND METHODS.—This subsection shall be carried out in a manner that is consistent with the protection of sources and methods.

SEC. 10509. DESIGNATION OF COUNTERINTELLIGENCE OFFICER TO LEAD ELECTRONIC ELECTION INFRASTRUCTURE INVESTIGATIONS.

(a) In General.—The Director of National Intelligence shall designate a national counterintelligence officer within the National Counterintelligence and Security Center to lead, manage, and coordinate counterintelligence matters relating to election security.

(b) ADDITIONAL RESPONSIBILITIES.—The person designated under subsection (a) shall also lead, manage, and coordinate counterintelligence matters relating to election security.

(c) ADDITIONAL RESPONSIBILITIES.—The person designated under subsection (a) shall also lead, manage, and coordinate counterintelligence matters relating to election security.

SEC. 10602. PLANS FOR IMPROVING THE PROCESS FOR SECURITY CLEARANCES.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Armed Services of the House of Representatives;

(F) the Committee on Appropriations of the House of Representatives;

(G) the Committee of Intelligence of the House of Representatives; and

(H) the Committee on Oversight and Reform of the House of Representatives.

(b) APPROPRIATE PARTNERS.—The term “appropriate industry partner” means a contractor, licensee, or grantee (as defined in section 101(a) of Executive Order 13239 (50 U.S.C. 3161 note; relating to National Intelligence Security Program)) that is participating in the National Industrial Security Program established by such Executive Order.

(c) CONTINUOUS VETTING.—The term “continuous vetting” has the meaning given such term in Executive Order 13467 (50 U.S.C. 3161 note; relating to the protection of sources and methods related to national security; and to the protection of classified national security information) and shall be carried out in a manner that is consistent with the protection of sources and methods.

(d) Compatibility of Systems.—The term “compatibility” means the extent to which such systems, when used with the systems of a successor organization, can be used to implement a single, interoperable system.

(e) C OUNCIL.—The term “Council” means—

(A) the Director of National Intelligence; and

(B) the Director of National Intelligence appropriately supports the Council.

(f) APPROPRIATE INDUSTRY PARTNER.—The term “appropriately supports” means that the Council, in coordination with the Committee, shall submit to the appropriate congressional committees and make available to appropriate industry partners a plan to implement the report’s framework and recommendations submitted under paragraph (3).

(g) IMPROVING THE PROCESS FOR SECURITY CLEARANCES.—Not less frequently than quarterly, the Security Executive Agent shall make available to the public a report regarding the status of the processing for security clearances in the most effective and efficient manner between the Federal Government and the appropriate industry partners.

(h) IMPROVING THE PROCESS FOR SECURITY CLEARANCES.—Not less frequently than quarterly, the Security Executive Agent shall make available to the public a report regarding the status of the processing for security clearances in the most effective and efficient manner between the Federal Government and the appropriate industry partners.

(i) C OUNCIL.—The term “Council” means—

(A) the Director of National Intelligence;

(B) the Director of National Intelligence appropriately supports the Council.

(c) PLANS.—Not later than 90 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that includes the following:

(i) A risk framework for granting and renewing access to classified information.

(ii) A discussion of the use of technologies to prevent, detect, and monitor threats.

(iii) A discussion of efforts to address reciprocity and portability.

(iv) A discussion of the characteristics of effective insider threat programs.

(v) An analysis of how to integrate data from continuous evaluation, insider threat programs, and human intelligence.

(vi) Recommendations on interagency governance.

(d) PLAN FOR IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a plan to implement the report’s framework and recommendations submitted under paragraph (3).

(e) CONGRESSIONAL NOTIFICATIONS.—Not less frequently than quarterly, the Security Executive Agent shall make available to the public a report regarding the status of the processing for security clearances in the most effective and efficient manner between the Federal Government and the appropriate industry partners.

(f) C OUNCIL.—The term “Council” means—

(A) the Director of National Intelligence;

(B) the Director of National Intelligence appropriately supports the Council.

(c) IMPROVING THE PROCESS FOR SECURITY CLEARANCES.—Not less frequently than quarterly, the Security Executive Agent shall make available to the public a report regarding the status of the processing for security clearances in the most effective and efficient manner between the Federal Government and the appropriate industry partners.

(d) PLAN FOR IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that includes the following:

(i) A risk framework for granting and renewing access to classified information.

(ii) A discussion of the use of technologies to prevent, detect, and monitor threats.

(iii) A discussion of efforts to address reciprocity and portability.

(iv) A discussion of the characteristics of effective insider threat programs.

(v) An analysis of how to integrate data from continuous evaluation, insider threat programs, and human intelligence.

(vi) Recommendations on interagency governance.

SEC. 10603. IMPROVING THE PROCESS FOR SECURITY CLEARANCES.

(a) REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that includes the following:

(i) A review of whether the information requested on the Questionnaire for National Security Positions (standard form SF 86) and by the Federal Investigative Standards prescribed by the Office of Personnel Management and the Office of the Director of National Intelligence supports the adjudicative guidelines under Security Executive Agent Directive 4 (known as the
(T) includes actions to assess the extent to which automated records checks and other continuous evaluation methods may be used to expedite or focus reinvestigations; and
(B) provides for certain populations if the Security Executive Agent—
(i) determines such populations require re-
vestigations at regular intervals; and
(ii) provides notification to the appro-
priate congressional committees for
any such determination.

(4) A policy and implementation plan for agencies and departments of the United States, as a part of the security clearance process, to accept automated records checks generated pursuant to a security clearance applicant’s employment with a prior employer.

(5) A policy for the use of certain back-
ground materials on individuals collected by the private sector for background investiga-
tion purposes.

(6) Uniform standards for agency continu-
ous evaluation programs to ensure quality and reciprocity in accepting enrollment in a continuous vetting program as a substitute for a periodic investigation for continued access to classified information.

SEC. 10604. GOALS FOR PROMPTNESS OF DETER-
MINATIONS REGARDING SECURITY CLEARANCES.

(a) SECURE AND RELIABLE DIGITIZATION.—In this section, the term ‘reciprocal recognition’ by Federal departments and agen-
cies of eligibility for access to classified in-
formation means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) DUTIES.—The duties of the Security Executive Agent are as follows:

(1) To direct the oversight of investiga-
tions, reinvestigations, adjudications, and, as applicable, polygraphs for access to classified information or eligibility to hold a sensitive position made by any Federal agency.

(2) To review the national security back-
ground investigation and adjudication pro-
grams of Federal agencies to determine whether such programs are being imple-
mented in accordance with this section.

(3) To develop and issue uniform and con-
sistent policies and procedures to ensure the effective, efficient, timely, and secure com-
pletion of investigations and adjudications relating to determinations of eligibility for access to classified information or eligibility to hold a sensitive position.

(4) To unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to conduct investi-
gations of persons who are proposed for access to classified information or eligibility to hold a sensitive position, as applicable.

(5) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to conduct investiga-
tions of persons who are proposed for access to classified information or eligibility to hold a sensitive position in accordance with Executive Order 13668 (50 U.S.C. 3161 note; relating to access to classified information).

(6) To ensure reciprocal recognition of eligi-
bility for access to classified information or eligibility to hold a sensitive position among Federal agencies, including acting as the final authority to arbitrate and resolve disputes among such agencies involving the reciprocity of investigations and adjudications of eligibility.

(7) To execute all other duties assigned to the Security Executive Agent by law.

(c) AUTHORITIES.—The Security Executive Agent shall—

(1) issue guidelines and instructions to the heads of Federal agencies to ensure ap-
propriate uniformity, centralization, effi-
ciency, effectiveness, timeliness, and se-
curity in processes relating to determinations by such agencies of eligibility for access to classified information or eligibility to hold a sensitive position, including such matters as investigations, polygraphs, adjudications, and reciprocity;

(2) have the authority to grant exceptions to the requirements of national security investiga-
tive requirements, including issuing imple-
menting or clarifying guidance, as necessary;

(3) have the authority to assign, in whole or in part, to the head of any Federal agency (solely or jointly) any of the duties of the Se-
curity Executive Agent described in sub-
section (b) or the authorities described in paragraphs (1) and (2) to the extent possi-
ble of the exercise of such assigned duties or authorities is subject to the oversight of the Security Executive Agent, including such terms and conditions (including, if any, the Securities Executive Agent) as the Security Execu-
tive Agent determines appropriate; and
“(4) define and set standards for continuous evaluation for continued access to classified information and for eligibility to hold a sensitive position;”

(b) In the case of the recommendations for Revising Authorities.—Not later than 30 days after the date on which the Chairman of the Council submits to the appropriate congressional committees the report required by section 602(b)(2)(A), the Chairman shall submit to the appropriate congressional committees such recommendations as the Chairman may have for revising the authorities of the Security Executive Agent.

(c) Conforming Amendment.—Section 103(h)(4)(A) of such Act (50 U.S.C. 303(h)) is amended by striking “in section 805” and inserting “in section 805.”

