The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COSTA).

DESIGNATION OF SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:
WASHINGTON, DC, July 10, 2019.
I hereby appoint the Honorable JIM COSTA to act as Speaker pro tempore on this day.
NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE
The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2019, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.
The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

RECOGNIZING PARK AND RECREATION MONTH
The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.
Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize July as Park and Recreation Month. It is a fitting time to celebrate our Federal, State, and local parks and recreation systems because so many Americans will visit them this summer.
As a lifelong resident of rural Pennsylvania, an avid outdoorsman, and spending time in my career as a recreational therapist, I strongly support our Nation’s parks and recreation facilities.

Our parks provide countless recreational and educational opportunities for individuals and families to enjoy the outdoors. This month recognizes the important role these parks and public facilities play in the lives of Americans and the contributions of employees who work every day to maintain public parks across the Nation.

Our parks create opportunities for people to come together and experience a sense of community. They contribute to local economies by attracting businesses and jobs and increasing housing values.

In the United States, public park operations and capital spending generate nearly $140 million in economic activity annually, and our National Park System receives an estimated 331 million recreation visits every year.
Ninety percent of people in the United States agree that public park recreation facilities and activities are important government services. This support spans across all people in the country regardless of race, income, or political affiliation. Nearly 75 percent of Americans agree it is important to ensure all members of their community have equitable access to public parks and recreation facilities.
The most economically sound areas are those with ample public park and recreation facilities and activities. A key factor in business expansion and location decisions is quality of life for employees, with a premium placed on adequate and accessible public parks and open space.

Mr. Speaker, public parks and recreational facilities foster a variety of activities that contribute to a healthier society. Americans living within a 10-minute walk of a park have higher levels of physical activity and lower rates of obesity. People who use public parks and open spaces are three times more likely to achieve the recommended levels of physical activity than nonusers.

Recreational programs at public parks provide children with a safe place to play, access to healthy foods, opportunities to be physically active, and enrichment facilities that help prevent at-risk behavior such as drug use and gang involvement.
As we head further into summer, many Americans will visit public parks and recreation facilities to spend time outdoors with family, friends, and neighbors. We are blessed with beautiful outdoor facilities, and it is my hope that all Americans get out and enjoy the parks in their areas.

MINIMUM WAGE KILLS JOBS
Mr. THOMPSON of Pennsylvania. Mr. Speaker, this morning, I rise to address a bill that my friends across the aisle, the Democrats, are going to bring to the floor next week raising the minimum wage to $15 an hour.
There was a score this week by the Congressional Budget Office that sheds truth and light on that proposal and what it does, and this government source has indicated it kills jobs. It harms Americans who are today struggling to make ends meet. The average family income will be reduced as a result of this bill.
Mr. Speaker, it is estimated by the CBO, the Congressional Budget Office, that 3.7 million jobs will be lost and that 42 percent of families who are currently at the minimum wage will see a net reduction in their family income, taking many of them, maybe for the first time, down into a poverty level of income.
There is a better way, Mr. Speaker. In the past, this body passed the Career and Technical Education Reauthorization bill, the Perkins Act. I was proud to work with Mr. KRISHNAMOORTHI from Illinois on that bill as we led it. President Trump signed that into law last July.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Printed on recycled paper.
We are seeing this bill restore rungs on the ladder of opportunity. A significant number of jobs—6 million jobs—are open and available today at family-sustaining wages. There is a pathway out of minimum wage. Minimum wage should be a starting point. It is not where you start in life, but it is where you end up. We have provided the tools to provide individuals better access to the type of skills-based education to improve their lot in life and to achieve higher wages and greater mobility, which is what this country promises.

We work hard; we take risk; and we better ourselves.

**CALLING ON THE HOUSE TO IMPEACH THE PRESIDENT**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GREEN) for 5 minutes.

Mr. GREEN. Mr. Speaker, still I rise. It has been some 84 days since the Mueller report was made public, some 84 days now that the Chief Executive Officer of this country has been above the law, some 84 days that we are aware of since the Mueller report. But in truth and in fact, before the Mueller report was presented, we knew that the Chief Executive Officer was behaving in a fashion that would indicate that he thought he was above the law, 84 days above the law, 84 days disrespecting the law. He disrespects the Supreme Court of the United States of America. After it makes a ruling on the Census, he decides to just simply disregard that. “Maybe I will use an executive order.”

The Supreme Court has already spoken. There was a time when the President of the United States of America would respect a decision of the Supreme Court.

He disrespects Congress, encourages witnesses not to testify, and refuses to surrender proper documents after they have been properly subpoenaed.

He has no respect for the Court and no respect for Congress.

Eighty-four days above the law since the Mueller report was presented—as heartbreaking as that is, I would also add many days since these babies at the border were separated from their parents.

What kind of country are we allowing ourselves to metamorphose into when we will allow this to go unchecked, when we will allow babies to be taken from their parents? What kind of a country are we metamorphosing into?

We have a responsibility, a duty, and an obligation to ensure that no one is above the law. Article II, Section 4 of the Constitution is the law. We in this House have the responsibility to enforce that law. If we do not enforce that law, there will be no guardrails. A ruthless, reckless, and lawless Chief Executive will make the law, knowing that he can do what he will and what he may and that we will not challenge him.

But I do believe this: I believe that time is running out. I believe that there be will be a vote to remove this Chief Executive. Let me correct that: a vote to impeach.

I don’t know what the Senate will do, but I believe he will be impeached. I believe he has reached not because of but in spite of a good many people who hold public trust, I might add. In spite of them, he is going to be impeached. Because of some who hold public trust and in spite of some others who hold public trust, he will be impeached.

The tintinnabulations of history, the bells of history, are sounding. History is starting to drive this, and history will drive some people. There are people who make history, and there are people whom history will make. History is going to make some people assume their responsibilities and take up the challenge that the Framers of the Constitution have afforded us.

I believe the House is going to do what it is supposed to do, that we are not going to place the blame on others and that we will take up our responsibilities.

I believe that when it happens, America is going to be on a proper course.

We will set a proper course so that we will show that no one is above the law.

Let the Senate do what it may, but the House will have taken up its responsibilities and placed an indelible stain on the Chief Executive Officer for his attempts to remain above the law and to abuse these children with policies that would separate them from their parents.

No one is above the law, not even the Chief Executive Officer in the most powerful country in the world.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

**RECOGNIZING THE COLUMBUS POLICE DEPARTMENT**

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. PENCE) for 5 minutes.

Mr. PENCE. Mr. Speaker, I rise to recognize the Columbus Police Department for its support of National Guard and military Reserve employees.

The Columbus Police Department recently received the Above and Beyond Award for its dedication to its officers who are also members of the National Guard and military Reserves. This award goes to organizations that go above and beyond when it comes to employees who also serve in our Nation’s Armed Forces.

The Columbus Police Department currently has 11 officers who also serve in the National Guard or military Reserve roles. In fact, 33 percent of its employees are either currently serving or are veterans of our Armed Forces.

I thank the Columbus Police Department for caring for our veterans and for those currently serving our country.

**RECOGNIZING IU HEALTH BALL MEMORIAL HOSPITAL**

Mr. PENCE. Mr. Speaker, I rise to recognize IU Health Ball Memorial Hospital in celebrating 90 years of service to the Muncie community. The hospital has grown with the city to offer the highest quality of care. Throughout the years, Ball Memorial Hospital has been with the city of Muncie through many ups and downs, including the Great Depression and the polio epidemic of the 1940s.

Ball Memorial Hospital merged with IU Health in 2010, a move that only expanded the hospital’s reach throughout east central Indiana.

Congratulations to IU Health Ball Memorial Hospital on 90 years of success. I thank them for serving the city of Muncie and the State of Indiana.

**RECOGNIZING ASAP OF BARTHOLOMIEW COUNTY**

Mr. PENCE. Mr. Speaker, I rise to recognize the Alliance for Substance Abuse Progress in Bartholomew County, a group that has been on the front lines of combating the opioid crisis.

The alliance, known as ASAP, partners with law enforcement, courts, counselors, health systems, and community leaders to address the opioid crisis through prevention, intervention, treatment, and recovery.

I want to recognize its new executive director, Doug Leonard, who officially started this Monday. Doug is a former local and State healthcare leader, serving as the president of the Indiana Hospital Association from 2007 until 2017.

While we have much work to do, ASAP of Bartholomew County can be a model for other counties looking to combat this terrible scourge.

**WOMEN’S WORLD CUP AND EQUAL PAY**

Mr. PENCE. Mr. Speaker, I rise to recognize the United States Women’s National Soccer Team for their World Cup victory in France.

The USWNT will also rebalance trade to support American manufacturing, strengthen U.S. trade in agriculture, and support American small business. It increases market access for Hoosier farmers, ranchers, businesses, and all workers.

We have a responsibility, a duty, and an obligation to ensure that no one is above the law. Article II, Section 4 of the Constitution is the law. We in this House have the responsibility to enforce that law. If we do not enforce that law, there will be no guardrails. A ruthless, reckless, and lawless Chief Executive will make the law, knowing that he can do what he will and what he may and that we will not challenge him.
and the enthusiasm of not only America’s soccer world, but much of that throughout the entire globe.

Their performance over the past few weeks leaves no doubt that they are the best team in the world, but their victory Sunday is a stunning reminder that members of the team are being paid much less than their male counterparts.

With four World Cup titles, four Olympic gold medals, and a long history of dominance, they are the most successful team in the history of women’s soccer—more successful on the world stage than the United States men’s, their counterparts.

And what are we really talking about here is an issue that has been out there for many years, and that is equal pay for equal work. The highest paid male soccer player makes $200,000 more than the highest paid female player.

Over the past 3 years, the women’s team generated more revenue and higher TV ratings than their men’s counterpart.

The gap is a stark reminder of the persistent and frustrating reality that women’s sports are undervalued and their stars, simply, are undervalued. That is a fact.

But it is not just the playing field where women’s work is undervalued; it is also in the workforce. In the United States, women who work full-time still earn only 80 cents, on the average, for every dollar earned by a man. Today’s wage gap robs women of over $400,000 over the course of their working lives.

So equal pay for equal work is really, I think, an incredible value that we must pursue in this Congress. It is the fair thing. It is the right thing to do.

In March, I joined my colleagues to pass the Paycheck Fairness Act, which will give women tools they need to fight pay discrimination, and I urge my colleagues in the Senate to pay attention to the strong support for the bill and to pass it. In fact, we would like to see it go to the President’s desk.

Also, in March, the U.S. soccer team sued for equal pay, alleging gender discrimination, with the men’s team supporting their efforts. This really goes back to title IX that was started decades ago to ensure that, in our collegiate sports, women could have the same access to the same sporting programs throughout our universities.

Now, this week, we are going to see a parade in New York and in Los Angeles celebrating this great world championship, this victory. But shortly after the final whistle on Sunday solidified these women’s efforts in history books, celebratory cheers in the crowd quickly erupted into chants of “equal pay, equal pay,” showing their support, as well, for which a groundswell, I believe, is developing.

It is time, therefore, that we end pay disparity on the playing field and in the workforce for all.

Congratulations to the United States Women’s National Soccer Team. Go USA and equal pay.

IN HONOR OF GENE HAAGENSON

Mr. COSTA. Mr. Speaker, I also rise today to recognize and honor the career of Gene Haagenson on his retirement.

A successful television news reporter for four decades, Gene spent the past 27 years covering stories throughout my home in the San Joaquin Valley for KFSN TV, Channel 30. He had the pleasure of working with so many of us over the years.

An adept, smart reporter, he is known and respected for not only his fair reporting, hard-hitting questions, and the embodiment of a true professional, he did his homework. He knew what he was talking about.

Gene’s professionalism, his commitment to fair and balanced reporting will be missed, but he leaves a robust foundation for future journalists to build upon. He is a mentor, and he is a teacher.

I wish him the very best with his family and his grandchildren in his new exciting phase of life.

But I will encourage him, as I have before, that he use all these skills that he has honed over the years and teach, in our colleges and universities, the future journalists of America, to ensure that we have a vibrant, fair, and free press that is the cornerstone of our democracy. Gene has a lot more to give, and I hope he does so.

Mr. Speaker, I ask my colleagues to join me in honoring Gene Haagenson for his achievements, his outstanding commitment to Fresno, the San Joaquin Valley, and to our country, for always—always—standing for a free and fair press.

IN MEMORY OF EDWIN RUSSELL MEGONEGAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. YOHO) for 5 minutes.

Mr. YOHO. Mr. Speaker, I rise today to honor a great man and a friend who recently passed away, Mr. Edwin Russell Megonegal, or, as his friends called him, Russ.

Russ passed away peacefully last week on June 21, 2019, at the age of 97. He was born in Philadelphia, Pennsylvania, on October 21, 1921.

Mr. Megonegal was part of America’s Greatest Generation, serving his country during World War II and the Korean war in the Army Air Corps, the Air Force, and retiring in 1973 from the Pennsylvania National Guard, with the rank of colonel.

He was a graduate of Franklin & Marshall College and Temple University.