(d) Clerical Amendment.—The table of contents in the matter preceding section 2 of such Act (50 U.S.C. 3002) is amended by striking the items relating to sections 803 and 804 and inserting the following:

“Sec. 805. Security Executive Agent.
“Sec. 804. Exceptions.
“Sec. 805. Definitions.”

SEC. 10606. REPORT ON UNIFIED, SIMPLIFIED, GOVERNMENTWIDE STANDARDS FOR PROCESSING OF TRUST AND SECURITY CLEARANCES.

Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall submit a report to the Suitability and Credentialing Executive Agent, in coordination with the other members of the Council, to the appropriate congressional committees and make available to appropriate industry partners a report regarding the advisability and the risks, benefits, and costs to the Government, and, in industry of consolidating and modernizing the security clearance process, that were not more than 3 tiers for positions of trust and security clearances.

SEC. 10607. REPORT ON CLEARANCE IN PERSON CONCEPT.

(a) Sense of Congress.—It is the sense of Congress that to reflect the greater mobility of the modern workforce, alternative methodologies merit analysis to allow greater flexibility for individuals moving in and out of positions that require access to classified information, while still preserving security.

(b) Reciprocity.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall submit to the appropriate congressional committees and make available to appropriate industry partners a report describing the requirements, feasibility, and advisability of implementing a clearance in person concept described in subsection (c).

(c) Clearance in Person Concept.—The clearance in person concept—

(1) permits an individual who once held a security clearance to maintain his or her eligibility for access to classified information, networks, and facilities for up to 3 years after the individual’s eligibility for access to classified information would otherwise lapse; and

(2) recognizes, unless otherwise directed by the Security Executive Agent, an individual’s security clearance and background investigation as current, regardless of employment status, contingent on enrollment in a continuous vetting program.

(d) The report required under subsection (b) shall address—

(1) requirements for an individual to voluntarily remain in a continuous evaluation program validated by the Security Executive Agent even if the individual is not in a position requiring access to classified information;

(2) appropriate safeguards for privacy;

(3) advantages to government and industry;

(4) the costs and savings associated with implementation;

(5) the risks of such implementation, including security and counterintelligence risks;

(6) an appropriate funding model; and

(7) fairness to small companies and independent contractors.

SEC. 10608. REPORT ON REQUEST DOCUMENTATION ON FUNDING FOR BACKGROUND INVESTIGATIONS.

(a) In General.—Not later than 1 year after the fiscal year 2020 budget request submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the President shall submit each budget request for background investigations for the intelligence community for the fiscal year covered by the report, the following:

(1) the total number of initial security clearance background investigations sponsored for new applicants;

(2) the total number of security clearance periodic reinvestigations sponsored for existing employees;

(3) the costs associated with background investigations for Government or contract personnel;

(4) the average cost for each type of background investigation; and

(5) a summary of transfers and reprogrammings that were executed in the previous year to support the processing of security clearances.

SEC. 10609. REPORTS ON RECIPROCITY FOR SECURITY CLEARANCES INSIDE OF DEPARTMENTS AND AGENCIES.

(a) Reciprocally Recognized Defined.—In this section, the term “reciprocally recognized” means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) Reports to Security Executive Agent.—The head of each Federal department or agency shall submit an annual report to the Security Executive Agent that—

(1) identifies the number of individuals whose security clearances take more than 2 weeks to be reciprocally recognized after such individuals move to another part of such department or agency; and

(2) breaks out the information described in paragraph (1) by type of clearance and the reasons for any delays.

(c) Annual Report.—Not less frequently than once each year, the Security Executive Agent shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that summarizes the information required pursuant to subsection (b) during the period covered by such report.

SEC. 10610. INTELLIGENCE COMMUNITY REPORTS ON SECURITY CLEARANCES.

Section 506H of the National Security Act of 1947 (50 U.S.C. 3104) is amended—

(1) in subsection (a)(1)—

(A) by adding “and” at the end; and

(B) by redesignating subsection (b) as subsection (c);

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

“(b) Intelligence Community Reports.—

(1) Not later than March 1 of each year, the Director of National Intelligence shall submit a report to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Oversight and Reform of the House of Representatives regarding the security clearances processed by each element of the intelligence community during the preceding fiscal year.

(B) The Director shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of the report submitted under subparagraph (A) as the Director determines address elements of the intelligence community that are within the Department of Defense.

(C) Each report submitted under this paragraph shall separately identify security clearances processed for Government employees and contractor employees sponsored by each such element.

(ii) Each report submitted under paragraph (A) shall include, for each element of the intelligence community for the fiscal year covered by the report, the following:

(A) The total number of initial security clearance background investigations sponsored for new applicants.

(B) The total number of security clearance periodic reinvestigations sponsored for existing employees.

(C) The total number of initial security clearance background investigations for new applicants that were adjudicated with notice of a determination provided to the prospective applicant, including—

(i) the total number of such adjudications that were adjudicated favorably and granted access to classified information; and

(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

(D) The total number of security clearance periodic background investigations that were adjudicated with notice of a determination provided to the existing employee, including—

(i) the total number of such adjudications that were adjudicated favorably and granted access to classified information; and

(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

(E) The total number of pending security clearance background investigations, including initial applicant investigations and periodic re-investigations, that were adjudicated as of the last day of such year and that remained pending, categorized as follows:

(i) For 180 days or shorter.

(ii) For longer than 180 days, but shorter than 12 months.

(iii) For 12 months or longer, but shorter than 18 months.

(iv) For 18 months or longer, but shorter than 24 months.

(v) For 24 months or longer.

(F) For any security clearance determinations completed or pending during the year preceding the year for which the report is submitted that have taken longer than 12 months to complete—

(i) an explanation of the causes for the delays incurred during the period covered by the report; and

(ii) the number of such delays involving a polygraph requirement.

(G) The percentage of security clearance investigations, including initial and periodic re-investigations, that resulted in a denial or revocation of a security clearance.

(H) The percentage of security clearance investigations that resulted in incomplete investigations.

(i) The percentage of security clearance investigations that did not result in enough
information to make a decision on potentially adverse information.

"(3) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex;

"(4) in subsection (c), as redesignated, by striking each and inserting "section (c)

SEC. 10611. PERIODIC REPORT ON POSITIONS IN THE INTELLIGENCE COMMUNITY THAT CAN BE CONDUCTED WITHIN ACCESS TO CLASSIFIED INFORMATION, NETWORKS, OR FACILITIES.

Not later than 90 days after the date of the enactment of this Act and not less frequently than once every 5 years thereafter, the Director of National Intelligence shall submit to the National Intelligence committees a report that reviews the intelligence community for which positions can be conducted without access to classified information, networks, or facilities, or may only require a security clearance at the secret level.

SEC. 10612. INFORMATION SHARING PROGRAM FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.

(a) Program Required.—

(1) In General.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall establish and implement a program to share between and among agencies of the Federal Government and industry partners of the Federal Government relevant background information and records considered under the Program.

(b) Privacy Safeguards.—The Security Executive Agent and the Suitability and Credentialing Executive Agent shall ensure that the Program includes such safeguards for privacy as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate.

(c) Provision of Information to the Federal Government.—The Program shall include mechanisms that enable investigative service providers and agencies of the Federal Government to leverage certain pre-employment information gathered during the employment or security vetting process, and other relevant security or human resources information obtained during employment with or for the Federal Government, that satisfy Federal investigative standards, while safeguarding personnel privacy.

(d) Information and Records.—The information and records considered under the Program shall include the following:

(1) Date and place of birth.

(2) Citizenship or immigration and naturalization information.

(3) Education records.

(4) Employment records.

(5) Employment or social references.

(6) Military service records.

(7) State and local law enforcement checks.

(8) Criminal history checks.

(9) Financial records or information.

(10) Foreign travel, relatives, or associations.

(11) Social media checks.

(12) Any other information or records as may be relevant to obtaining or maintaining national security, suitability, fitness, or credentialing eligibility.

(e) Implementation PLAN.—

(1) In General.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a plan for the implementation of the Program.

(2) Elements.—The plan required by paragraph (1) shall include the following:

(A) The purpose of the Program.

(B) The nature of any intelligence to be shared or receive foreign intelligence on a case-by-case basis.

(C) The expected value to national security resulting from the implementation of the agreement.

(D) Such counterintelligence concerns associated with the agreement as the Director may have and such measures as the Director considers appropriate to be taken to mitigate such concerns.

(E) Rule of Construction.—This section shall not be construed to affect any existing authority of the Director of National Intelligence, the Director of the Central Intelligence Agency, or another head of an element of the intelligence community, to share or receive foreign intelligence on a case-by-case basis.
(2) CONGRESSIONAL LEADERSHIP.—The term "congressional leadership" includes the following:
   (A) The majority leader of the Senate;
   (B) The Speaker of the House of Representatives;
   (C) The minority leader of the Senate; and
   (D) The Speaker of the House of Representatives.

(b) REQUIREMENT FOR NOTIFICATION.—The Director of National Intelligence, in cooperation with the Director of the Federal Bureau of Investigation and the Attorney General of the United States, shall submit to the appropriate congressional committees a report containing an assessment of Russian threat finance. The assessment shall be based on intelligence from sources and methods, including but not limited to information from the Office of Terrorism and Financial Intelligence of the Department of the Treasury.

(c) ELEMENTS.—The report required by subsection (b) shall include each of the following:
   (1) A summary of leading examples from the 3-year period preceding the date of the submittal of the report of threat finance activities conducted by, for the benefit of, or at the behest of—
      (A) officials of the Government of Russia;
      (B) sanctioned or to sanctions under any provision of law imposing sanctions with respect to Russia;
      (C) Russian nationals subject to sanctions under any provision of law; or
      (D) Russian oligarchs or organized criminals.
   (2) An assessment with respect to any trends or patterns in threat finance activities relating to Russia, including common methods of conducting such activities and global nodes of money laundering used by Russian oligarchs or organized criminals described in paragraph (1) and associated entities.
   (3) An assessment of any connections between Russian individuals involved in money laundering and the Government of Russia.
   (4) A summary of engagement and coordination with international partners on threat finance relating to Russia, especially in Europe, including examples of such engagement and coordination.
   (5) An identification of any resource and collection gaps.
   (6) An identification of—
      (A) entry points of money laundering by Russian and associated entities into the United States;
      (B) vulnerabilities within the United States legal and financial system, including specific sectors, which have been or could be exploited in connection with Russian threat finance activities;
      (C) the counterintelligence threat posed by Russian money laundering and other forms of threat finance, as well as the threat to the United States financial system and United States efforts to enforce sanctions and combat organized crime.
   (7) Any other matters the Director determines appropriate.

(d) FORM OF REPORT.—The report required by subsection (b) may be submitted in classified form.

SEC. 10704. NOTIFICATION OF AN ACTIVE MEASURES CAMPAIGN.

(a) DEFINITIONS.—In this section:
   (1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriately committees of Congress" means—
      (A) the congressional intelligence committees;
      (B) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and
      (C) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.
   (2) CONGRESSIONAL LEADERSHIP.—The term "congressional leadership" includes the following:
      (A) The majority leader of the Senate;
      (B) The Speaker of the House of Representatives;
      (C) The Speaker of the House of Representatives;
      (D) The minority leader of the Senate; and
      (E) The Speaker of the House of Representatives.

(b) REQUIREMENT FOR NOTIFICATION.—The Director of National Intelligence, in cooperation with the Director of the Federal Bureau of Investigation and the Attorney General of the United States, shall submit to the appropriate congressional committees a report containing an assessment of Russian threat finance, as well as the threat to the United States financial system and United States efforts to enforce sanctions and combat organized crime.

(c) CONTENTS.—The report required by subsection (b) shall include each of the following:
   (1) A determination of the appropriate element of the intelligence community to lead such outreach efforts.
   (2) An assessment of potential methods for improving the effectiveness of such outreach, including an assessment of the following:
      (A) Those critical technologies, infrastructure, or related supply chains that are at risk from the efforts of adversaries described in subsection (b);
      (B) The necessity and advisability of granting security clearances to company or community leadership, when necessary and appropriate, to allow for tailored classified briefings on specific targeted threats.
   (C) The advisability of partnering with entities of the Federal Government that are not elements of the intelligence community and relevant regulatory and industry groups described in subsection (b), to convey key messages across sectors targeted by United States adversaries.

(d) FORM OF REPORT.—The report required by subsection (b) may be submitted in classified form, but may include a classified annex as necessary.

SEC. 10707. REPORT ON IRANIAN SUPPORT OF PROXY FORCES IN SYRIA AND LEBANON.

(a) DEFINITIONS.—In this section:
   (1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriately committees of Congress" means—
      (A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate;
      (B) the Committee on Armed Services, the Committee on Foreign Relations, and the Permanent Select Committee on Intelligence of the House of Representatives.
   (2) ARMS OR RELATED MATERIAL.—The term "arms or related material" means—
      (A) nuclear, chemical, biological, or radiological weapons or materials, or components of such weapons;
      (B) ballistic or cruise missile weapons or materials or components of such weapons;
      (C) destabilizing numbers and types of advanced conventional weapons;
   (D) components, defense articles, and services, as those terms are defined in paragraphs (3) and (4), respectively, of section 47 of the Arms Export Control Act (22 U.S.C. 2794); and
   (E) the term is defined in section 664 of the Foreign Assistance Act of 1961 (22 U.S.C. 2363); or
under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 10709. EXPANSION OF SCOPE OF COMMITTEE TO COUNTER ACTIVE MEASURES.

(a) SCOPE OF COMMITTEE TO COUNTER ACTIVE MEASURES.—

(1) IN GENERAL.—Section 501 of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–115; 50 U.S.C. 3001 note) is amended—

(A) by inserting in subsection (a) through (h)—

(1) in paragraphs (1) through (h)—

(i) by inserting the following paragraph:

(2) The amount spent in such calendar year for ballistic missile research and testing or other activities that the Director determines to be relevant.

(ii) by striking the following paragraph:

(3) in paragraph (2), by striking the following paragraph:

(4) in paragraph (3), by striking the following paragraph:

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 10708. ANNUAL REPORT ON IRANIAN EXPENDITURES SUPPORTING FOREIGN MILITARY AND TERRORIST ACTIVITY.

(a) ANNUAL REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report describing the extent to which Iran transfers arms or related materiel and whether such transfer was by land, air, or sea, as well as financial and additional technological capabilities transferred by Iran to Hizballah.

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

(1) A description of any rocket-producing facilities in Lebanon for nonstate actors, including whether such facilities were assessed to be used at the direction of Hizballah leadership, Iranian leadership, or in coordination between Iranian leadership and Hizballah leadership.

(c) MATTERS FOR INCLUSION.—The report required under subsection (b) shall include information relating to the following matters with respect to both the strategic and tactical implications for the United States and its allies:

(1) A description of arms or related material transferred by Iran to Hizballah since March 2011, including the number of such arms or related material and whether such transfer was by land, sea, or air, as well as financial and additional technological capabilities transferred by Iran to Hizballah.

(2) A description of Iranian and Iran-controlled personnel, including Hizballah, Shii militias, and Iran’s Revolutionary Guard Corps forces, operating within Syria, including the number and geographic distribution of such personnel operating within 30 kilometers of the Israeli borders with Syria and Lebanon.

(3) An assessment of Hizballah’s operational lessons learned based on its recent experiences in Syria.

(4) A description of any rocket-producing facility in Lebanon for nonstate actors, including whether such facilities were assessed to be used at the direction of Hizballah leadership, Iranian leadership, or in consultation between Iranian leadership and Hizballah leadership.

(5) An analysis of the foreign and domestic supply chains that significantly facilitate, support, or otherwise aid Hizballah’s acquisition or development of missile production facilities, including the geographic distribution of such foreign and domestic supply chains.

(6) An assessment of the provision of goods, services, or technology transferred by Iran or its affiliates to Hizballah to indigenous manufacturers or entities otherwise produce missile or related material.

(7) An identification of foreign persons that are based on credible information, facilitating the transfer of significant financial assistance or arms or related materiel to Hizballah.

(8) A description of the threat posed to Israel and other United States allies in the Middle East by the transfer of arms or related material or other support offered to Hizballah and other proxies from Iran.

(d) FORM OF REPORT.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 10707. REPORT ON ESTABLISHMENT OF FOREIGN MALIGN INFLUENCE CENTER.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Under Secretary of Homeland Security for Intelligence and Analysis, shall submit to the appropriate committees of Congress a report on the authorities of the Under Secretary.

(c) ELEMENTS.—The report required by subsection (b) shall include each of the following:

(1) An analysis of whether the Under Secretary has the legal and policy authority necessary to organize and lead the Homeland Security Intelligence Enterprise, with respect to intelligence, and, if not, a description of—

(A) the obstacles to exercising the authorities of the Chief Intelligence Officer of the Department and the Homeland Security Intelligence Community, of which the Chief Intelligence Officer is the chair; and

(B) the legal and policy changes necessary to effectively coordinate, organize, and lead intelligence activities of the Department of Homeland Security.

(2) A description of the actions that the Secretary has taken to address the inability of the Under Secretary to require components of the Department and the Office of Intelligence and Analysis of the Department to—

(A) coordinate intelligence programs; and

(B) integrate and standardize intelligence products produced by such other components.

SEC. 10712. REPORT ON CYBER EXCHANGE PROGRAM.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the potential establishment of a fully voluntary exchange program between elements of the intelligence community and private technology companies under which—

(1) an employee of an element of the intelligence community with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to be temporarily detailed to a private technology company that has elected to receive the detailed individual.

(2) an employee of a private technology company with demonstrated expertise and

Subtitle II—Reports

SEC. 10711. TECHNICAL CORRECTION TO INSPECTION GENERAL STUDY.