Mr. Megonegal had a long career in veterinary medicine from Michigan State University in 1981, but he didn’t stop there. He furthered his education with a doctorate in agricultural economics in 1983 and began his long career as both a published researcher and educator.

Before leaving Michigan, Jim served as the dean of the Michigan State University Veterinary College. After years of teaching, presenting, and serving the agricultural community of Michigan, Jim was selected as the dean of the University of Florida College of Veterinary Medicine in 2013, my first year in Congress. In that role, I had the great privilege of working with him directly on a number of initiatives.

His passion for science, his commitment to agriculture, his passion for the veterinary profession in general, and his friendship inspire not just me, but everyone who comes in contact with him.

Mr. Speaker, I wish Jim well in his retirement, and I look forward to working with him in the future.

made Clay County their home in 1991 and immediately became ensconced in their community.

I first met Russ in 2012, while running for office. He was at every meeting, every gathering, and knew everyone. He always had a smile on his face and many pearls of wisdom that he would impart upon me, whether it was solicited or not. No matter what, he also told you what he believed and what he felt and what he thought was right; and that is perhaps what I will miss most about Russ.

Russ’s service to Clay County was boundless. He served on the County Planning and Zoning Committee and the board of Penney Farms Retirement Community. He was actively involved in many of the charities, including the Rotary Club of Green Cove Springs, J.P. Hall Charities, the Clay County Salvation Army Advisory Council, the Food Pantry of Green Cove Springs, the Republican Club of Clay County, the Republican Executive Committee of Clay County, the DePaul Society of St. Vincent’s Medical Center, the United States Coast Guard Auxiliary, and the Clay County Fair Association.

He was an active member of the First Presbyterian Church of Green Cove Springs.

He had received many awards for his public service, including the Clay County Lifetime Achievement Award in 2016 and the Boy Scouts of America 12 Points Award in 2019. Of all of these awards, Russ may perhaps be remembered best as the unofficial mayor of Penney Farms, where he made his home.

Russ’s life was full, and he touched all those who knew him. I am proud to have known him and to have called him a friend.

Russ, you will be missed.

CONGRATULATIONS TO JIM LLOYD

Mr. COSTA. Mr. Speaker, I also rise today to congratulate and celebrate one of my constituents, Jim Lloyd.

He received a degree in veterinary medicine from Michigan State University in 1981, but he didn’t stop there. He furthered his education with a doctorate in agricultural economics in 1983 and began his long career as both a published researcher and educator.

Before leaving Michigan, Jim served as the dean of the Michigan State University Veterinary College. After years of teaching, presenting, and serving the agricultural community of Michigan, Jim was selected as the dean of the University of Florida College of Veterinary Medicine in 2013, my first year in Congress. In that role, I had the great privilege of working with him directly on a number of initiatives.

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Mr. Speaker, I wish Jim well in his retirement, and I look forward to working with him in the future.
IN HONOR OF KEN BROCK

Mr. YOHO. Mr. Speaker, I rise today to honor Ken Brock.

Mr. Brock calls Keystone Heights home and is an Army veteran.

In addition to serving his country with dedication and honor, he has done something else that is incredible. Mr. Brock has walked more than 2,650 miles across the United States to promote PTSD programs for the Wounded Warrior Project, with the aim of making it to Idaho by Independence Day. His walk began on February 1 of this year and wasn't without challenges. He faced two weekends of deadly tornadoes, deadly floods, thunderstorms, a collision with a tractor trailer, and plenty of snow.

In the midst of the Ken’s trek, he was called back to Florida for a mandatory VA benefit evaluation. Not to be deterred, Ken made his appointment and got right back on the road.

Nonetheless, he arrived at Coeur d’Alene, Idaho, 6 days ahead of the town’s Fourth of July parade, with residents standing five deep along Sherman Avenue. Brock was featured in the parade doing what he does best: walking with his 100-pound supply cart and his service dog, Pam.

This Sunday he will receive a hero’s welcome from the Keystone Heights community. I am proud to honor and celebrate Ken Brock’s journey to honor our veterans.

IN REMEMBRANCE OF JACK GREER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BYRNE) for 5 minutes.

Mr. BYRNE. Mr. Speaker, I rise today to remember Mr. Jack Greer.

Jack passed away last week after a long life of personal and business achievement, and service to his family and to his community.

So many people in south Alabama knew Jack from shopping for groceries at Greer’s grocery store, a business which has been operating in our area for over 100 years. But it was through his civic involvement that Jack truly left his mark. His civic contributions are too many to list.

It was his role as an environmental advocate that he perhaps was most proud of. He was a founding member of Mobile Baykeeper and remained engaged throughout his life in protecting the waters in and around Mobile Bay.

Jack was an active member of Dauphin Way United Methodist Church, and he proudly served his country as second lieutenant in the United States Army.

I knew Mr. Jack. I have known the Greer family my entire life. My deepest condolences to his wife of 70 years, Janice, and his many surviving children, grandchildren, and great-grandchildren. Please know that Mr. Jack lived a life you can all be proud of. He will be, and is, sorely missed.

RECOGNIZING THE ST. CLOUD POLICE DEPARTMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER. Mr. Speaker, I rise today to recognize the St. Cloud Police Department for receiving the United States Department of Justice’s L. Anthony Sutin Civic Imagination Award. This award recognizes collaborative partnerships between law enforcement and their communities.

The St. Cloud Police Department received the award for its Community Outpost Project. The “Cop House,” as it is more commonly known, is a refurbished residential home in a neighborhood that previously experienced a high level of calls for local law enforcement.

The St. Cloud Police Department, together with numerous community partners, now provides not only a local gathering place, but safety and health programming for the neighborhood residents out of this home.

Congratulations to Chief Blair Anderson, Lieutenant Lori Ellering, the Greater St. Cloud Public Safety Foundation, and all of the officers of the St. Cloud Police Department for this well-deserved award.

Our community appreciates all of you and all that you do to protect and serve us.

PRIORITIZING TRANSPORTATION SAFETY

Mr. EMMER. Mr. Speaker, on Minnesota’s U.S. Highway 12 between the cities of Independence and my hometown of Delano, in just the last 5 years, there have been 811 crashes in which 239 people have been injured and 24 people have lost their lives.

Several of those lost have been high school classmates of my own children. In fact, this past March, Marleena Dieterich, a senior honor student at Delano High School and the child of Thom and Deb, lost her life as she was trying to get home.

Recently, as Administrator for the Federal Highway Administration Brandye Hendrickson visited Minnesota on behalf of Secretary Chao. Following a bus tour of the most dangerous stretches of U.S. Highway 12, we held a roundtable with community leaders and residents to discuss possible solutions and the need for action.

□ 1039

The accidents and fatalities on this road are avoidable. We continue to urge Secretary Chao to visit and see firsthand the danger this highway presents.

Congress must do its part to provide long-term Federal transportation funding needed for infrastructure repairs and improvements. We must find innovative and long-term solutions to address these sorely needed improvements, like the need on U.S. Highway 12.

I thank Deputy Administrator Hendrickson and everyone who participated in our roundtable. Together, we will continue fighting for improvements on U.S. Highway 12 until we see the changes that will prioritize the safety of our neighbors, our friends, and our fellow Minnesotans.

INSPIRING FUTURE FEMALE LEADERS

Mr. EMMER. Mr. Speaker, I rise today to recognize House colleagues and to highlight a program our office launched during my first term in Congress for high school women in Minnesota’s Sixth Congressional District.

The program is called the Young Women’s Leadership Program.

In addition to my staff, I want to personally thank the amazing women leaders who have participated in the program and who have agreed to be a resource and mentors for the young women who attend these programs as they get ready for life beyond high school.

Every summer, our Young Women’s Leadership Program hosts three roundtable discussions featuring high-achieving professional women in our district.

To date, we have been honored by the first female brigadier general for both the Army and Air Force, the first Asian American female U.S. district attorney, a surgery resident, a college professor, and numerous female entrepreneurs and business owners.

This program gives our participants insight into valuable leadership experiences and career advice during a pivotal time in their lives.

Our panelists have discussed how to negotiate your first salary, tips for networking successfully, managing a work-life balance, and countless other lessons.

We live in a time in our Nation’s history where everyone is important and needed, especially strong women.

Again, I want to thank the incredible women leaders who have participated in our program to pay it forward for the next generation of leaders, and I encourage my Republican and Democrat colleagues here in Congress to do the same in all of your districts.

A BETTER WAY TO AGE

Mr. EMMER. Mr. Speaker, we recently held a senior forum for residents of Minnesota’s Sixth Congressional District. This forum was an opportunity to connect our seniors and their caregivers with resources to assist with health, lifestyle, and future planning needs.

I want to thank the Metropolitan Area Agency on Aging and the Central Minnesota Council on Aging for partnering with our office to make this event a success.

Recently, the House passed the Setting Every Community Up for Retirement Enhancement Act. This non-partisan law, more commonly known as the SECURE Act, will make it easier to establish retirement plans and removes age limits for IRA contributions.

The SECURE Act will allow our seniors more flexibility and improve their quality of life in retirement.
This is great, nonpartisan work by Congress. And, going forward, we must all be committed to doing what we can to ensure our seniors are able to plan for their financial futures, stay healthy, and maintain connections to their communities.

HONORING YARDLEY BOROUGH CHIEF OF POLICE JOSEPH KELLY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor a dedicated public servant from Bucks County, Pennsylvania, Yardley Borough Chief of Police Joseph Kelly.

Chief Kelly was presented with the Excellent Police Service Award, a well-deserved distinction for a man who has dedicated his life to public service.

Before his service there, he was an EMT dispatcher for the Maplewood, New Jersey, Police Department. Upon becoming Yardley Borough police chief, the area saw a 20 percent drop in traffic accidents compared to the year before, as well as a more successful enforcement of transit laws.

In addition, Chief Kelly has worked to make the community more approachable, especially for victims of domestic violence, pushing for a closer relationship with A Woman's Place and other organizations.

Mr. Speaker, I thank Chief Joseph Kelly for his continued service, and I would also like to thank all the members of the Yardley Borough Police Department for their tireless work in protecting our community.

HONORING THEODORE HAUPTMAN, FEASTERVILLE BUSINESS ASSOCIATION 2019 PERSON OF THE YEAR

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize and honor the distinguished achievements of the Feasterville Business Association 2019 Person of the Year, Theodore Hauptman.

Mr. Hauptman serves both in his immediate community in Holland, Pennsylvania, as well as the greater community of Bucks County.

He has logged active years with the Feasterville Business Association, serving as its president, corresponding secretary, and as a member of its executive board. He currently serves as legal counsel for the organization.

Mr. Speaker, the mission statement of the Feasterville Business Association is to foster and encourage growth, progress, and the betterment of the community.

Mr. Hauptman has shown his belief in and dedication to this mission as he serves with distinction in his practice of law: his position on the Northampton Township Zoning Hearing Board; and his positions as director, counsel, and president of the Northampton Community and Economic Development group.

Mr. Hauptman is a black belt in taekwondo and serves as a certified coach and referee for the World Taekwondo Federation.

He and his wife are also the proud parents of three children: Jonathan, Adam, and Allyson, the latter of whom is currently serving our country on Active Duty as a captain in the United States Army.

Mr. Speaker, I would like to once again thank Mr. Hauptman for his service to Bucks County and our constituents, and we congratulate him on his achievement.

REMEMBERING KRISTEN MARIE RIDGE

Mr. FITZPATRICK. Mr. Speaker, it is with a heavy heart that I rise today to recognize the remarkable life of 26-year-old Kristen Marie Ridge, who, on July 5, was taken from us too soon.

Kristen was a veterinary technician at the Animals' Hospital of Levittown. She deeply cared about the safety and well-being of all animals.

Her thoughtfulness continues after her death with her urging friends and family to donate towards animal welfare in lieu of flowers.

Mr. Speaker, Kristen's selflessness is precisely why we recognize her today on the floor of the U.S. House of Representatives.

She is an example of someone with a compassionate heart having a desire to help people and animals in our community.

We send our love to her parents, Susan and Robert Ridge; her sister, Katherine Ridge Mayer; and her grandparents, Bob and Lil Boyson.

May they find peace knowing that Kristen left an indelible mark on our community and she is now enjoying her eternal reward for a life she spent caring for all of God's creatures.

CONGRATULATING ANTHONY CICERO IV AND DAKOTA SNYDER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. SMUCKER) for 5 minutes.

Mr. SMUCKER. Mr. Speaker, I rise today to congratulate Anthony Cicero IV and Dakota Snyder of Elizabeth, New Jersey, Police Department.

Dakota was an EMT dispatcher for the Maplewood, New Jersey, Police Department.

Kelly was a 23-year veteran of the New Jersey Transit Police Department, serving as its president, corresponding secretary, and as a member of its executive board. Before his service there, he was an EMT dispatcher for the Maplewood, New Jersey, Police Department.

Chief Kelly was presented with the Excellent Police Service Award, a well-deserved distinction for a man who has dedicated his life to public service.

Mr. Speaker, while Congress continues to address this critical issue, we are fortunate in Pennsylvania's 11th District to have public servants leading on the effort to address this horrific epidemic. I thank them and many others across our community who are working together to make a difference.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 40 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Asriel McLain, Little Union Baptist Church, Shreveport, Louisiana, offered the following prayer:

O Lord, how excellent is Thy name. In the mighty name of Jesus, we praise...
You for the liberties paid for by our sons and daughters who gave their last full measure of devotion at Lexington and Concord, Chalmette-New Orleans, Gettysburg, Normandy, Iwo Jima, Korea, Vietnam, and the Middle East. Thank you for those who marched with tired feet and rested souls in such places as Selma and Montgomery seeking to perfect our Union.

Lord, bless this, the people's House, of which it is said, "Here, air, the people govern." Bless, O Lord, this body, its leadership on both sides of the aisle, whose composition mirrors the tapestry of America from the apple orchards of Washington State to the fragrant citrus groves of Florida, from the sun-kissed beaches of California to the bayous of my beloved Louisiana. Remember their families, staffs, and constituents back home as they function as servant-leaders with the vision to see what is right and the power and the strength to do what is right, remembering the Master's words that the greatest you will be as your servant and Dr. King's admonition that everyone can be great because everyone can serve.

May Members of this House heed the words of the eighth century prophet Micah when he says that You require us to love justice, do mercy, and walk humbly with our God.

Amen, amen, and amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Tennessee (Mr. KUSTOFF) come forward and lead the House in the Pledge of Allegiance?

Mr. KUSTOFF of Tennessee led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND ASRIEL MCLAIN

The SPEAKER. Without objection, the gentleman from Louisiana (Mr. JOHNSON) is recognized for 1 minute.

There was no objection.

Mr. JOHNSON of Louisiana. Madam Speaker, it is my great privilege to introduce my friend and Louisiana native, Reverend Asriel G. McLain, as our guest chaplain to lead the opening prayer today.

Reverend McLain has held leadership positions in numerous churches throughout the United States, including Louisiana, Michigan, and Texas. He has written over a dozen books and frequently gives lectures on equipping Christian education leaders for effective ministry and discipleship.

Reverend McLain received his bachelor of arts from Bishop College in Dallas, Texas, and his master of divinity from Princeton Theological Seminary in Princeton, New Jersey. He is the father of four children: David, Joseph, Desiree, and Danielle. Some of the family is here today. He is also a lifelong member of Omega Psi Phi Fraternity.

In addition to his work behind the pulpit and inside the classroom, Reverend McLain followed in his father's footsteps, becoming a leading voice on advancing the cause of justice and equality for all Americans. Having witnessed and endured the hardships of racism personally, Reverend McLain has devoted much of his life to ensuring that future generations can enjoy equality in all aspects of life.

It is a great honor to ask God's blessings over us, and I ask my colleagues to help me in welcoming my dear friend, Reverend Asriel McLain.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. SHERRELL). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

RECOGNIZING SECOND ANNUAL ABSECON KIDS' ALL-DOGS DOG SHOW

(Mr. VAN DREW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VAN DREW. Madam Speaker, a group of impressive young south Jersey people, aged 8 to 11, hosted their second annual dog show at a local park in Absecon, New Jersey. The event began in 2018 when Grace Marczyk watched a dog show and felt bad for the mixed breeds. They weren't allowed to compete.

Grace talked to her friend Zoey. Together, they formed a committee of animal lovers, and they hosted a dog show that was inclusive to all members of the species.

The competition is comprised of multiple categories, judged exclusively by the kids, and concludes with different prizes being awarded for the Best in Show.

At their first show, the kids raised $650, all of which was donated to the Humane Society of Atlantic County. Their second show raised over $2,000 for the Humane Society and nearly doubled its participants and its sponsors. These innovative, enthusiastic young people and their inclusivity and love for animals is a truly great thing to see. We are lucky to have them as part of our community in south Jersey.

It is said that a nation is judged by the way it treats its pets. If it is, Madam Speaker, these are going to be fine young Americans.

PRESIDENT TRUMP IS DELIVERING

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, President Trump's stand of endless negative attacks is it refreshing to read "President Trump Is Delivering" by the respected national columnist Star Parker in the Aiken Standard on June 24.

She was correctly identified success as being three criteria, the Constitution, Christianity, and capitalism.

"On all three fronts, Donald Trump is making America great again. The Supreme Court now has a solid conservative majority," with the environment friendly to Christian values to restore respect for life and family.

Regarding the third C, Harvard economist Robert Barro estimates that the 2017 Tax Cuts and Jobs bill added almost a third over the average GDP growth rate in the Obama years.

"Optimism among the Nation's small businesses is surging, according to the recent National Federation of Independent Business Optimism Index," with record-low unemployment among Hispanics and African Americans.

"President Trump's courage to recognize Jerusalem as the capital of Israel has changed the face of the Middle East... for the better." In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

HONORING JILL ELLIS

(Ms. SHALALA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SHALALA. Madam Speaker, I rise today to honor the brilliant coach of the United States Women's National Team, Jill Ellis.

On Sunday, on a soccer pitch in Lyon, France, our U.S. team clinched their fourth FIFA World Cup victory, two of which have been won under the leadership of Coach Jill Ellis.

I know that our former colleagues who passed title IX in 1972 are smiling. That year, only 700 girls in the United States played soccer at a high school level. This year, over 400,000 played at a high school level, a 55,000 percent increase.

Coach Ellis lives in my district with her family. She is my friend.

We join our entire country in honoring her extraordinary recruiting, her analytical skills, and the sophisticated winning system she developed. As one writer put it, her team "could do different things and win in different ways."

Jill Ellis is one of the greatest coaches in soccer history. She is the very definition of world class.
RECOGNIZING RADIO LEGEND PAUL TINKLE

(Mr. KUSTOFF of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUSTOFF of Tennessee. Madam Speaker, I rise today to recognize Paul Tinkle, a Tennessee radio legend. Paul is currently the president and general manager of Thunderbolt Radio, a strong media presence in west Tennessee. Paul has almost 50 years in radio and is a past Distinguished Service Award recipient, served as the National Association of Broadcasters director representing both Tennessee and Arkansas, and was the 1982 Tennessee Associated Press Broadcaster of the Year.

On August 6, Paul will be inducted into the Tennessee Journalism Hall of Fame, an honor that is so well-deserved.

Keith Carver, chancellor of the University of Tennessee at Martin, said:

Paul Tinkle is a tremendous asset to northwest Tennessee. In an era of large networks and 24-hour continuous world news coverage, Paul’s primary focus is bringing the world to his region. Paul is a master at his craft and a true public servant.

Chancellor Carver summed up Paul’s legacy perfectly.

I congratulate Paul on his induction into the Tennessee Journalism Hall of Fame. I know I speak for everyone when I say west Tennessee is lucky to have someone as dedicated and committed to good journalism as Paul.

RECOGNIZING U.S. WOMEN’S NATIONAL SOCCER CHAMPIONSHIP VICTORY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to applaud the incredible talent of the United States Women’s National Soccer Team, which secured their fourth World Cup title this Sunday, July 7.

The commitment, athleticism, and drive of these women brought our Nation to the championship round where the team outran, outshot, and outplayed the Netherlands Women’s National Team to win 2-0.

Krieger said, “We were ready for the moment.”

She, along with their 21 other teammates, delivered and brought home a hard-fought and well-deserved victory for the United States, rightfully earning the title of champions.

ENACT LOAN FORGIVENESS FOR DEFRAUDED STUDENTS

(Mrs. McBATH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. McBATH. Madam Speaker, today, I am proud to introduce the Relief for Defrauded Students Act. This bill would give students the opportunity for a quick and fair process for loan forgiveness against schools that defrauded them.

Borrowers defense is especially important to me after the closing of Argo University’s campus in my district this past March. The 1,500 students who were affected were left with incredible debts but no degree to show for it.

Students should focus on getting the quality education they were promised, not worrying about being saddled with large debts from schools that could not and did not deliver on their education promise.

I am proud to lead the Relief for Defrauded Students Act with my colleagues, Representatives ABBY FINKENAUER, KATIE PORTER, CINDY AXNE, MARYKay SCALONI, and SHARICE DAVIDS. Together, we will protect our students and hold these institutions accountable.

MAINTAIN CRITICAL AFFORDABLE CARE ACT PROTECTIONS

(Ms. CRAIG asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CRAIG. Madam Speaker, our work to lower healthcare costs for working families could not be more urgent. Yesterday, we heard the first arguments in the Texas v. United States case that will determine whether we maintain critical protections for patients with preexisting conditions.

We must work to improve the healthcare system that has now been in place for almost a decade, not dismantle the progress that we have achieved. If this lawsuit is successful, an additional 35,000 folks in my district could become uninsured.

We cannot allow this to happen. To be sure, we need to fix and improve the healthcare system today. What we should also be asking about is how we can do that together.

We should be talking about ideas, such as the Medicare-X Choice Act of 2019, which would add competition in the health insurance market. We should be talking about how we reduce prescription drugs. Medicare-X would create an affordable public option. The PRICED Act would shorten market exclusivity.

It is time for solutions. Americans don’t have time for anything less.

REFORM OUR ASYLUM LAWS

(Mr. GAETZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GAETZ. Madam Speaker, I have been to the detention facilities in Yuma, Arizona, where I have seen the individuals who committed the crime of unlawful entry into our country, who have been detained, and who are kept in undeniably wretched conditions. The stench, the level of care, the inadequate training and facilities provided to our Homeland Security officials create conditions that are ripe for the vulnerable to be taken advantage of and to truly be harmed.

The question is not whether or not circumstances have fallen below our standards; the question is what has led to these circumstances.

The inability of my colleagues in the majority to reform our asylum laws so people aren’t incentivized to come to our country illegally, bringing small children with them, is a stain on this institution.

The inability to secure our border so we don’t have 1 percent of Guatemala, Honduras, and El Salvador moving into our country every few months is indefensible.

And the inability to build a physical barrier or a wall to keep people from coming into our country illegally will ultimately erode the security of our Nation if we do not act quickly.

We can resolve these problems. It wasn’t too long ago the Democrats used to agree with us on this stuff.

HUMANITARIAN AID IS NOT A CRIME

(Mrs. KIRKPATRICK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KIRKPATRICK. Madam Speaker, imagine fleeing your home, journeying through the desert in search of refuge. Imagine having your child ripped away from you. Imagine learning that your kids are hungry, unattended, cold, screaming from cages, wrapped in foil blankets.

Yesterday, news broke of children being sexually assaulted at a Yuma detention facility. What I have described is a reality here, and it is un-American.

I represent a border district in southern Arizona. I have met with Border Patrol, migrant advocacy groups, faith-based organizations, and city leaders. I have been proud to see our community work together in powerful ways. Our Tucson community has shown more humane leadership than Federal departments led by the Trump administration.

We must maintain vigorous and protect humanitarian rights, and we must remind our neighbors that humanitarian aid is not a crime.
I stand with Scott Warren. I stand with all the organizations helping migrant families. I will continue to ask tough questions and fight to hold this administration accountable.

IN RECOGNITION OF TRANSPORTATION SECURITY OFFICERS AT PHOENIX AIRPORT

(Mrs. LESKO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LESKO. Madam Speaker, I rise today to recognize the Transportation Security Officers at the Phoenix Sky Harbor Airport for their bravery and dedication to their mission to keep our airports safe.

Last month on June 18, a man rushed a TSA security checkpoint at the Phoenix Airport, injuring and knocking over several TSOs in the process. I would like to thank the following TSOs who showed courage in subduing the attacker, even as he attempted to hurt and push past the officers:

Donna Potts O’Brien, Cynthia Baker, Christopher Cotton, Sandra Thompson, Patricia Miller-Davis, Gladys Recinos, Michael Malloy, Melvin Gorham, Adam Ervin, Kenneth Fetter, Robert Morelos, Michael Wilmoth, and Roberto Lopez.

I am grateful to these heroic officers and commend their actions to keep the Phoenix Airport secure.

HEALTHCARE NEEDS OF THE UNINSURED

(Mrs. HOULAHAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HOULAHAN. Madam Speaker, last week, I had the opportunity to visit the Community Volunteers in Medicine center in West Chester, Pennsylvania, which works to meet the healthcare needs of the working poor and uninsured in my community.

Giuseppe is a member of my Pennsylvania community and owns a pizza shop with his wife. He has diabetes, hypertension, and major cardiac issues. Combined, they bring in $2,200 a month, and their prescription drug prices are $1,790. Without CVIM, the family would be paying 81 percent of their monthly income just for prescription drugs.

The astronomical costs of prescription drugs affect everyone. Neither being a Democrat nor a Republican will get you a discount. We are failing the people of this country by not working together as a Congress to relieve these burdens. For too long, Congress has used people’s access to healthcare as a political pawn.

As my mother would say: “We need to knock it off.” Please join us in working together and side by side to help people across our country with these issues.

I applaud CVIM for their efforts, and I want Giuseppe and my fellow Pennsylvanians to know: I see you, and I will keep fighting for you.

Please join me.