Section 1100(d)(5) of title 5, United States Code, is amended—

(1) in the subsection heading, by striking "A U DIT" and inserting "R EVIEW ";

(2) in paragraph (1), by striking "audit" and inserting "review"; and

(3) in paragraph (2), by striking "audit" and inserting "review".

SEC. 10712. REPORTS ON AUTHORITIES OF THE CHIEF INTELLIGENCE OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(2) HOMELAND SECURITY INTELLIGENCE ENTERPRISE.—The term "Homeland Security Intelligence Enterprise" has the meaning given to that term in Department of Homeland Security Instruction Number 264–01–001, or successor authority.

(b) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Under Secretary of Homeland Security for Intelligence and Analysis, shall submit to the appropriate committees of Congress a report on the authorities of the Under Secretary.

(c) ELEMENTS.—The report required by subsection (b) shall include each of the following:

(1) An analysis of whether the Under Secretary has the legal and policy authority necessary to organize and lead the Homeland Security Intelligence Enterprise, with respect to intelligence, and, if not, a description of—

(A) the obstacles to exercising the authorities of the Chief Intelligence Officer of the Department and the Homeland Security Intelligence Community, of which the Chief Intelligence Officer is the chair; and

(B) the legal and policy changes necessary to effectively coordinate, organize, and lead intelligence activities of the Department of Homeland Security.

(2) A description of the actions that the Secretary has taken to address the inability of the Under Secretary to require components of the Department and the Office of Intelligence and Analysis of the Department to—

(A) coordinate intelligence programs; and

(B) integrate and standardize intelligence products produced by such other components.
work experience in cybersecurity or related disciplines may elect to be temporarily de-
tailed to an element of the intelligence com-
munity that has elected to receive the details.
(b) ELEMENTS.—The report under sub-
section (a) shall include the following:
(1) An assessment of the feasibility of es-
tablishing the exchange program described in
such subsection.
(2) Identification of any challenges in es-
tablishing the exchange program.
(3) An evaluation of the benefits to the in-
telligence community that would result from
the exchange program.
SEC. 10714. REVIEW OF INTELLIGENCE COMMU-
NITY WHISTLEBLOWER MATTERS.
(a) REVIEW OF WHISTLEBLOWER MATTERS.—
The Inspector General of the Intelligence
Community, in consultation with the inspec-
tors general for the Central Intelligence
Agency, the National Security Agency, the
National Geospatial-Intelligence Agency, the
Defense Intelligence Agency, and the Na-
tional Reconnaissance Office, shall conduct a
review of the authorities, policies, investiga-
tory standards, and other practices and pro-
cedures used or adopted by the intelligence and
whistleblower matters, with respect to such
inspectors general.
(b) CONDUCT OF REVIEW.—The objective of
the review required under subsection (a) is to
identify any discrepancies, inconsistencies,
or other issues, which frustrate the timely and
effective reporting of intelligence com-
committee whistleblower matters to appro-
priate inspectors general and to the congress-
sional intelligence committees, and the fair
and expeditious investigation and resolution of
such matters.
(c) CONDUCT OF REVIEW.—The Inspector
General of the Intelligence Community shall
take such measures as the Inspector General
determines necessary in order to ensure that
the review required by subsection (a) is con-
ducted in an independent and objective fash-
ion.
(d) REPORT.—Not later than 270 days after
the date of the enactment of this Act, the In-
spector General of the Intelligence Commu-
nity shall submit to the congressional intel-
gence committees a written report contain-
ing the results of the review required under
subsection (a), along with rec-
ommendations to improve the timely and ef-
factive reporting of intelligence community
whistleblower matters, to inspectors general
and to the congressional intelligence com-
mittes and the fair and expeditious investi-
gation and resolution of such matters.
SEC. 10715. ROLE OF DIRECTOR OF NA-
TIONAL INTELLIGENCE WITH RE-
SPECT TO CERTAIN FOREIGN IN-
VESTMENTS.
(a) REPORT.—Not later than 180 days after
the date of the enactment of this Act, the
Director of National Intelligence, in con-
sultation with the heads of the elements of
the intelligence community determined ap-
propriate by the Director, shall submit to the
congressional intelligence committees a report
on the status of each referral made by the Direct-
or preparing analytic materials in connection
with the evaluation by the Federal Government of
national security risks associated with poten-
tial foreign investments into the United
States.
(b) ELEMENTS.—The report under sub-
section (a) shall include:
(1) a description of the current process for
the provision of the analytic materials de-
scribed in subsection (a);
(2) an evaluation of the most significant benefits and drawbacks of such process with
respect to the role of the Director, including the sufficiency of resources and personnel to
prepare analytic materials;
(3) recommendations to improve such proc-
есс.
“(A) The date the referral was received.

“(B) A statement indicating whether the alleged unauthorized disclosure described in the referral was substantiated by the Department of Justice.

“(C) A statement indicating the highest level of classification of the information that was revealed in the unauthorized disclosure.

“(D) A statement indicating whether an open criminal investigation related to the referral is active.

“(E) A statement indicating whether any criminal charges have been filed related to the referral.

“(F) A statement indicating whether the Department of Justice has been able to attribute the unauthorized disclosure to a particular entity or individual.

“(d) FORM OF REPORTS.—Each report submitted under this section shall be submitted in unclassified form, but may have a classified annex.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 1104 the following new item:

“Sec. 1105. Semiannual reports on investigations of unauthorized disclosures of classified information.

SEC. 10720. CONGRESSIONAL NOTIFICATION OF DESIGNATION OF COVERED INTELLIGENCE OFFICER AS PERSONA NON GRATA.

(a) COVERED INTELLIGENCE OFFICER DEFINED.—In this section, the term “covered intelligence officer” means—

(1) United States Intelligence officers serving in a post in a foreign country; or

(2) a known or suspected foreign intelligence officer serving in a United States post.

(b) REQUIREMENT FOR REPORTS.—Not later than 72 hours after a covered intelligence officer is designated as a persona non grata, the Director of National Intelligence, in consultation with the Secretary of State, shall submit to the congressional intelligence committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification of that designation. Each such notification shall include—

(1) the date of the designation;

(2) the basis for the designation; and

(3) a justification for the expulsion.

SEC. 10721. REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS.

(a) DEFINITIONS.—In this section:


(2) VULNERABILITIES EQUITIES PROCESS.—The term “Vulnerabilities Equities Process” means the interagency review of vulnerabilities, pursuant to the Vulnerabilities Equities Policy and Process document or any successor document.

(3) VULNERABILITY.—The term “vulnerability” means a weakness in an information system or its components (for example, system security procedures, hardware design, and internal controls) that could be exploited or could affect confidentiality, integrity, or availability of information.

(b) REPORTS ON PROCESS AND CRITERIA UNDER VULNERABILITIES EQUITIES POLICY AND PROCESS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a written report describing—

(A) with respect to each element of the intelligence community—

(i) the titles of official or officials responsible for determining whether, pursuant to criteria contained in the Vulnerabilities Equities Policy and Process document or any successor document, vulnerabilities must be submitted for review under the Vulnerabilities Equities Process; and

(ii) the process used by such element to make such determination; and

(B) the roles or responsibilities of that element during a review of a vulnerability submitted to the Vulnerabilities Equities Process.

(2) CHANGES TO PROCESS OR CRITERIA.—Not later than 30 days after any significant change in the process and criteria used by any element of the intelligence community for determining whether to submit a vulnerability for review under the Vulnerabilities Equities Process, such element shall submit to the congressional intelligence committees a report describing such change.

(3) FORM OF REPORTS.—Each report submitted under this subsection shall be submitted in unclassified form, but may include a classified annex.

(c) ANNUAL REPORTS.—

(1) IN GENERAL.—Not less frequently than once each calendar year, the Director of National Intelligence, in consultation with the Secretary of State, shall submit to the congressional intelligence committees an annual report containing, with respect to the previous year—

(A) the number of vulnerabilities submitted for review under the Vulnerabilities Equities Process;

(B) the number of vulnerabilities described in subparagraph (A) disclosed to each vendor responsible for correcting the vulnerability, or to the public, pursuant to the Vulnerabilities Equities Process; and

(C) the aggregate number, by category, of the vulnerabilities excluded from review under the Vulnerabilities Equities Process, as described in paragraph 5.4 of the Vulnerabilities Equities Policy and Process document.

(2) UNCLASSIFIED INFORMATION.—Each report submitted under paragraph (1) shall include—

(A) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process; and

(B) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process known to have been patched.

(3) NON-DUPPLICATION.—The Director of National Intelligence may forgo submission of an annual report required under this subsection for a calendar year, if the Director notifies the intelligence committees in writing that, with respect to the same calendar year, an annual report by paragraph 4.3 of the Vulnerabilities Equities Policy and Process document already has been submitted to Congress, and such annual report contains the information that would otherwise be required to be included in an annual report under this subsection.

SEC. 10722. INSPECTORS GENERAL REPORTS ON CLIMATE MIRRORS.