GUN VIOLENCE IS A PUBLIC HEALTH EMERGENCY

(Mr. CLAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLAY. Madam Speaker, I rise today to urge my colleagues to support H.R. 3435, the Local Public Health and Safety Protection Act.

Across this Nation, we are faced with an ugly, obscene, inescapable truth: gun violence is a public health emergency.

My bill would, for the first time via Federal legislation, prohibit any State that wants to compete for grant funding from the Department of Justice from restricting the ability of a local government to enact tougher gun laws.

My hope is that we can finally give local governments the freedom to protect innocent citizens and first responders while making our neighborhoods safer, regardless of what their State legislature thinks.

I urge my colleagues to cosponsor and support this vital public safety legislation.

MILLIONS STAND TO LOSE HEALTHCARE

(Mrs. LEE of Nevada asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LEE of Nevada. Madam Speaker, on behalf of the people of Nevada’s Third District, I rise today for the Affordable Care Act;

For the thousands of young Nevadans under the age of 26 who can stay on their parent’s health plan, thanks to the Affordable Care Act;

For the nearly 350,000 Nevada seniors on Medicare part D who are now paying less for their prescription drugs, thanks to the Affordable Care Act;

For the 20 million Americans who are scared right now of losing the healthcare they have finally received, thanks to the Affordable Care Act; and

For the 1.2 million Nevadans and 130 million Americans with asthma, high blood pressure, ALS, cancer, cystic fibrosis, depression, HIV, and other diseases, for their preexisting conditions that will not be protected if the Affordable Care Act is dismantled.

Look, it is pretty simple. If the lower court decision in Texas v. United States lawsuit stands, millions could lose their health insurance. I stand for every one of those Americans, and we should all stand for them.

HEALTHCARE FOR AMERICANS

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Madam Speaker, yesterday the Fifth Circuit Court of Appeals heard oral arguments in the lawsuit where Republicans sued to not only strike down protections for people with preexisting conditions, but eliminate every last protection and benefit provided by the Affordable Care Act.

House Democrats have used our vote to send a strong message against this lawsuit, and yesterday, the House general counsel argued in support of people with preexisting conditions and the healthcare of all Americans.

While our Republican colleagues attempt to undermine people with preexisting conditions, House Democrats will do everything in our power to protect the healthcare of the American people.

If the administration’s position is supported by the Fifth Circuit, it will destroy the protection for more than 130 million people with preexisting conditions, Medicaid expansion coverage for 15 million Americans, significant savings that our elders receive and seniors receive due to ACA’s closing of the doughnut hole in Medicare drug coverage, bans on discriminatory insurance practices that force women to pay more for coverage, and young adults’ ability to remain on their parents’ insurance until age 26.

Madam Speaker, Democrats will continue to deliver on our For the People agenda and American healthcare.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
WASHINGTON, DC, JULY 10, 2019.

Hon. Nancy Pelosi,
The Speaker, House of Representatives,
Washington, DC.

Dear Madam Speaker: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 10, 2019, at 11:18 a.m.:

That the Senate passed S. 239.

With best wishes, I am,

Sincerely,

Cheryl L. Johnson.

□ 1230

PROVIDING FOR CONSIDERATION OF H.R. 2500, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. McGovern. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 476 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 476
Resolved. That at any time after adoption of this resolution the Speaker may, pursuant
to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2500) to authorize, for fiscal year 2020, military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-19, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the purpose of another amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived.

SEC. 2. (a) No further amendment to the bill, as amended, shall be in order except those of the 3 of the report of the Committee on Rules accompanying this resolution and amendments on bloc described in section 3 of this resolution.

(b) Any further amendment printed in part B of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, may be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against the further amendment printed in part B of the report of the Committee on Rules or amendments on bloc described in section 3 of this resolution are waived.

SEC. 3. (a) The rule shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments on bloc consisting of amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments on bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their key amplification, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall report the bill to the House with such further amendments as may have been adopted. In the case of sundry further amendments reported from the Committee, the question shall be put to the House en gross and without division of the question. The previous question shall be considered as ordered on the bill and amendments thereto and the pending motion except one motion to recommit with or without instructions.
Clearly, there is a lot of bipartisan support here for this legislation. Let’s pass this rule and make sure it gets taken up as quickly as possible this week as part of a must-pass vehicle.

That is what this rule is all about. Madam Speaker: debating ideas and counting votes on amendments—and some amendments, quite frankly, that are very conservative that I am going to fight as hard as I can to defeat.

Moving quickly to reauthorize a program that our 9/11 first responders depend on, I think, is an absolute priority of this majority, and I hope my Republican friends will join us in supporting this effort.

Allowing an overwhelmingly bipartisan bill to be considered on the floor without delay that benefits widows, I think, is something that hopefully will get broad bipartisan support.

So, if we pass this, we can make sure all of this happens this week.

Madam Speaker, I also want to take a moment and recognize that this underlying NDAA bill would finally confer a service medal honoring the sacrifice of atomic veterans.

It has been a long road getting to this place. Prior three House NDAA bills included similar amendment language, sometimes by near unanimous votes, but it was stripped out of conference every single time. For the life of me, I cannot figure out why.

Radiation-exposed servicemembers risked their lives for our Nation, in secret and at great personal cost. More than three-quarters of atomic veterans have already passed away, many prematurely from health problems directly related to their service.

It is past time to finally recognize their courage and sacrifice, not just with a certificate of recognition but with what they truly deserve: a service medal.

So I hope, by including this language in the base bill, it won’t be stripped out as the process continues, and let’s give these veterans the recognition that they have earned.

Finally, Madam Speaker, let me just say this: The underlying bill is a good bill, and Chairman Smith, Ranking Member Thornberry, and their staff deserve a lot of credit for this product.

It was a bipartisan process in committee last night in the Rules Committee. Many Republican amendments were adopted in the committee process, and I think Chairman Smith, again, and his staff deserve enormous credit for getting us to the point we are at here today.

I will say that I regret very much that the marching orders coming from the leaders of the Republican Conference are that all Republicans should vote against the NDAA bill, a bill that contains a pay increase for our troops, a bill that includes items that will protect and enhance our national security, a bill that will provide all the other things I have just mentioned.

I am sorry that the Republican leaders have decided to turn this into a partisan exercise, but they can do whatever they want.

Our job is to make sure this gets done and it gets moved forward in a timely fashion, and that is what we intend and we are going to do.

Madam Speaker, with that, I reserve the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. WOODALL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I appreciate that admonition. I promise you, you won’t have to repeat that again on my time. I appreciate my friend from Massachusetts yielding the time.

I had a whole wonderful opening statement planned, Madam Speaker. It was going to be our first time down here on the floor together during a rule.

Janet Rossi, on my team, put together all the great stats and statistics, many of which you heard my friend from Massachusetts reference.

And then the amendment to me so often on the Rules Committee, I show up in a good mood, I show up in a great place, and then folks just poke me in that way that gets me going.

For my friend from Massachusetts to close with the Republicans have turned this into a partisan exercise frustrates me to no end.

If there is one thing I have learned in my 9 years in Congress, Madam Speaker, it is that when it comes to American national security, it never gets turned into a partisan exercise.

I don’t know how your election went, Madam Speaker, or what it was that your constituents said to you. Mine talked to me a lot about congressional dysfunction.

Why can’t they get anything done, Rob?

Why in the world can’t you all get together and cooperate?

And I always respond with the bill that we are looking at today, the National Defense Authorization Act. I say: In six decades of working, depending on who was in the White House, who was leading the House, who was leading the Senate, six decades of working on National Defense Authorization Acts that need to be passed every single year, how many times do you think we have actually successfully gotten that done together?

You know how that conversation goes, Madam Speaker.

Rob, I think you guys have gotten it done once in 60 years.

Rob, I think it has happened 4 times, maybe 12 times.

Madam Speaker, you know what I know, which is that, over these decades, every single year, without fail—it does not matter who is in the White House; it does not matter who leads the U.S. House; it does not matter who leads the United States Senate—we come together as a Nation to support our men and women who are standing on the frontlines for us.

So, no, this is not a partisan exercise today, nor should it be from the Republican side of the aisle.

But I am mystified, Madam Speaker, as to why we have taken what should have been this continuation of decade upon decade upon decade of bipartisanship and seemingly gone out of our way, as a new Democratic majority, to make it partisan.

I know the policy isn’t. I know the policy isn’t. I can go right down the line, man after woman, woman after man, on the Democratic side of the aisle and find patriots who love this country and who will do whatever it takes to defend it. That is the conversation we had in the Rules Committee last night.

But I will take you back to my freshman year in Congress, Madam Speaker.

I went with that freshman class of fresh- man Republicans, that largest freshman class in American history. You would think, if we were going to find partisanship, we would find it in that class.

It all came in on that big Tea Party wave, folks wanting to shake things up, change things. Do you know what the National Defense Authorization Act looked like coming out of committee that year?

You had 60–1 Republicans and Democrats standing together. The year after that, 56–5. That is what my freshman year looked like: 60–1, 56–5. Republican and Democrats standing together on behalf of national security.

I don’t know if you have looked at the vote from the Armed Services Committee, Madam Speaker. I know you are familiar. It was 33–24, straight party-line vote, coming out of committee this year.

In the Rules Committee last night up on the third floor, Madam Speaker, we finished up about midnight. I had the chairman and the ranking member of the Armed Services Committee there talking about all the things that they agree on as it comes to national security, yet, to my friend from Massachusetts’ point, the marching orders came down from somewhere that prevented them from doing what we have always done, and that is report a bill in a bipartisan fashion.

It has nothing to do with who leads this Congress, Madam Speaker.

About 12 years ago now, when the very first woman to ever hold the Speaker’s chair took over—that would be 2007, Madam Speaker—we didn’t bring the bill to the floor under a rule in a bipartisan fashion. We brought the bill to the floor under suspension.

Madam Speaker, that very first bill that was passed in the Pelosi Speaker-ship passed 369–46 on the floor of the House; 369–46. Most of the no votes were Democrats voting against the new
Democratic Speaker of the House and the national security bill: 369–46.

The year after that, the last year of the new Speakership, the year right before I came, it passed 341–48. Madam Speaker, I go through these big blocks right at the point that it didn’t have to be this way. We went out of our way, it seems, as an institution, to divide on national security. I will just give you a few of those examples. There are 439 amendments made in order, as my friend from Massachusetts pointed out, and I think we should celebrate that. But again, there were 683 amendments offered, so 250 Members were shut out.

Madam Speaker, we had an opportunity, under the new consensus Calendar that my friend from Massachusetts referenced, to bring bipartisan legislation to the floor.

For folks who haven’t been following that, the only way to get to the House floor is to have a committee report your bill. If committees don’t report your bill, you can’t get to the House floor unless you end up on the suspension calendar.

This new majority, this new Democratic majority, changed the rules in what was an amazingly positive and productive way. What they said is, if you bring together enough Democrats and Republicans to support your bill, we are going to have to give you a special pathway to the House floor for those amendments that would work to celebrate together as an institution.

Madam Speaker, my friend, Joe Wilson from South Carolina has such a bill. It is a bill to support the widows and widowers of our fallen servicemen and women. He has worked this bill with my friend from Kentucky, Mr. Yarmuth, and this is the very first bill to have achieved, again, this new level of excellence that the new majority laid out. If you can bring people together, we will give you a special pathway to the House floor. You get a vote on your bill.

I might point out that my friend from California, Ms. Lofgren, did this very same thing. She did it on a piece of immigration legislation that I am a cosponsor of. She put together the requisite number of Republicans and Democrats, and her bill is coming to the floor, too.

Now, her bill is coming to the floor today as an amendment, stand-alone, up-or-down vote to allow Republicans and Democrats to come together and support that idea. My friend, Mr. Wilson’s bill, without his knowledge, without his consultation, without his input, has been tucked into this rule, this partisan rule, this passed-by-party-line-vote rule, to be self-enacted into the underlying legislation.

I expressed my frustration to the chairman last night; that we often fall in ways that meet the very low expectations of our constituents. This was a wonderful, positive change that Speaker Pelosi and the new Democratic majority brought to this institution. Madam Speaker, it is a change that I hope will be a lasting change. It is a change that I hope will persist no matter who sits in the Speaker’s chair over the next decade upon decade. But for our very first opportunity to use it, we moved it from its design, which was to be an opportunity to celebrate those things that bring us together, those hard nuts that we figured out a way to crack together, and we have turned it into yet another exercise in “gotcha” that I am uncomfortable with.

The men and women who will be served by this legislation deserve better than that. The men and women who serve in this institution deserve better than that. And when the new Democratic majority was sworn in on the first day of this Congress, they promised the American people better than that.

Madam Speaker, today won’t be the last word on this issue; but it is the beginning of an unfortunate one. I hope that my colleagues will be cognizant of this mistake that they have made, and I hope that they will correct it before it is too late.

Madam Speaker, I reserve the balance of my time.

Mr. McGovern. Madam Speaker, I yield myself such time as I may consume.

Let me just take issue with the gentleman from Georgia when he talks about this as being a partisan process. From what I understand, in the Armed Services Committee, 142 Republican amendments were accepted, 142.

And the gentleman’s facts are a little bit wrong when he says it was a straight party-line vote reporting the bill to the floor, unless Ms. Stefanik and Mr. Bacon have changed parties—I hope they did—because they voted to advance it. Everybody in that committee should have voted to advance it, but they did, and they deserve credit for that.

Notwithstanding the fact that the Republican leadership is telling all their Members, vote “no” on the final passage of the bill, and vote “no” on the rule, unlike my colleagues on the Republican side when they were in charge, who would routinely ask Democrats who came before the Rules Committee and offered amendments and they would say, if we make your amendment in order, will you vote for the bill?

Well, we didn’t ask a single Republican that question last night. And we made 62 Republican amendments in order. There are 94 bipartisan amendments in order, and so we didn’t do that.

If this ends up being a partisan vote on the rule, that is the choice of my colleagues on the Republican side. I think there is lots and lots of stuff in here that everybody should support.

Let me just say one other thing about the Consensus Calendar. My friend from Georgia is just beside himself that we are moving forward a bipartisan idea that has over 300 co-sponsors, overwhelmingly bipartisan. Oh, it is terrible that you are putting it in the rule. It is terrible, terrible, terrible.

Well, let me say, what happened when there were in charge in the last Congress. Mr. Wilson introduced a bill. I think there were over 290 co-sponsors on the bill. My Republican friends couldn’t even be bothered last session with giving the bill a hearing. They didn’t bring it to the floor for a vote. They could have brought it under suspension. They could have had it as an amendment to something. They could have put it in a rule if they wanted to. They didn’t do anything.

And now that we are moving forward an idea that has broad bipartisan support, they can’t handle it. They are having a meltdown on the other side of the aisle.

Well, you are obsessed with the process, you should be obsessed with the widows who would benefit from the enactment of this bill. That but that is fine. That is fine.

The whole point of the Consensus Calendar was to be able to bring bipartisan amendments to move those ideas forward, and we praise Mr. Wilson and praise Mr. Yarmuth for their leadership on this.

But to carry on about that it is on a rule, and not at all be concerned about the leadership, frankly, this really kind of shows the difference in our priorities.

Let me tell you that one of the reasons why we think it is important to put it on the NDAA bill is because we think it is a must-pass piece of legislation. This will go to the Senate. I mean, obviously, there will be a conference report, and there will be back and forth and there will be changes and additions and it will come back. But we know that this bill, if it passes the House, is going over to the Senate, whether you like it or not. It is going to the Senate.

If we brought it up here under a suspension, it would die in Mitch McConnell’s graveyard, like everything else dies over in the Senate. He doesn’t give a damn about this; if he did, he would have done something about it.

So I appreciate the gentleman’s concerns, but, quite frankly, I think that they are unfounded; and I think that, quite frankly, this bill deserves the support of not just Democrats but Republicans as well.

The Speaker pro tempore (Mrs. Trahan). Members are reminded to refrain from engaging in personalities toward Members of the Senate.

Mr. McGovern. Madam Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. Yarmuth), the distinguished chairman of the Committee on the Budget.

Mr. Yarmuth. Madam Speaker, I rise in support of H. Res. 476, the rule allowing for consideration of the National Defense Authorization Act, including my amendment to, once and
for all, repeal the SBP-DIC offset, commonly known as the widow’s tax.

I would like to thank Chairman Smith and Chairman McGovern for their work to include my amendment in this bill. I also want to thank the gentleman from South Carolina (Mr. Wilson) for his continued stalwart leadership on the issue.

I got involved in this issue several years ago when I was contacted by a constituent of mine named Ellen. She emailed me to tell about the unfair burden being placed on an estimated 64,000 surviving spouses and families of the men and women of our military, forcing them to forfeit all or part of an annuity purchased by their beloved fallen heroes.

In the final paragraph of Ellen’s email, she mentioned a First Sergeant in the U.S. Army who suffered a heart attack during his required physical training in 2002. That First Sergeant was her husband.

It became clear to me that Congress’ mistake more than 4 decades ago was now negatively impacting one of my constituents, a constituent who was already grieving the loss of her husband. And while I am heartbroken by the reason Ellen was forced to become an advocate on this issue, to this day I am very thankful she contacted me.

Including this provision to ax the widow’s tax in must-pass NDAA legislation is likely our only shot in this Congress to fix the unfair offset once and for all. I want to urge my colleagues to support this rule and final passage of this bill. We have tried for years to get this right and now we finally can.

Stand up for Gold Star families and support this rule and the underlying legislation. The spouses and children of our fallen heroes have sacrificed enough.

Mr. Woodall. Madam Speaker, I thank you for that second admonition. I did say you wouldn’t have to use it again on my side of the aisle. I can commit to you that you still will not have to issue one on our side of the aisle.

I yield 4 minutes to the gentleman from Oklahoma (Mr. Cole), the ranking member of the Rules Committee.

Mr. Cole. Mr. Speaker, I rise to oppose the rule and the underlying legislation. This is actually a very sad occasion. I have been on both sides of the aisle and I think this was necessary.

I yield myself such time as I may consume.

The SPEAKER pro tempore (Mr. Yarmuth). The time of the gentleman has expired.

Mr. Woodall. Mr. Speaker, I yield an additional 1 minute to the gentleman from Oklahoma (Mr. Cole).

Mr. Cole. Mr. Speaker, I thank my friend for the additional time, and I will be brief.

So it is with a great deal of sorrow—not sorrow that I oppose the rule, but sorrow that the rules committee, in my view, made a mistake in voting down this bipartisan amendment to ax the widow’s tax.

And I yield a bit of time to the gentleman from South Carolina (Mr. Wilson) for his continued leadership on this important subject.

Mr. Wilson. Mr. Speaker, I object to the rule. I hope that we can get back, Mr. Speaker—and by rejecting this rule and rejecting the underlying legislation, we can—to a bipartisan process where we can produce a bipartisan National Defense Authorization Act.

Mr. Speaker, I urge rejection of the rule and rejection of the underlying legislation.

Mr. McGovern. Mr. Speaker, I yield myself such time as I may consume.

I understand the frustration on the Republican side. They lost an election, and so they are not getting everything they want in terms of policy. Well, elections have consequences, and I will give you an example.

I oppose low-yield nuclear weapons, and I hope that that remains the policy, but we made an amendment in order that would allow them to reverse what was in the bill. I am going to vote against it, but I will be a yes vote on that, and we will have to live with whatever the outcome is.

The bottom line is that, if it doesn’t turn out your way, it doesn’t mean the process is somehow partisan. That is what happens when you win elections. You don’t win on every policy debate that you decide to engage in.

And let me just say one thing about the process and the procedure, because I think it is important for my colleagues on both sides of the aisle to have a little bit of a fact check here.

Mr. Chairman, I object to the rule that the Chairman is about to propose. It is a cherry-picked statistic that doesn’t tell the whole story. To date, we have made in order more amendments, over 1,200, than either the Democratic Congress in 2010. We are disappointed the bill doesn’t include longstanding prohibition against transferring detainees from Guantanamo Bay to the United States. Those provisions were put in by a Democratic Congress in 2010. We are sorry our friends seem to reverse a decision that they believed in a decade ago.

And it includes a lot of restrictive policies and prohibitions on securing the southern border, including prohibitions on funding a border wall, fence, physical barriers. I understand there are differences there, but I would hope we could give the executive flexibility in that area.

Mr. Speaker, as concerned as I am about the substance of the bill, I am very concerned about the process. I grant my friend’s point that a lot of amendments have been made in order. We would have more made. We actually offered an open rule last night that would have made everybody’s amendments in order. It wouldn’t have taken away any of the amendments my friends wanted to put out there, but it would have allowed everybody’s amendments to come to the floor for full and robust debate.

Now, the amendments that were made in order, 67 percent of them, are Democratic amendments; 14 percent are Republican. We don’t think that is a fair, remotely fair ratio.

And frankly, the en bloc arrangements in which we are going to bring many of these to the floor are even more imbalanced; basically 63 percent of those will be on Democratic initiatives; 37 percent will be on Republican initiatives. So we are very concerned about that. I think if we don’t stop this process, we are about to make the mistake that we made 2 weeks ago.

Now, the Senate has given us, as it did 2 weeks ago, a different example. They have passed a national defense authorization by a vote of 86-8, so overwhelmingly bipartisan. The President has said he would sign their bill. The President sent us a message that the partisan bill that we are embarking on and about to pass he will not sign; so we are headed for a confrontation. It is a confrontation where we will produce a partisan bill that the President won’t sign. The Senate will produce a bipartisan bill that the President will sign, and I think we know how that story ends.

So we are dangerously close to repeating the mistake we made only 2 weeks ago, and I would hope that we stop, because if we proceed down this path, we will find ourselves in precisely the same situation we found ourselves in with the border wall.

Now, I also want to take issue with my friend a little bit about the 9/11 issue and our friend Mr. Wilson’s bill and our good friend in the chair’s bill, as well. I just want to say, putting a little less heat on things that are bipartisan, in a rule, it just literally means that our side is not going to vote for it. It would be the same if it were your side. You can say all you want. It was going to pass no matter what. So we don’t think it was necessary.

The SPEAKER pro tempore (Mr. Yarmuth). The time of the gentleman has expired.
order. That is nine times as many amendments as my Republican friends made in order at the same point in the last Congress. And we have made in order 256 minority amendments this year, which is more than double the number of minority amendments the Republicans made in order at this point in the 115th Congress.

You want to look at the statistics, there they are. And the bill that we are about to debate, we are making in order over 200 amendments, ever, of any bill brought to the floor.

Now, I guess we could do better than that, but the bottom line is the most amendments, ever, are being made in order on this NDAA bill—and, by the way, on any bill, not just NDAA, on any bill.

So I know it is frustrating to be in the minority. I was there not too long ago. I know it is frustrating not to win on every single vote as my friends did when they were in charge, but the bottom line is, in this place, the majority, whoever has the most votes, wins. So in terms of the process, I think my friends protest too much.

Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. WILSON), a member of the Armed Services Committee.

Mr. WILSON of South Carolina. Mr. Speaker, I rise today in support of this year’s National Defense Authorization Act. This bill addresses many critical components of our national defense, including the urgent need to tackle sexual assault across the United States military. Recent years have seen significant progress towards reforming how sexual assault claims are handled. Now it is time for Congress to confront the conditions that allow sexual assault to happen and succeed.

We have an obligation to protect and safeguard those who answer the call to service and wear the uniform of the United States. It is not good enough merely to have the best training and equipment on the battlefield; we must also protect our soldiers on base or wherever they are.

This NDAA includes an amendment I coauthored that does just that by directing the Secretary of Defense to create a civilian advisory committee on sexual assault prevention in the military. This committee would be comprised of civilians with expertise in campus sexual assault prevention, suicide prevention, military health, and pensions, most importantly, culture change of large organizations.

We absolutely can make more meaningful progress to make military sexual assault a thing of the past. I am glad to see this issue reflected in the NDAA before us now. I urge support of this bill.

Mr. WOODALL. Mr. Speaker, I have become accustomed to your gentle gavel in the Budget Committee, and I appreciate your gentleness here on the floor, as well.

I yield 4 minutes to the gentleman from South Carolina (Mr. WILSON), whose bill you have been so instrumental in, as well.

Mr. WILSON of South Carolina. Mr. Speaker, I thank the gentleman from Georgia for yielding this time. I appreciate his leadership.

H.R. 553, the Military Surviving Spouses Equity Act, is a bipartisan bill with over 365 cosponsors. In fact, it is rare that a bill garners this many cosponsors and was amongst the first to reach the new threshold for mandatory consideration under the Consensus Calendar. I am grateful that colleagues on both sides of the aisle support this legislation to repeal the “widow’s tax.”

Thank you to all of the surviving spouses and advocates, who have worked diligently and tirelessly on this legislation. The bill would have been eligible for a vote this Friday.

Instead, Democratic leadership has decided to specifically bar this bill from independent consideration and include it in the flawed, partisan NDAA. In fact, the rule for the NDAA specifically states:

Rule XV of the Consensus Calendar shall not apply with respect to H.R. 553.

Democratic leadership has essentially said, if the NDAA does not pass, the widow’s tax doesn’t pass.

Further, leadership has put this bill at risk of the conference with the Senate. Democratic leadership knows that it is not included in the Senate’s version of the NDAA, and I am disappointed with the other side.

I even offered a bipartisan amendment with Chairman JOHN YARMUTH to have this bill included in the NDAA, but they did not make that amendment in order. Instead, Democrats placed their own amendment in a partisan rule and are forcing the stand-alone bill to be barred from the Consensus Calendar.

This is partisan politics at its worst. This is heartbreaking for the 65,000 military widows who have worked tirelessly and very effectively to mobilize support here in Congress.

At the peak of their hopes that this bill would pass the United States House of Representatives this week, leadership now has put the bill in jeopardy. Instead of supporting our military and the military families, including those who have died and sacrificed for this country, the majority has chosen to violate their own rules and put the bill in jeopardy. This tactic cheapens the efforts of these military widows and turning their real-world plight into a partisan tactic.