(a) REPORTS REQUIRED.—Not later than October 1, 2019, each Inspector General listed in subsection (b) shall submit to the congressional intelligence committees a report that includes, with respect to the department or agency of the Inspector General, analyses of the following:

(1) The accuracy of the application of classification and handling markers on a representative sample of finished reports, including such reports that are compartmented.

(2) Compliance with declassification procedures.

(3) The effectiveness of processes for identifying topics of public or historical importance that merit prioritization for a declassification review.

(b) INSPECTORS GENERAL LISTED.—The Inspectors General listed in this subsection are as follows:

(1) The Inspector General of the Intelligence Community.

(2) The Inspector General of the Central Intelligence Agency.

(3) The Inspector General of the National Security Agency.


(5) The Inspector General of the National Reconnaissance Office.

(6) The Inspector General of the National Geospatial-Intelligence Agency.

SEC. 10723. REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS AND BRIEFING ON EMERGING INFECTIOUS DISEASES AND PANDEMICS.

(a) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 5 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the implications of water insecurity on the national security interest of the United States, including consideration of social, economic, agricultural, and environmental factors.

(b) ASSESSMENT SCOPE AND FOCUS.—Each report submitted under paragraph (1) shall include an assessment of water insecurity described in such subsection with a global scope, but focus on areas of the world—

(A) of strategic, economic, or humanitarian interest to the United States—

(i) that are, as of the date of the report, at the greatest risk of instability, conflict, human insecurity, or mass displacement; or

(ii) where challenges relating to water insecurity are likely to emerge and become significant during the 5-year or the 20-year period beginning on the date of the report; and

(B) where challenges relating to water insecurity are likely to imperil the national security interests of the United States or allies of the United States.

(c) CONSULTATION.—In researching a report required by paragraph (1), the Director shall consult with—

(A) such stakeholders within the intelligence community, the Department of Defense, and the Department of State as the Director considers appropriate; and

(B) the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives; and
(C) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

(2) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the appropriate congressional committees a briefing on the anticipated geopolitical effects of emerging infectious diseases and a possible transnational pandemic, and their implications for the national security of the United States.

(3) CONTENT.—The briefing under paragraph (2) shall include an assessment of—

(A) the economic, social, political, and security risks, costs, and impacts of emerging infectious diseases on the United States and the international political and economic system;

(B) the ability of affected nations to effectively detect and manage emerging infectious diseases and a possible transnational pandemic;

(C) the role and capacity of international organizations and nongovernmental organizations to respond to emerging infectious disease and a possible pandemic, and their ability to coordinate with affected and donor nations; and

(D) the effectiveness of current international frameworks, agreements, and health systems to respond to emerging infectious diseases and a possible transnational pandemic.

(4) FORM.—The briefing under paragraph (2) may be classified.

SEC. 10724. ANNUAL REPORT ON MEMORANDA OF UNDERSTANDING BETWEEN ELEMENTS OF INTELLIGENCE COMMUNITY AND OTHER ENTITIES OF THE UNITED STATES GOVERNMENT REGARDING SIGNIFICANT OPERATIONAL ACTIVITIES OR POLICY.

Section 311 of the Intelligence Authorization Act for Fiscal Year 2017 (50 U.S.C. 3313) is amended—

(1) by striking subsection (b) as a section; and

(2) by striking subsection (a) and inserting the following:

"(a) In general.—Each year, concurrent with the annual budget request submitted by the President to Congress under section 1105 of title 31, United States Code, each head of an element of the intelligence community shall submit to the congressional intelligence committees a report that lists each memorandum of understanding or other agreement regarding significant operational activities or policy entered into during the most recently completed fiscal year between or among elements and any other entity of the United States Government.

"(b) Provision of documents.—Each head of an element of an intelligence community who receives from the Secretary of Defense, the Director of the Office of the Director of National Intelligence, or any other entity a memorandum of understanding or other agreement regarding significant operational activities or policy shall make the memorandum of understanding or other agreement available to the congressional intelligence committees, the Committee on Intelligence of the House of Representatives for a copy of a memorandum of understanding or other agreement listed in a report submitted by the head of an element of the intelligence community under paragraph (1) as soon as practicable after receiving such request.

SEC. 10725. STUDY ON THE FEASIBILITY OF ENCRYPTING WIRELINE AND WIRELESS TELEPHONE CALLS.

(a) STUDY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall conduct a study on the feasibility of encrypting unclassified wireline and wireless telephone calls between personnel in the intelligence community.

(b) REPORT.—Not later than 90 days after the date on which the Director completes the study required by subsection (a), the Director shall submit to the congressional intelligence committees a report on the Director's findings with respect to such study.

SEC. 10726. MODIFICATION OF REQUIREMENT FOR ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES.

(a) EXPANSION OF PERIOD OF REPORT.—Subsection (c) of section 5341 of the National Security Act of 1947 (50 U.S.C. 3305) is amended by inserting "and the preceding 5 fiscal years" after "fiscal year".

(b) CLEARANCE OR DISAGREGRATION OF DATA.—Subsection (b) of such section is amended, in the matter before paragraph (1), by striking "disaggregated by category of covered person from each element of the intelligence community" and inserting "...".

SEC. 10727. REPORTS ON INTELLIGENCE COMMUNITY LOAN REPAYMENT AND RELATED PROGRAMS.

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

(1) there should be established, through the issuance of an Intelligence Community Directive or otherwise, an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, for employees of the intelligence community;

(2) creating such a program would enhance the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions;

(3) such a program, including with respect to eligibility requirements, should be designed so as to maximize the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions; and

(4) to the extent possible, such a program should be uniform throughout the intelligence community and publicly promoted by each element of the intelligence community to both current employees of the element as well as to prospective employees of the element.

(b) REPORT ON POTENTIAL INTELLIGENCE COMMUNITY-WIDE PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in cooperation with the heads of the elements of the intelligence community and the heads of any other appropriate department or agency of the Federal Government, shall submit to the congressional intelligence committees a report on potentially establishing and carrying out an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, as described in subsection (a).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of the financial resources the elements of the intelligence community would require to establish and initially carry out the program specified in paragraph (1).

(B) A description of the practical steps to establish and carry out such a program.

(C) The identification of any legislative action the Director determines necessary to establish and carry out such a program.

(3) ANNUAL REPORTS ON ESTABLISHED PROGRAMS.—

(1) COVERED PROGRAMS DEFINED.—In this subsection, the term "covered programs" means any loan repayment program, loan forgiveness program, financial counseling program, or similar program, established pursuant to title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) or any other provision of law that may be administered or used by an element of the intelligence community.

(2) ANNUAL REPORTS REQUIRED.—Not less frequently than once each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the covered programs. Each such report shall include, with respect to the period covered by the report—

(A) The number of personnel from each element of the intelligence community who used each covered program.

(B) The total amount of funds each element expended for each such program.

(C) A description of the efforts made by each element to promote each covered program among both the personnel of the element of the intelligence community and to prospective personnel.

SEC. 10728. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) CORRECTING LONG-STANDING MATERIAL WEAKNESSES.—Section 366 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111–259; 50 U.S.C. 3051 note) is hereby repealed.

(b) INTERAGENCY THREAT ASSESSMENT AND COORDINATION GROUP.—Section 2103 of the Homeland Security Act of 2002 (6 U.S.C. 124k) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) through (h), as so redesignated—

(A) in paragraph (8), by striking "; and"; and inserting a period; and

(B) by striking paragraph (9).

(c) INSPECTOR GENERAL REPORT.—Section 336 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking subsection (g); and

(2) by redesignating subsections (h) and (i) as subsections (g) and (h) respectively.

SEC. 10729. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REPORT ON SENIOR EXECUTIVES OF THE OFFICE OF THE DIRECTOR OF NA- TIONAL INTELLIGENCE.

(a) SENIOR EXECUTIVE SERVICE POSITION DESCRIPTION.—In this section, the term "Senior Executive Service position" has the meaning given that term in section 3312a(a)(2) of title 5, United States Code, and includes any position that is subject to the GS-15, step 10, level of the General Schedule under section 5332 of such title.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report on the number of Senior Executive Service positions in the Office of the Director of National Intelligence.
(c) MATTERS INCLUDED.—The report under subsection (b) shall include the following:

(1) The number of required Senior Executive Service positions for the Office of the Director of Intelligence Operations;

(2) Whether such requirements are reasonably based on the mission of the Office;

(3) A discussion of how the number of the Senior Executive Service positions in the Office compare to the number of senior positions at comparable organizations;

(d) The Director of National Intelligence shall provide to the Inspector General of the Intelligence Community any information requested by the Inspector General of the Intelligence Community that is necessary to carry out this section by not later than 14 calendar days after the date on which the Inspector General of the Intelligence Community makes such request.

SEC. 10730. BRIEFING ON FEDERAL BUREAU OF INVESTIGATION PERMANENT RESIDENCE TO SOURCES AND COOPERATORS.

Not later than 30 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall provide to the congressional intelligence committees a copy of such assessment.

SEC. 10731. INTELLIGENCE ASSESSMENT OF NORTH KOREA REVENUE SOURCES.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Assistant Secretary of State for Intelligence and Research and the Secretary of the Treasury for Intelligence and Analysis, shall produce an intelligence assessment of the revenue sources of the North Korean regime.

(b) ELEMENTS.—The assessment required under subsection (a) shall include an identification of:

(1) The sources of North Korea’s funding;

(2) Financial and non-financial networks, including supply chain management, transportation, and facilitation, through which North Korea accesses the United States and international financial systems and repatriates and exports capital, goods, and services; and

(3) The global financial institutions, money services business, and payment systems that assist North Korea with financial transactions.

(c) SUBMITAL TO CONGRESS.—Upon completion of the assessment required under subsection (a), the Director of National Intelligence shall submit to the congressional intelligence committees a copy of such assessment.

SEC. 10732. REPORT ON POSSIBLE EXPLOITATION OF VIRTUAL CURRENCIES BY TERRORIST ACTORS.

(a) SHORT TITLE.—This section may be cited as the “Stop Terrorist Use of Virtual Currencies Act”.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of the Treasury, shall submit to Congress a report on the possible exploitation of virtual currencies by terrorist actors. Such report shall include the following elements:

(1) An assessment of the means and methods by which international terrorist organizations and State sponsors of terrorism use virtual currencies.

(2) An assessment of the use by terrorist organizations and State sponsors of terrorism of virtual currencies compared to the use by State sponsors of terrorism of other forms of financing to support operations, including an assessment of the collection posture of the intelligence community concerning the use of virtual currencies by such organizations and States.

(3) A description of any existing legal impediments that inhibit or prevent the intelligence community from collecting information on or helping prevent the use of virtual currencies by international terrorist organizations and State sponsors of terrorism and an analysis of the gaps in existing law that could be exploited for illicit funding by such organizations and States.

(c) FORM OF REPORT.—The report required under subsection (b) shall be submitted in an unclassified form, but may include a classified annex.

Subtitle C—Other Matters

SEC. 10741. PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 706 of the Public Interest Declassification Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note) is amended by striking “December 31, 2018” and inserting “December 31, 2028”.

SEC. 10742. SECURING ENERGY INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Energy and Natural Resources of the Senate; and

(C) the Committee on Homeland Security and the Committee on Energy of the House of Representatives.

(2) COVERED ENTITY.—The term “covered entity” means an entity identified pursuant to section 9(a) of Executive Order 13636 of February 12, 2013 (78 Fed. Reg. 11742), relating to the 2013 difficulties with critical infrastructure where a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.

(3) EXPLOIT.—The term “exploit” means a software tool designed to take advantage of a security vulnerability.

(4) INDUSTRIAL CONTROL SYSTEM.—The term “industrial control system” means an operational technology used to measure, control, or manage industrial functions, and includes supervisory control and data acquisition systems, distributed control systems, and programmable logic or embedded controllers.

(5) NATIONAL LABORATORY.—The term “National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 18501).

(6) PROGRAM.—The term “Program” means the pilot program established under subsection (b).

(7) SECRETARY.—Except as otherwise specifically provided, the term “Secretary” means the Secretary of Energy.

(8) SECURITY VULNERABILITY.—The term “security vulnerability” means any attribute of hardware, software, process, or procedure that could enable or facilitate the defeat of a security control.

(b) PILOT PROGRAM FOR SECURING ENERGY INFRASTRUCTURE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a 2-year control systems implementation pilot program within the National Laboratories for the purposes of—

(1) partnering with covered entities in the energy sector (including critical component manufacturers in the supply chain) that voluntarily participate in early identification and the establishment of new classes of security vulnerabilities of the covered entities; and

(2) evaluating technology and standards, in partnership with covered entities, to isolate and defend industrial control systems of covered entities from security vulnerabilities and exploits in the most critical systems of the covered entities, including—

(A) analog and nondigital control systems;

(B) purpose-built control systems; and

(C) physical controls.

(c) WORKING GROUP TO EVALUATE PROGRAM STANDARDS AND DEVELOP STRATEGY.—

(1) ESTABLISHMENT.—The Secretary shall establish a working group—

(A) to evaluate the technology and standards used in the Program under subsection (b)(2); and

(B) to develop a national cyber-informed engineering strategy to isolate and defend covered entities from security vulnerabilities and exploits in the most critical systems of the covered entities.

(2) MEMBERSHIP.—The working group established under paragraph (1) shall be composed of not fewer than 10 members, to be appointed by the Secretary, at least 1 member of which shall represent each of the following:

(A) The Department of Energy.
(B) The energy industry, including electric utilities and manufacturers recommended by the Energy Sector coordinating councils.
(C)(i) The Department of Homeland Security;
(ii) the Industrial Control Systems Cyber Emergency Response Team.
(E) The Nuclear Regulatory Commission.
(F)(i) The Office of the Director of National Intelligence;
(ii) intelligence community as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).
(G)(i) The Department of Defense;
(ii) the Assistant Secretary of Defense for Homeland Security and America’s Security Affairs.
(H) A State or regional energy agency.
(I) A national research body or academic institution.
(J) The National Laboratories.
(k) REPORTS ON THE PROGRAM.—
(1) INTERIM REPORT.—Not later than 180 days after the date on which funds are first disbursed under the Program, the Secretary shall submit to the appropriate congressional committees an interim report that—
(A) describes the results of the Program;
(B) includes an analysis of the feasibility of each method studied under the Program; and
(C) describes the results of the evaluations conducted by the working group established under subsection (c).
(2) FINAL REPORT.—Not later than 2 years after the date on which funds are first disbursed under the Program, the Secretary shall submit to the appropriate congressional committees a final report that—
(A) describes the results of the Program;
(B) includes an analysis of the feasibility of each method studied under the Program; and
(C) describes the results of the evaluations conducted by the working group established under subsection (c).
(e) EXEMPTION FROM DISCLOSURE.—Information shared by or with the Federal Government or a State, Tribal, or local government under this section—
(1) shall be deemed to be voluntarily shared information;
(2) shall be exempt from disclosure under section 552 of title 5, United States Code, or any provision of any State, Tribal, or local freedom of information law, open government law, open meetings law, open records law, or a similar law relating to the disclosure of information or records; and
(3) shall be withheld from the public, without discretion, under section 552(b)(3) of title 5, United States Code, and any provision of any State, Tribal, or local law requiring the disclosure of information or records.
(f) PROTECTION FROM LIABILITY.—
(1) IN GENERAL.—A cause of action against a covered entity for engaging in the voluntary activities authorized under subsection (b)—
(A) shall not lie or be maintained in any court; and
(B) shall be promptly dismissed by the applicable court.
(2) VOLUNTARY ACTIVITIES.—Nothing in this section subjects any covered entity to liability for not engaging in the voluntary activities and programs authorized under section (b).
(g) NO NEW REGULATORY AUTHORITY FOR FEDERAL AGENCIES.—Nothing in this section authorizes any covered entity or the head of any other department or agency of the Federal Government to issue new regulations.
(h) AUTHORIZATION OF APPROPRIATIONS.—
(1) PROGRAM.—There is authorized to be appropriated $10,000,000 to carry out subsection (b).
(2) WORKING GROUP AND REPORT.—There is authorized to be appropriated $1,500,000 to carry out subsections (c) and (d).
(i) AVAILABILITY.—Amounts made available under paragraph (2) shall remain available until expended.
SEC. 10743. BUG BOUNTY PROGRAMS.
(a) DEFINITIONS.—In this section:
(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘‘appropriate committees of Congress’’ means—
(A) the congressional intelligence committees;
(B) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and
(C) the Committee on Armed Services and the Committee on Homeland Security and the House of Representives.
(2) BUG BOUNTY PROGRAM.—The term ‘‘bug bounty program’’ means a program under which an approved computer security specialist or security researcher is temporarily authorized to identify and report vulnerabilities within the information systems of an agency or department of the United States in exchange for compensation.
(b) LEGISLATION.—The term ‘‘information system’’ has the meaning given that term in section 552(e) of title 44, United States Code.
(b) BUG BOUNTY PROGRAM PLAN.—
(1) REQUIRED DATES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit to Congress a strategic plan for appropriate agencies and departments of the United States to implement bug bounty programs.
(2) CONTENTS.—The plan required by paragraph (1) shall include—
(A) an assessment of—
(i) the ‘‘Hack the Pentagon’’ pilot program carried out by the Department of Defense in 2016 and subsequent bug bounty programs in identifying and reporting vulnerabilities within the information systems of the Department of Defense; and
(ii) the course offerings at the National Intelligence University to accept qualifying research grants in the same manner and to the same degree as the President of the National Defense University under section 2165(e) of title 10, United States Code.
(b) Bug Bounty Program Plan.—
(1) Required Dates.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees an interim report that—
(A) describes the results of the Program;
(B) includes an analysis of the feasibility of each method studied under the Program; and
(C) describes the results of the evaluations conducted by the working group established under subsection (c).
(2) Final Report.—Not later than 2 years after the date on which funds are first disbursed under the Program, the Secretary shall submit to the appropriate congressional committees a final report that—
(A) describes the results of the Program;
(B) includes an analysis of the feasibility of each method studied under the Program; and
(C) describes the results of the evaluations conducted by the working group established under subsection (c).
(e) Exemption From Disclosure.—Information shared by or with the Federal Government or a State, Tribal, or local government under this section—
(1) shall be deemed to be voluntarily shared information;
(2) shall be exempt from disclosure under section 552 of title 5, United States Code, or any provision of any State, Tribal, or local freedom of information law, open government law, open meetings law, open records law, or a similar law relating to the disclosure of information or records; and
(3) shall be withheld from the public, without discretion, under section 552(b)(3) of title 5, United States Code, and any provision of any State, Tribal, or local law requiring the disclosure of information or records.
(f) Protection From Liability.—
(1) In General.—A cause of action against a covered entity for engaging in the voluntary activities authorized under subsection (b)—
(A) shall not lie or be maintained in any court; and
(B) shall be promptly dismissed by the applicable court.
(2) Voluntary Activities.—Nothing in this section subjects any covered entity to liability for not engaging in the voluntary activities and programs authorized under section (b).
(g) No New Regulatory Authority for Federal Agencies.—Nothing in this section authorizes any covered entity or the head of any other department or agency of the Federal Government to issue new regulations.
(h) Authorization of Appropriations.—
(1) Program.—There is authorized to be appropriated $10,000,000 to carry out subsection (b).
(2) Working Group and Report.—There is authorized to be appropriated $1,500,000 to carry out subsections (c) and (d).
(i) Availability.—Amounts made available under paragraph (2) shall remain available until expended.
SEC. 10744. MODIFICATION OF AUTHORITY RELATING TO THE NATIONAL INTELLIGENCE UNIVERSITY.
(a) Civilian Faculty Members; Employment and Compensation.—
(1) IN GENERAL.—Section 1595(c) of title 10, United States Code, is amended by adding at the end the following:
(2) ‘‘(3) The Department of Energy; and
(3) The Department of Energy shall provide each person employed by the same firm, holds appropriate security clearances, and complies with any other applicable security protocols.
(4) ANNUAL CERTIFICATION BY SECRETARY OF DEFENSE.—Under the pilot program, private sector employees may receive instruction at the National Intelligence University during an academic year only if, before the start of that academic year, the Secretary of Defense determines, and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, that providing instruction to private sector employees under this section during that year will further the national security interests of the United States.
(5) Pilot Program Requirements.—The Secretary of Defense shall ensure that—
(A) the curriculum and in which private sector employees may be enrolled under the pilot program is not readily available through other schools and concentrations on national security-relevant issues; and
(B) the course offerings at the National Intelligence University are determined by the needs of the Department of Defense and the intelligence community by the Secretary of Defense.
(5) Tuition.—The President of the National Intelligence University shall charge students enrolled under the pilot program a rate that is—
(A) at least the rate charged for employees of the United States outside the Department of Defense, less infrastructure costs; and
(B) considers the value to the school and course of the private sector student.
(6) Standards of Conduct.—While receiving
instruction at the National Intelligence University, students enrolled under the pilot program, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the university.