A stand-alone bill in the Senate with over 365 House cosponsors would have had a better chance of passing and sent a clear and overwhelming message of support. But, instead, we will be sending this over in a partisan bill, almost ensuring its demise in the Senate. This is a disservice to the widows who deserve better.

I am grateful for Ranking Member TOM COLE, who argued against making H.R. 553 as part of this self-executing rule. He is right that this shortcuts the process and is politics at its worse.

Our team followed the rules the Democrats set forth to have this overwhelmingly bipartisan piece of legislation set for a vote, and they decided to play partisan politics and remove it. Further, the Rules Committee failed to make any staff and even failed to notify the community that would be most directly impacted by their actions: the widows who have worked tirelessly to generate support for H.R. 553.

The community, inspired by veterans service organizations, gave all, and this Congress can’t even follow its own rules. It is sad how the majority has undermined this important bill in the manner they have done.

I urge this bill from independent consideration is outright wrong, and I ask that each of my Democratic and Republican colleagues think long and hard about the implications of this parliamentary gimmick.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume.

I regret very much that the gentleman is going to vote against a measure to repeal the widow’s tax, and I will just remind him again that, when his party was in control of the Congress, they did nothing on this—nothing—no hearing last session, not a thing for 2 years.

We had, in our rules package, this item called the Consensus Calendar that said that, when there are measures that have 290 cosponsors or more, there is bipartisan support, that the Speaker will move the bill forward, and in this case, any way she wants to with moving it forward.

The gentleman should be really happy, quite frankly, that it is attached to the NDAA bill because this is a must-pass piece of legislation. It will go to the Senate, and there will be a conference.

I hope my Republican friends have some sway with the Republican leader over there, MITCH MCCONNELL, and would urge him not to try to gut this provision from the final version of the bill. But it will go to conference, and the Senate will have to deal with it.

The reason why I know this is a must-pass bill is because one of the amendments that is in order here is an amendment that was a request to the Rules Committee from Minority Leader MCARTHY, an amendment to authorize funding to assist military installations recovering from earthquakes and other natural disasters. I don’t think he would be wasting his time trying to put that in a bill that he thinks is going nowhere.

This bill is going to the Senate, and then it is going to be up to my friends on the other side of the aisle to try to help join with us in convincing the Republican leadership to be able to stand with the House position on this.

Madam Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. SCANLON), a distinguished member of the Rules Committee.

Ms. SCANLON. Madam Speaker, I thank the gentleman from Massachusetts for yielding, and I rise today in
strong support of the rule and underlying bill. I also want to thank Chairman SMITH for his leadership on the bill and all the members of the Armed Services Committee for the work they put in to ensure that we have an NDAA that fully addresses the modern challenges our military faces.

This bill takes steps to address the threat of climate change, long identified by the DOD as a threat to national security, by requiring the Department to plan around climate vulnerabilities in future projects.

This bill also protects military families. In addition to the widow’s tax issue, it protects low-income service-members by bridging the gap for those who need SNAP assistance. It upgrades military housing and provides support for childcare and education for military families.

It also promotes diversity in our Armed Forces by requiring DOD to issue a new diversity and inclusion strategy and address existing inequities.

This NDAA goes further to ensure that our Armed Forces are fully ready for the threats we face today and prepared for the threats we will face in the future.

Of particular concern to my district is the CH-47 aircraft, better known as the Chinook. Like the residents of my district who proudly build these machines, the Chinook is a workhorse that can always be relied upon to get the job done, even in the toughest and most unforgiving of conditions. This bill makes it clear that Congress has no intention of abandoning this vital program.

On top of being one of the most versatile and crucial aircraft in our Armed Forces, the Chinook program supports more than 20,000 jobs and 200 suppliers in 38 States. I am pleased that this program is in the bill, and I look forward to supporting its passage.

Mr. WOODALL. Madam Speaker, I yield myself such time as I may consume.

You see the challenges that we are confronted with here. My friend from South Carolina how my friend from South Carolina should get his bill to the United States Senate. There is no one who has worked harder on this issue than Mr. WILSON has. There is no one whose heart is in this issue more than Mr. WILSON’s is.

I hope you listened carefully to his heartfelt words, because the key point that he made is that this really wonderful, bipartisan creation of the new Democratic majority, this Consensus Calendar, if we pass the rule today will be specifically turned off specifically for Mr. WILSON’s bill.

The new majority can play whatever partisan games they want to, I wish they wouldn’t, but they can, with the underlying bill by stuffing in self-enacting amendments, by adding amend-
ments after the fact, all the games that majorities sometimes play, but the new rules that you voted for, Madam Speaker, that my friend from Massachusetts brags about on his website, rightfully so, because there were important changes in those rules, the plentiful opportunity to utilize those rules, Mr. WILSON’s bill was ripened for consideration before the House this week, it is not simply that folks have stolen his language and tucked it into this partisan underlying package. As I have specifically in the rule today prohibited him from availing himself, and by himself, I mean hundreds of our colleagues and thousands of widows that they represent, from availing themselves of the new tool created by the new House majority this year.

I do not value the new majority’s use of partisan tools in the NDAA, but I understand that is the right of a new majority.

My friend from Massachusetts is exactly right. When you lose elections, losing elections has consequences, but when you pass rules, passing rules has consequences, too.

I am going to be fascinated by what happens here in about an hour and a half when the members of the new majority are confronted with an opportunity to turn off the new bipartisan reforms they just codified in the House rules 6 months ago.

This should have been a day of celebrating a positive new change from a new administration, and instead, it is a day of playing politics with families that have already given much too much to the United States of America. Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, let me say for the RECORD, the widows were deprived in the last Congress when my Republican friends were in control. That is nothing.

Madam Speaker, I commend Mr. WILSON and Mr. YARMUTH for their efforts on this and getting broad bipartisan support, but quite frankly, the Republican leadership failed in the last Congress. They didn’t do anything, period.

We are going to do something, and we are going to make the widows proud and we are going to move this legislation forward. I hope when we do that, that we can all come together and join in a bipartisan way where we can actually point to something concrete that will help these widows.

Madam Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH). Mr. WELCH. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, this rule makes in order an amendment that is of great consequence and urgency, and that amendment would require that before the President initiated any military action against Iran, he has to come to Congress and get approval through an Authorization for Use of Military Force.

And make no mistake about it. That amendment is essential for our security.

What the President did on May 8 was that he tore up the Iran nuclear agreement, with no alternative in place. He says now his objective is a nonnuclear Iran.

That is what we have. Our intelligence agencies confirmed that Iran was in compliance with that agreement.

Instead, he has embarked on a policy that is bellicose in rhetoric and ineffectual in outcome.

He has torn up the agreement that was supported, not just by this Congress, but it was supported by our allies, including our frenemies Russia and China, and our good friends Britain, Germany, and France. Instead, he substituted it with the maximum pressure that has met maximum resistance, and what we see now is an enormous escalation in danger and in rhetoric.

Madam Speaker, the most important decision that a President can make is to recommend whether we use the awesome force of our military, and the most important decision that Congress can make is whether to authorize the use of military force.

Regrettably, we are operating on a stale authorization from 2001 that has nothing to do with present circumstances.

It is on Congress if we, as Republicans and Democrats, given that awesome power, fail to be accountable by having that vote “yes” or “no” on the authorization.

The President’s policy right now is escalating the likelihood of military confrontation with Iran. We must make certain that that cannot be done without a vote of this Congress and every Member in it.

Mr. WOODALL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, my friend from Massachusetts is right. We have made a lot of amendments in order in this bill today, but in the absence of an open rule, we are never able to consider all of the ideas.

One of the ideas we have not had a chance to consider is whether or not we should be doing business through the Department of Defense with companies that have a direct or indirect subsidiary company that is under the control of the Chinese Government or the Communist Party.

The ranking member of the Armed Services Committee, Mr. THORNBERRY, has such an amendment. If we defeat the previous question, Madam Speaker, I will offer that amendment, which does exactly that. It prohibits the Department of Defense from contracting with any company that is a direct or indirect subsidiary of a company in which the Chinese Government or the Chinese Communist Party has a controlling interest.

Now, on the list of things I would put on the common bipartisan list of ideas,
not doing business with communist China would be one. We have seen that over and over again. We are in the midst right now of ripping out security cameras all across this country manufactured by the Chinese as a result of a prohibition in last year’s National Defense Authorization Act.

Madam Speaker, I ask unanimous consent that my amendment be included immediately prior to the previous question.

The SPEAKER pro tempore (Mrs. TRACY) objected to the request of the gentleman from Georgia?

There was no objection.

Mr. MCGOVERN. Madam Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I thank the gentleman for yielding and for his extraordinary leadership.

Madam Speaker, I rise in strong support of paid leave, which when passed will include my bill, the Federal Employee Paid Leave Act, into the NDAA.

We are long overdue to guarantee Federal workers, 2 million working people, 12 weeks of annual paid leave to care for themselves and their families in time of need. This builds on the Family Medical Leave Act that had 12 weeks of unpaid leave. This provides 12 weeks of paid leave which families desperately need.

I painfully remember the birth of my first child and inquiring about family leave. I was told, “There is no leave. Women just leave.” I said, “I don’t intend to leave. I have to work.” They said, “We have no leave policy. You will be the first one to ever come back. Women are supposed to leave.”

Well, this realizes that it takes two workers usually in a family just to make ends meet.

It is well past time that our Nation truly lived up to all families by offering this basic benefit for Federal workers.

Additionally, this rule brings us one step closer to honoring our heroic first responders who risked their lives on 9/11 by allowing this Chamber to move forward with the passage of the Never Forget the Heroes Act, which fully funds and permanently reauthorizes the 9/11 Victims Compensation Fund.

Madam Speaker, I include in the RECORD a listing of well over 54 organizations, women’s groups, and unions that are strongly in support of the Family Medical Leave Act.

JULY 9, 2019.

DEAR MEMBER OF CONGRESS: We, the undersigned organizations, urge you to co-sponsor the Federal Employee Paid Leave Act (H.R. 1534), and cosponsor and vote for the Federal Employee Paid Leave Act amendment to the National Defense Authorization Act (Amendment to H.R. 2800). The Federal Employee Paid Leave Act would: provide 12 weeks of paid leave for the birth, adoption or foster placement of a new child; to care for a spouse, child or parent; for particular military caregiving and leave purposes; and for personal health reasons for federal workers who are eligible for job protected, unpaid leave under the Family and Medical Leave Act (FMLA).

With more than 2 million employees, the federal government is the nation’s largest employer, yet provides no paid family and medical leave. This leaves federal workers forced to choose between a paycheck and caring for a loved one, a newborn or themselves. The Federal Employee Paid Leave Act would not provide employees with additional leave policies. However, it ensures that federal employees can receive full pay during their 12 weeks of FMLA leave.

Paid leave would help not just federal employees, but also federal contractors. With access to paid leave, many individuals can remain in the workforce when they face caregiving responsibilities. Women who take unpaid leave are more likely to be working and contribute to the workforce one year after giving birth than those who take no leave. Paid leave helps reduce turnover, which is estimated to cost between $16 and 200 percent of a worker’s annual salary.

Providing paid leave to federal workers will make our workforce more competitive. The federal workforce is aging, creating a retention and recruitment crisis. In 2017, the number of federal workers older than 50 years old was nearly eight times the number under 30. An increase in satisfaction with family- and caregiving benefits has been shown to reduce turnover intention by 37.5 percent in federal agencies. Further, paid family and medical leave is key to the federal government’s competitiveness as more top companies introduce new or expanded paid leave policies.

Paid leave supports the health and well-being of our families and communities. New mothers who take paid leave are more likely to take the amount of time away from work recommended by doctors, and their children are more likely to receive medical check-ups and get critical immunizations. When children are seriously ill, the presence of a parent shortens a child’s hospital stay by 31 percent; active parental involvement in a child’s hospital care may head off future health problems, especially among low-income families, and thus reduce costs. Paid leave also lets people help older family members recover from serious illnesses, fulfill treatment plans, and avoid complications and rehospitalizations. Paid leave is not just good human resource management; it sends a message about the value we place on family.

There is a growing consensus across the country that paid leave is a necessity. Seven states and the District of Columbia have passed comprehensive paid family and medical leave programs and dozens of municipalities across the country guarantee paid leave to their employees. Millions of workers have filed claims and states that have implemented paid leave programs, and evidence shows that paid leave benefits both employees and employers and has high levels of public support.

We need to be working to ensure that we attract and retain the best possible talent for any and every job. Eighty-two percent of Americans believe our country should be providing this, and only 16 percent of us have it. This should start at the top, at the Federal level.

I cannot fathom a world where any person, regardless of party, would hesitate to understand the importance of
having the best and brightest people working in our government.

Our legislation addresses this core issue. No one should have to choose between their family and career. The government should be leading by example, and today, this legislation allows us to effectively send a special message to all workers: paid family leave is an investment in all of our families.

For me, it is inspiring, and it is an inspiring moment when we see legislation coming born from unlikely bedfellows: a concern for securing our supply chain of rare earths help fund the need for us to provide paid family leave to all Federal workers. This is the type of legislation my community in Pennsylvania expects from Congress, and I am very proud to introduce it today.