(7) USE OF FUNDS.—

(A) In General.—Amounts received by the National Intelligence University for instruction of students selected under the pilot program shall be retained by the university to defray the costs of such instruction.

(B) Authorized Use.—The source, and the disposition, of such funds shall be specifically identified in records of the university.

(8) Reports.—

(A) ANNUAL REPORTS.—Each academic year in which the pilot program is carried out, the Secretary shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, a report on the number of eligible private sector employees participating in the pilot program.

(B) FINAL REPORT.—Not later than 90 days after the date of the conclusion of the pilot program, the Secretary shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on the findings of the Secretary with respect to the feasibility and advisability of permitting eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Intelligence University; and

(ii) a recommendation as to whether the pilot program should be extended.

SEC. 10745. TECHNICAL AND CLERICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

(a) Table of Contents.—The table of contents of the National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

(1) by inserting after the item relating to section 202 the following new item:

Sec. 203. Definitions.

(2) by striking the item relating to section 201 and inserting the following new item:

Sec. 201. Establishment of National Security Council.

(3) by striking the item relating to section 113B and inserting the following new item:

Sec. 113B. Special pay authority for science, technology, engineering, or mathematics positions.

(4) by striking the items relating to sections 202, 203, 204, 208, 209, 210, 211, 212, 213, and 220.

(5) by inserting after the item relating to section 311 the following new item:

Sec. 312. Repealing and saving provisions.

(b) Technical Corrections.—Such Act is further amended—

(B) in paragraph (2) of section 113A, by striking “the Office of Intelligence” and inserting “the Office of”; and

(B) in paragraph 2(b) of the Atomic Energy Defense Act (50 U.S.C. 2423(b))—

(C) by redesignating paragraphs (G), (H), (I), and (J) as paragraphs (F), (G), (H), and (I), respectively.

(2) in subparagraph (F), by striking “in both a classified and a nonclassified form” and inserting “to Congress in classified form, but may include an unclassified summary”;

(3) in section 112(c)(1), by striking “section 103(c)(7)” and inserting ‘‘section 102A(1);’’

(4) by amending section 201 to read as follows:

SEC. 201. DEPARTMENT OF DEFENSE.

Except to the extent inconsistent with the provisions of this Act or other provisions of law, the provisions of title 5, United States Code, shall apply to the Department of Defense.

(7) in section 205, by redesignating subsections (b) and (c) as subsections (a) and (b), respectively;

(8) in section 206, by striking “(a)”; and

(9) in section 207, by striking “(c)’’;

(10) in section 308(a), by striking “this Act” and inserting ‘‘sections 2, 101, 102, 103, and 303 of this Act’’;

(11) by redesignating section 411 as section 312.

(12) in section 503—

(A) in paragraph (5) of subsection (c)—

(i) by moving the margins of such paragraph 2 ems to the left; and

(ii) by moving the margins of subparagraph (B) of such paragraph 2 ems to the left; and

(B) in paragraph (2) of subsection (d), by moving the margins of such paragraph 2 ems to the left;

and

(13) in subparagraph (B) of paragraph (3) of subsection (a) of section 504, by moving the margins of such subparagraph 2 ems to the right.

SEC. 10746. TECHNICAL AMENDMENTS RELATED TO THE DEPARTMENT OF ENERGY.

(a) National Nuclear Security Administration Act.—Section 223(b) of the National Nuclear Security Administration Act (50 U.S.C. 2423(b)) is amended—

(1) by striking “Administration” and inserting “Department”; and

(2) by inserting “Intelligence” after “and the Office of”.

(b) Atomic Energy Defense Act.—Section 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C. 3741(b)(2)) is amended by inserting “Intelligence” and after “The Director of”;

(c) National Security Act of 1947.—Paragraph (2) of section 106(b) of the National Security Act of 1947 (50 U.S.C. 3041(b)(2)) is amended—

(1) in subparagraph (E), by inserting “and Counterintelligence” after “Office of Intelligence”;

(2) by striking subparagraph (F);

(3) by redesignating subparagraphs (G), (H), (I), and (J) as subparagraphs (F), (G), (H), and (I), respectively;

and

(4) in subparagraph (H), as so redesignated, by realigning the margin of such subparagraph 2 ems to the left.

SEC. 10747. SENSE OF CONGRESS ON NOTIFICATION OF CERTAIN DISCLOSURES OF CLASSIFIED INFORMATION.

(a) Definition of Terms.—

(1) ADVISORY FOREIGN GOVERNMENT.—The term “advisory foreign government” means the government of any of the following foreign countries.

(A) North Korea.

(B) Iran.

(C) China.

(D) Russia.

(E) Cuba.

(2) COVERED CLASSIFIED INFORMATION.—The term “covered classified information” means classified information that was—

(A) collected by an element of the intelligence community; or

(B) provided by the intelligence service or military of a foreign country to an element of the intelligence community.

(3) ESTABLISHED INTELLIGENCE CHANNELS.—The term “established intelligence channels” means intelligence to coordinate foreign intelligence relationships, as established pursuant to law by the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Security Agency, or other head of an element of the intelligence community.

(b) INDIVIDUAL IN THE EXECUTIVE BRANCH.—The term “individual in the executive branch” means any officer or employee of the executive branch, including the President—

(A) occupying a position specified in article II of the Constitution; or

(B) appointed to a position by an individual referred to in subparagraph (A) of this paragraph and serving in the executive branch.

(c) FINDINGS.—Congress finds that section 502 of the National Security Act of 1947 (50 U.S.C. 3092) requires elements of the intelligence community to keep the congressional intelligence committees “fully and currently informed” about all “intelligence activities” of the United States, and to “furnish to the congressional intelligence committees any information or material concerning intelligence activities which is received by either an intelligence committee in order to carry out its authorized responsibilities.”.

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

(1) section 502 of the National Security Act of 1947 (50 U.S.C. 3092), together with other intelligence community authorities, obligates the intelligence community to submit to the congressional intelligence committees written notification, by not later than 7 days after becoming aware, of an individual in the executive branch who has disclosed classified information to an official of an advisory foreign government using methods other than established intelligence channels;

(2) each such notification should include—

(A) the date and place of the disclosure of classified information covered by the notification;

(B) a description of such classified information;

(C) identification of the individual who made such disclosure and the individual to whom such disclosure was made; and

(D) a summary of the circumstances of such disclosure.

SEC. 10748. SENSE OF CONGRESS ON CONSIDERATION OF ESPIONAGE ACTIVITIES WHEN CONSIDERING WHETHER OR NOT TO PROVIDE VISAS TO FOREIGN INDIVIDUALS TO BE ACCREDITED TO A UNITED NATIONS MISSION IN THE UNITED STATES.

It is the sense of the Congress that the Secretary of State, in considering whether or not to provide a visa to a foreign individual to be accredited to a United Nations mission in the United States, should consider—

(1) known and suspected intelligence activities, espionage activities, including activities constituting precursors to espionage, carried out by the individual against the United States, foreign allies of the United States, or foreign partners of the United States; and

(2) the status of an individual as a known or suspected intelligence officer for a foreign service.
There appears to be a sufficient second. The yeas and nays were ordered.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the substitute amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion. The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 764, as modified, S. 1790, 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.

James M. Inhofe, Roger F. Wicker, John-
ny Isakson, Steve Daines, Roy Blunt, Cindy Hyde-Smith, Kevin Cramer, Mitch McConnell, Pat Roberts, John Cornyn, Mike Crapo, Mike Rounds, John Thune, John Hoeven, Thom Tillis, John Boozman.

AMENDMENT NO. 861 TO AMENDMENT NO. 764

Mr. MCCONNELL. I have an amendment at the desk and ask the clerk to report.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 862 to amendment No. 861.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The amendment is as follows:

At the end add the following:

"This Act shall take effect 1 day after the date of enactment."

AMENDMENT NO. 863

Mr. MCCONNELL. Mr. President, I have an amendment to the text of the underlying bill.

The PRESIDING OFFICER. The clerk will report.

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 863 to the language proposed to be stricken by amendment No. 764.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The amendment is as follows:

At the end add the following:

"This Act shall take effect 3 days after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 864 TO AMENDMENT NO. 863

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 864 to amendment No. 863.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The amendment is as follows:

Strike "3 days" and insert "4 days."

AMENDMENT NO. 865

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the underlying bill.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 1790, 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.

James M. Inhofe, Roger F. Wicker, John-
ny Isakson, Steve Daines, Roy Blunt, Cindy Hyde-Smith, Kevin Cramer, Deb Fischer, Mitch McConnell, Pat Rob-
erts, John Cornyn, Mike Crapo, Mike Rounds, John Thune, John Hoeven, Thom Tillis, John Boozman.

AMENDMENT NO. 866 TO AMENDMENT NO. 865

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The motion to recommit is as follows:

At the end add the following:

"This Act shall take effect 5 days after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on the motion to recommit with instructions.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 867 TO AMENDMENT NO. 866

Mr. MCCONNELL. Mr. President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 867 to amendment No. 866.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The amendment is as follows:

At the end add the following:

"This Act shall take effect 1 day after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 868 TO AMENDMENT NO. 867

Mr. MCCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 868 to amendment No. 867.
Mr. MCCONNELL. I ask unanimous consent that the reading be waived.

The PRESIDING OFFICER. Is there objection?
Without objection, it is so ordered.
The amendment is as follows:
Strike "6" and insert "7"

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.
The PRESIDING OFFICER. Is there objection?
Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.
The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING ROBIN DALE HOLBROOK

Mr. MCCONNELL. Mr. President, today I would like to remember the remarkable life and lasting impact of Robin Dale Holbrook, of Banner, KY, who passed away last month in a tragic accident. Robin, who was widely admired for his selfless compassion and unshakable integrity, dedicated his life to improving the health of his Floyd County community for nearly three decades.

Robin was the clinic director at the Eula Hall Healthcare Center in Mud Creek, where he made a difference in the lives of so many. I have had the privilege to visit this important center, in this rural Appalachian community, which provides comprehensive services to many Kentuckians who may not have access to other care. As both a physician’s assistant and an administrator, Robin’s coworkers remembered he didn’t approach his work as a job, but rather a passion. Caring for the members of his community was a calling for Robin and a way to live out his Christian ministry.

The staff at the Eula Hall center intend to show respect for his memory by delivering the same level of care Robin gave to patients every single day.

On July 3, Robin’s family, friends, and colleagues will celebrate his life at the clinic where he served his community. I would like to join them as they honor this impressive man and his decades of kindness and service to Floyd County, Elaine and I extend our condolences to Robin’s wife, Angela, his family, and his many friends.

150TH ANNIVERSARY OF GRAND ISLE, MAINE

Ms. COLLINS. Mr. President, today I wish to commemorate the 150th anniversary of the town of Grand Isle, ME. As one who was born and raised in Aroostook County, it is a great pleasure to celebrate the generations of industrious and caring people who have made Grand Isle such a wonderful place to live, work, and raise families.

Named for a large and fertile island in the St. John River, Grand Isle is a small town with a rich history. For thousands of years, the river valley has been the home of the Micmac and Maliseet. French explorers, led by Samuel de Champlain, first visited the area in 1604. In the late 1700s, French-speaking Canadians began settling in the area, laying the foundation for the vibrant Acadian culture that is so important in Maine, New Brunswick, Nova Scotia, and as far away as Louisiana.

The Acadian settlers created a vibrant community. They cleared farmland, established lumber and grain mills, railroad roundhouses, and thriving general stores. In the 1870s, as railways expanded in the region, the people of Grand Isle joined with their Canadian neighbors on the opposite shore of the St. John River to build a ferry system that used an 800-foot cable suspended above the river to connect the products of their hard work to faraway markets.

When the World Acadian Congress convened in Aroostook County in 2014, the descendents of those neighbors again came together to build a replica of that historic ferry. The Grand Isle homecoming held during the Congress celebrated the rich Acadian traditions of great food, music, and dance, and of close-knit families and lasting friendships.

Those traditions are preserved and honored at the Cultural Museum of Mount Carmel and its remarkable collection of Acadian artifacts. The museum is located in the former Our Lady of Mount Carmel Catholic Church, one of the few surviving 19th-century Acadian churches in northern Maine. That beautiful architectural gem was lovingly restored by the people of the region and is listed on the National Register of Historic Places.

The celebration of Grand Isle’s 150th anniversary is not merely about the passing of time; it is about human accomplishment. We celebrate the people who pulled together, cared for one another, and built a great community. Thanks to those who came before, Grand Isle, ME, has a wonderful history. Thanks to those there today, it has a bright future.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF THE RENO RODEO

Ms. CORTEZ MASTO. Mr. President, I come forward today to recognize the 100th anniversary of one of northern Nevada’s most treasured traditions, the Reno Rodeo. A celebration of Western culture and daring, the rodeo has grown into a Nevada institution that draws visitors from across the country. Over the past 100 years, Northern Nevada has seen a constant state of change and evolution. Yet, throughout that time, the Reno Rodeo has been a reliable and steady source of entertainment and community.

In 1919, the Commercial Club of Reno devised the first iteration of the Reno Round-Up, in order to celebrate the end of World War I. Cowboys such as Hippy Burmister and Curly Howe won events in the 1919 rodeo. The most notable winner of the first Reno Rodeo was Jesse Stahl, one of the first African-American professional bronc riders, known for his ability to ride bucking horses while sitting backwards and “winning first but placing third” due to the color of his skin. Stahl went on to win four events over the first 3 years of the Reno Rodeo.

Despite only 6 weeks of event planning, the inaugural rodeo was a wildly popular event, and there was immediate interest in establishing the rodeo as an annual celebration. Nearly 17,000 people attended the following year, and the rodeo proved it was not a fleeting success. In 1922, rodeo organizers plotted a publicity strategy around sending reigning rodeo queen, Mary Harrington, to invite President Warren G. Harding to the event. President Harding declined the invitation. To make matters worse, the campaign led to the organization’s bankruptcy and a 10-year hiatus of the rodeo. In 1932, Charles Sadleir, now frequently referred to as the Father of the Reno Rodeo, led an effort to revive the event. To stabilize the rodeo’s finances, Sadleir recruited local businesses to help underwrite the events’ expenses, which is still a crucial mechanism today.

Fortunately, Sadleir’s revitalization efforts were successful, and the Reno rodeo has been a reliable and steady source of entertainment, physical, or mental needs, and later built an activities center for abused, neglected, and at-risk children under the care of Washoe County.

One hundred years after the first event, Northern Nevada’s support and appreciation for the Reno Rodeo has never been stronger. Nevadans are immensely proud of this homegrown tradition and excited to see its evolution over the next 100 years. Thank you to everyone who has been involved with the Reno Rodeo and allowed it to thrive today.