Madam Speaker, I urge the support of the NDAA. I am very, very grateful for the support and work of Congresswoman MALONEY in leading me to this and leading us to this.

PARLIAMENTARY INQUIRY

Mr. WOODALL. Madam Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Georgia will state his parliamentary inquiry.

Mr. WOODALL. Madam Speaker. I am holding the Rules of the House here that say in rule XV, clause 7, paragraph (c), “After a measure has maintained at least 290 cosponsors for a cumulative period of 25 legislative days after the presentation of a motion under paragraph (b)(1), the measure shall be placed on the Consensus Calendar. Such measure shall remain on the Consensus Calendar until it is either “considered in the House; or...” reported by the committee of primary jurisdiction.”

Does tucking a measure into the underlying bill, as the self-enacting amendment does today, satisfy the (c)(1) requirement that it be considered in the House?

The SPEAKER pro tempore. The Chair will not respond to a hypothetical question or interpret the pending resolution.

Mr. MCGOVERN. Madam Speaker, if the gentleman would yield to me, I am happy to respond to him.

Mr. WOODALL. Madam Speaker, the gentleman has only yielded me 30 minutes, but I would be happy to reserve so that the gentleman can respond.

Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield myself 20 seconds.

Mr. Woodall. Madam Speaker, I wrote the rule on this, and we intentionally left open how the process would proceed.

We are considering this bill and, therefore, we don’t need to consider it twice or three times or four times, and that is why we are shutting the process off.

So we are complying with our rule. That was the intention when we wrote it, and we are keeping our word. We are doing what we promised.

So we are bringing this bipartisan bill to the floor, and, hopefully, it will go to the Senate and become law.

Madam Speaker, I reserve the balance of my time.

Mr. WOODALL. Madam Speaker, I would like to yield to my friend from Massachusetts. I don’t believe I have any further speakers remaining.

Mr. MCGOVERN. Madam Speaker, I have no additional speakers.

Mr. WOODALL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I have enjoyed serving on the gentleman from Massachusetts’ Rules Committee; I confess, not only as serving on the gentleman from Texas’ Rules Committee, but it is because when you are on the Rules Committee, there are nine members in the majority and four members in the minority.

Now, we have talked a lot of math, a lot of votes, a lot of numbers today, but you don’t have to be a rocket scientist to figure out what happens when you serve on a committee where there are nine majority members and four minority members, and the answer is, what happens is you lose it and you lose a lot.

That is the privilege of being in the majority. When the American people send a new Speaker and a new majority here, that new majority gets to craft the process however they want to.

When we crafted the process when I was in the majority, we gave the minority more amendments than we gave the majority, and we did that because majorities have powers as committee chairmen. They don’t have to put everything on the amendment calendar. They can tuck it into a bill.

As the roles have been reversed, again, my friend from Massachusetts is making in order a record number of amendments today. He is making in order dozens of Democratic amendments, folks who already have all the tools of power, and hence, minority Republican amendments.

Again, it is the power of the majority. They get to decide that if they want to do that. Is it fair? Well, we didn’t think so. That is why we did it differently. But if that is what the gentleman wants to do, he can do it.

But to tuck a bipartisan measure—

As the roles have been reversed, again, my friend from Massachusetts is making in order a record number of amendments today. He is making in order dozens of Democratic amendments, folks who already have all the tools of power, while he is minority Republican amendments.

Again, it is the power of the majority. They get to decide that if they want to do that. Is it fair? Well, we didn’t think so. That is why we did it differently. But if that is what the gentleman wants to do, he can do it.

But to tuck a bipartisan measure—and I don’t mean “bipartisan” because only two Members signed onto it; I mean “bipartisan” because hundreds of Members signed onto it—into a measure that intentionally lifts one party up while putting its foot on the throat of amendments, and the other party does not constitute bipartisanship by any stretch of the imagination.

When my friend from Massachusetts was talking about the rules package—

is the author of the rules package. I stipulate, no one knows more about the rules package than he does.

His heart was in the right place when he added this new Consensus Calendar. He said this: “It unrigs the rules so the people’s House actually works for the people again. Americans demanded a new direction, and this rules package will immediately usher in a new era for this Congress.”

So, 6 months later Madam Speaker, and we heard from the author of the bill that is the subject of contention today. We heard from the author, the one who has gone out to do all the heavy lifting, do all the work to build all the bipartisanship—again, not one Member or two Members, but hundreds of Members. He said he wanted to avail himself of the Consensus Calendar to get a vote on the floor of the House, an unbiased, unrigged vote because, as my friend from Massachusetts said, the new rules package “unrigs the rules.”

Yet, before we have considered anything else on the Consensus Calendar this entire year—Mr. WILSON’s bill is named: on the vote that Consensus Calendar— we are considering a rule today that turns off the very provision that my friend from Massachusetts inserted in the House rules package to unrig the process.

Mr. WOODALL. Madam Speaker, if the gentleman would yield to me, I am happy to respond to him.

Mr. MCGOVERN. Madam Speaker, I urge the support of my friend from Massachusetts. I am very proud to introduce it today.

And now, every day, every session, every workday, every 20 seconds, a Republican Member of this institution, Madam Speaker, and partisan motives are fair game around here. We all wish that they weren’t, but occasionally, they are.

When my friend from Massachusetts says that he has done this, this unprecedented use of the Consensus Calendar and turning it off, he says he is doing it so that the bill has the best chance of coming to the House and becoming law by being signed on the President’s desk. I take him at his word that he means exactly that.

But I ask you, Madam Speaker, when the author of the bill, the one who has done all the work, not for a month, but for years to get this bill to a place where it can be considered by the Senate, why in the world would we not honor his request, his wish, his desire? Even if they are going to tuck it into this provision, why not allow the Consensus Calendar to take its course and get him the vote that he has worked so hard in a bipartisan way to achieve? If this isn’t about partisan politics, why not give us two bites at making this the law of the land instead of just one?

If my friend from Massachusetts is right, and when we take a separate vote on this bill on Friday, it just disapp...
Mr. MCOVERN. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 3½ minutes remaining.

Mr. MCOVERN. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, we are bringing forward legislation to repeal the widow’s tax precisely because we have this rules change, this Consensus Calendar. We are bringing it forward, and it is going to be voted on.

The Republicans, who have been in charge for 8 years previously, had done nothing in the last Congress to even hold a hearing, and we are being scolded that we are bringing forward this bill. Give me some credit.

In terms of amendments, we have made nine times as many amendments as our Republican friends made in order at the same point last Congress. We have made more minority amendments in order than they did in the same period in the last Congress. In fact, we have more than doubled the number of minority amendments.

So, please, spare me the crocodile tears on the process. They ran this place in the most closed way possible. We are doing things differently, and we are proud of that.

Madam Speaker, we have already made 439 amendments in order. That is the most for any bill ever. But Christmas is coming early this year, and we are making the most amendments ever in order for any bill that has been brought to this House floor. This is a good process. The underlying bill—the National Defense Authorization Bill—increases pay for our troops, and, as I mentioned earlier, will help repeal the widow’s tax. The 9/11 bill is also a part of this package. There is no reason, other than just pure partisanship, to want to oppose this, and if my friends want to oppose it, they can.

The material previously referred to by Mr. WOODALL is as follows:

At the end of the resolution, add the following:

SEC. 7. Notwithstanding any other proviso of this resolution, the amendment printed in section 8 shall be in order as though printed as the last amendment in part B of the report of the Committee on Rules accompanying this resolution if offered by Representative Thornberry of Texas or a designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and opponent.

SEC. 8. The amendment referred to in section 7 is as follows:

At the end of subtitle G of title VIII, add the following new section:

SEC. 8. PROHIBITION ON CONTRACTS WITH COMPANIES INFLUENCED BY THE GOVERNMENT OF CHINA.

(a) IN GENERAL.—The Secretary of Defense may not enter into a contract with a company that has a controlling interest to acquire critical United States technologies, the Secretary shall seek to take action, as practicable, to terminate the contract.

(b) EXISTING CONTRACTS.—If the Secretary of Defense has been notified that a contractor for an existing contract of the Department of Defense of a direct or indirect subsidiary of a company in which the Government of China or the Chinese Communist Party has a controlling interest to acquire critical United States technologies, the Secretary shall seek to take action, as practicable, to terminate the contract.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WOODALL. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The Speaker pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The Speaker pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o’clock and 38 minutes p.m.), the House stood in recess.

FAIRNESS FOR HIGH-SKILLED IMMIGRANTS ACT OF 2019

Ms. LOFGREN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1044) to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for family-sponsored immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 1044

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fairness for High-Skilled Immigrants Act of 2019”.

SEC. 2. NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.

(a) In General.—Section 202(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1152(a)(2)) is amended—

(1) in the paragraph heading, by striking “and employment-based”; and

(2) by striking “(3), (4), and (5),” and inserting “(3) and (4),”; and

(b) by striking “subsections (a) and (b) of section 202” and inserting “subsection (2)(a)”;

(4) by striking “and employment-based technologies” and inserting “and technology”;

(5) by striking “such subsections” and inserting “such subsection”.

(b) Conforming Amendments.—Section 202 of the Immigration and Nationality Act (8 U.S.C. 1152) is amended—

RECESS

The Speaker pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o’clock and 38 minutes p.m.), the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PAYNE) at 2 o’clock and 51 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.
(1) in subsection (a)(3), by striking “both subsections (a) and (b) of section 203” and inserting “section 203(a)”; (2) by striking subsection (a)(5); and (3) by amending subsection (e) to read as follows:

“(e) Special Rules for Countries at Chilling.—If it is determined that the total number of immigrant visas made available under section 203(a) to natives of any single foreign state or dependent area will exceed the numerical limitation specified in subsection (a)(2) in any fiscal year, in determining the allotment of immigrant visa numbers to natives under section 203(a), visa numbers may be allotted to natives of that state or area shall be allocated (to the extent practicable and otherwise consistent with this section and section 203) in a manner so that, except as provided in subsection (a)(4), the proportion of the visa numbers made available under each of paragraphs (1) through (4) of section 203(a) is equal to the ratio of the total number of visas made available under the respective paragraph to the total number of visas made available under section 203(a).

(c) Country-Specific Offset.—Section 2 of the Chinese Student Protection Act of 1992 (8 U.S.C. 1255 note) is amended—

(1) by striking subsection (a), by striking “subsection (e)” and inserting “subsection (d)”; and

(2) by striking subsection (d) and redesignating subsection (e) as subsection (d);

(d) Effective Date.—The amendments made by this section shall take effect as if enacted on September 30, 2019, and shall apply to fiscal years beginning with fiscal year 2020.

(e) Transition Rules for Employment-Based Immigrants.—

(1) In General.—Subject to the succeeding paragraphs of this subsection and notwithstanding title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.), the following rules shall apply:

(A) For fiscal year 2020, 15 percent of the immigrant visas made available under each of paragraphs (2), (3), and (5) of section 203(b) of such Act (8 U.S.C. 1153(b)) shall be allotted to immigrants who are natives of a foreign state or dependent area that is not one of the two states with the largest aggregate numbers of natives who are beneficiaries of approved petitions for immigrant status under such paragraphs.

(B) For fiscal year 2021, 10 percent of the immigrant visas made available under each of such paragraphs shall be allotted to immigrants who are natives of a foreign state or dependent area that is not one of the two states with the largest aggregate numbers of natives who are beneficiaries of approved petitions for immigrant status under such paragraphs.

(C) For fiscal year 2022, 10 percent of the immigrant visas made available under each of such paragraphs shall be allotted to immigrants who are natives of a foreign state or dependent area that is not one of the two states with the largest aggregate numbers of natives who are beneficiaries of approved petitions for immigrant status under such paragraphs.

(2) Per-Country Levels.—

(A) Reserved Visas.—With respect to the visas reserved under each of subparagraphs (A) through (C) of paragraph (1), the number of such visas made available to natives of any single foreign state or dependent area in the applicable fiscal year may not exceed 25 percent (in the case of a single foreign state) or 2 percent (in the case of a dependent area) of the total number of such visas.

(B) In General.—With respect to the immigrant visas made available under each of paragraphs (2), (3), and (5) of section 203(b) of such Act (8 U.S.C. 1153(b)) and not reserved under paragraph (1), for each of fiscal years 2020, 2021, and 2022, not more than 85 percent shall be allotted to immigrants who are natives of any single foreign state.

(3) Special Rule to Prevent Unused Visas.—If, with respect to fiscal year 2020, 2021, or 2022, the operation of paragraphs (1) and (2) of this section would prevent the total number of immigrant visas made available under paragraph (2) or (3) of section 203(b) of such Act (8 U.S.C. 1153(b)) from being issued, such visas may be issued during the remainder of such fiscal year without regard to paragraphs (1) and (2) of this subsection.

(4) Transition Rule for Currently Approved Beneficiaries.—

(A) In General.—Notwithstanding section 202 of the Immigration and Nationality Act, as amended by this Act, immigrant visas under section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) shall be allocated such that no alien described in sub-paragraph (B) receives a visa later than the alien otherwise would have received said visa had this Act not been enacted.

(B) Alien Described.—An alien is described in subsection (e) if the alien is the beneficiary of a petition for an immigrant visa under section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) that was approved prior to the date of enactment of this Act.

(5) Rules for Chargeability.—Section 203(b) of such Act (8 U.S.C. 1153(b)) shall apply in the foreign state to which an alien is chargeable for purposes of this subsection.

SEC. 3. Determination of Budgetary Effects.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement of titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The Speaker pro tempore. Pursuant to the rule, the gentleman from California (Mr. Buck) each will control 20 minutes.

The Chair recognizes the gentle- woman from California.

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentle woman from California?

There was no objection.

Ms. LOFGREN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1044, the Skilled Immigrants Act, a bipartisan effort to fix our outdated legal system. But as we all know, such reforms have been highly controversial, and the path forward is not clear. I believe that we should do what we can to make the system more equitable. This is the fundamental purpose of H.R. 1044. By eliminating the per-country limit on employment-based visas, all immigrant visa applicants will eventually be restored to a level playing field, where one’s country of nationality has no bearing on their path forward.

Under our immigration laws, employment-based visas are granted to individuals under a five-tiered “preference system.” The first three preference categories are reserved for priority workers, individuals with advanced degrees, and other professionals and skilled workers.

To be eligible for a visa under one of these categories, the applicant must generally have an offer of employment from a U.S. employer, and must submit extensive documentation of their qualifications for the job and the relevant preference category. The applicant’s country of birth is simply not a factor, and rightfully so. What does a person’s national origin have to do with their merit as an employee?

However, country of birth does become relevant after the applicant has qualified for a visa and is waiting in line for a visa number. The so-called “per-country” limit restricts one country from receiving more than 7 percent of the immigrant visas that are available each year.

Because of this, the visa backlogs have a particularly harsh impact on nationals of countries with high populations, and thus, high demand for visas, such as India. As a result, it can now take a decade or more for an Indian physician working in a medically- underserved area, or a particle physicist from a Ph.D. from MIT to receive a green card. How is this good for our country?

Our immigration system is in desperate need of reform. We all know too well the plight of Dreamers and the undocumented population. We know now more than ever that our agriculture sector, which relies heavily on immigrant workers, is struggling to satisfy its labor needs and provide a safe domestic food supply.

We are reminded daily of the concern we have of the situation unfolding at the border. On top of these very real and very serious issues, we also remain inextricably bound by the imperfections of an immigration framework that was formulated nearly 30 years ago and is out of touch with the needs of the 21st century.

Major reforms are required to truly fix our outdated legal system. But as we all know, such reforms have been highly controversial, and the path forward is not clear. If we want to get anything done, if we want to do what is right for our country, we have to find common
ground, and we have to compromise. On an issue as contentious as immigration, our failure to work together in a fully bipartisan fashion can only result in legislation that will go nowhere in the Senate.

H.R. 1044 is one of those rare proposals where we can agree. H.R. 1044 has strong bipartisan support, with more than 200 Democratic and more than 100 Republican cosponsors. In 2011, the House passed a version of this bill by a vote of 419-3. I urge all of my colleagues to once again vote in favor of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. BUCK. Mr. Speaker, I yield myself such time as I may consume.

I thank the Speaker for the opportunity to speak about this important legislation that I am proud to sponsor, the Fairness for High-Skilled Immigrants Act.

I also want to thank my colleague, the distinguished gentlewoman from California (Ms. LOFGREN), chairwoman of the Subcommittee on Immigration and Citizenship. I have appreciated working with the gentlewoman to make a meaningful change that will make our employment-based immigration system into an equitable system, one that is based on merit, not on where you were born.

Mr. Speaker, I want to tell you why this bill has a special place in my heart. Two years ago, as I was traveling through my district, I met with a group of individuals who were here legally and felt that they were being put at a disadvantage by our government’s immigration policies. They were resolute that I, and Congress, more broadly, could change their futures for the better.

As we sat together, my new friends shared their stories of coming to the United States with a great sense of hope. They came here for any number of reasons, but every single person arrived with the opportunity to succeed and realize their own American Dream.

During our conversation, we talked about a bill, but what we really were discussing was these individuals’ hopes and dreams for a future that will be brighter because of this legislation.

You see, Mr. Speaker, our immigration policies are leaving these hardworking people stuck between a rock and a hard place. They had the difficult decision to pack up their lives and come to the United States, seeking the opportunity to live and work in the greatest country in the world. But now these same people found themselves caught in a decades-long backlog to receive a green card, waiting to open their own businesses, create American jobs.

At this moment, there are approximately 1.5 million high-skilled immigrants living in the United States on an employment-based visa. They are working hard and paying their taxes, yet face decades-long waits, sometimes up to 70 years to receive a green card.

Worst of all, Congress created this state of limbo by instituting an arbitrary annual cap on the number of individuals who may receive a green card from any single country.

This system doesn’t make sense. Our employment-based immigration system has a single purpose, bringing in the best and brightest. We shouldn’t hamstring our economy by placing artificial caps on who can get a green card quicker based solely on where you are born.

As the Cato Institute and National Review deftly pointed out, we aren’t considering that countries have different population sizes. India has a population 2½ times greater than the European Union, but has an employment-based green card cap that is 4 percent of the European Union’s cap. This policy is not helping to develop our high-skilled economy.

Additionally, studies based on the Department of Labor’s own statistics show that the per-country caps are depressing the average wage for employer-sponsored immigrants by $11,592. These arbitrary caps are depressing wages, hurting American workers, and hindering further economic growth.

We shouldn’t be punishing highly-skilled individuals who come to this country legally. People who do everything right work, and are only seeking an opportunity to work hard, contribute to the U.S. economy and support their families.

We should be celebrating this and helping to create an equitable system that benefits both U.S. companies and employment-based visa holders. I am happy to say that is exactly what this bill does.

The Fairness for High Skilled Immigrants Act creates an equitable system that eliminates the arbitrary per-country caps on employment-based green cards and works with a first-come, first-served system.

This important change will free U.S. companies to focus on what they do best: hiring smart people to create products, services, and jobs in our districts, while ensuring all employment-based visa applicants are evaluated on their merit, not where they come from.

Mr. Speaker, it is time that Congress fixes this policy once and for all. Seventy-year backlogs are only going to dissuade talented individuals from coming to the United States and further hamper our economy. We need to create an equitable system that helps our businesses and is fair to the individuals who came here looking to achieve their own dream to live and work in the greatest country in the world.

I urge my colleagues to support this legislation, end the backlogs, and make our employment-based green card system first come, first served, not based on where you are born.

Mr. Speaker, I reserve the balance of my time.
Mr. Speaker, with the debate around our broken immigration system growing increasingly challenging in recent years, I have been thrilled to see this bipartisan groundswell of support around this effort. I urge my colleagues to join us in passing this bill from the onset of this, but Congress did not place a statutory per-country limit on green card issuance, and a result has been an extremely large backlog of nationals from certain countries who have approved green card petitions but whose green cards are unavailable and will not be for several years.

So I understand the desire of many, including the distinguished lady from California, whom I have great respect for in this field, and also my ranking member and many others who have signed on to this bill, but I believe many people who signed on to this bill signed on to a bill that would actually be put together and actually be able to work. They did not sign on to a statement bill that would not be able to work, in which the agencies have already said they can't.

Before anybody says that there are 300-plus cosponsors, remember, this Congress also took up a bill which had 237 cosponsors, but that bill would not have moved through the process of actually being changed and marked up, which is a distinct difference in this bill.

So just because you have a lot of co-sponsors doesn’t mean, always, that it is right, it is required. In fact, it is wrong to tell communities that this bill will help them when, in actuality, it won’t.

This is the problem I have. The bill was introduced in February. It was placed on a Consensus Calendar last month and now on a suspension calendar today. Neither the subcommittee nor full committee had a hearing to look at this issue in this Congress or any potential ramifications of the legislation and the committee did not mark up this bill. So those of us who support the intent but have concerns about the factual text have no opportunity to formally hear from agencies affected by this legislation or even outside groups and individuals affected.

When my colleagues took over, they promised regular order. This isn’t regular order, especially with a bill of this importance. Lack of process is a big concern of mine, but even more troubling is adherence to the standard provisions of the bill and how they are not ambiguous at times but unworkable. I will give some examples.

Section 2(e)(1) of the bill states that, during an implementation transition period, visas “shall be allotted to immigrants who are natives of a foreign state or dependent area that is not one of the two states with the largest aggregate numbers of natives who are beneficiaries of approved petitions for immigrant status under such paragraphs.”

What does that mean, and how is the USCIS supposed to interpret it? Does it mean the largest aggregate number from the time the green cards were first issued or does it mean something else?

I know that previous versions of this bill have tied such transition to a specific fiscal year. But the language here and ambiguity and interpretation by the agencies. That could have very different ramifications. In fact, the agencies have said they don’t know how to interpret this. The agency that will be in charge of this said, We can’t do this. That should ring true with every member in this body.

More concerning, however, is section 2(e)(4), which portends to ensure that aliens with currently approved green card petitions are not adversely affected by lifting of the caps. The bill states that the visas “shall be allocated such that no alien described in subparagraph (B) receives a visa later than the alien otherwise would have received.”

But the premise of the bill and the idea that approved aliens cannot be adversely affected is not true. Either the visas are first come, first served or they are not. And the agencies that would have to carry out this legislation would not be able to work in which the agencies have already said they can’t.

Mr. Speaker, it is long overdue that we end the discriminatory per-country cap on employment-based visas. I urge my colleagues to support this bipartisan legislation. I salute the bipartisan cooperation between Chairwoman Lofgren and Congressman Buck.

Mr. Buck. Mr. Speaker, I yield an additional 1 minute to the gentleman from Georgia.

I think the chairwoman has done a great job in trying to get it there. I believe my ranking member wants to work on that, and I am willing to, as I expressed to the chairwoman, as well, to make this right. This is not the time, even though we have a lot of co-sponsors. If the cosponsors would simply read the bill and understand the problems with the agencies and then go back to the communities advocating for this, they cannot look them in the eye and say, “This is your fix.” As I have said
many times from this floor before in the last 6 months, Mr. Speaker, what makes you feel good, doesn’t often heal you.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Speaker, let me first thank our wonderful Immigration and Citizenship Subcommittee chair for her tremendous work over the years on all issues related to immigration and for her leadership on this particular issue.

I am very proud to rise in strong support of H.R. 1044, the Fairness for High-Skilled Immigrants Act, to provide relief to thousands of families that have been waiting for decades in employment visa backlogs. Among Indian nationals, the wait is upwards of 70 years.

I also want to thank the ranking member of the Immigration and Citizenship Subcommittee for his support, as well.

This is a truly bipartisan bill because these long backlogs are a result of our broken, outdated immigration system, and they are affecting States across the country. Despite the high demand for employment-based green cards, the system hasn’t been updated in nearly 30 years.

This bill solves one piece, by making sure that our colleagues and our neighbors who have been working in our tech sector and our hospitals, innovating in our communities can stay with a roadmap to citizenship.

But, Mr. Speaker, our work is not done. We cannot tolerate the fact that we have no orderly functioning process for people to come to America, whether it be for family unity, to bring their talents to our economy, to serve the needs of our economy, or to seek safety.

This bill, and the fact that we have 300 cosponsors on it, reminds me of another time when there were 68 bipartisan votes in the United States Senate in 2013 for a comprehensive immigration reform bill, and I deeply hope that, as we pass this bill off the floor with bipartisan support, that we can get back to the place where we can once again agree on a bipartisan basis that comprehensive immigration reform benefits our country, benefits our future, and is absolutely necessary.

So I thank so much, again, Chairwoman LOFGREN for her fierce determination and her years of service, and I look forward to passing this bill off the floor of the House.

Mr. BUCK. Mr. Speaker, I would note for the RECORD that one of the reasons that I am so proud to sponsor this bill is it is not an amnesty bill. This is a bill that is based on merit, and it even further enhances the merit aspects of this program. I am proud to sponsor this bill.

Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. NEWHOUSE), my good friend.

Mr. NEWHOUSE. Mr. Speaker, I thank my good friend from Colorado for yielding.

Mr. Speaker, fixing our broken immigration system has been a top priority of mine while I have been in Congress. Today, we in the House have an opportunity to address the small piece of our broken system, but a very important one.

I am proud to be an original cosponsor of the Fairness for High-Skilled Immigrants Act. This legislation takes an important step toward ensuring the United States can continue to recruit and maintain the highest caliber of educated professionals in the world.

Mr. Speaker, as you have heard, under current law, the quota of employment-based immigrants for a country like Iceland with a population of 338,000 people is the same as the quota for India, which has a population of more than 1.3 billion people.

Eliminating arbitrary per-country caps and addressing the employment-based green card backlog from highly populated countries will allow high-skilled professionals, many of whom are already living and working in the United States, to get a temporary visa, to continue contributing more fully to our local communities and economies.

It will also provide certainty to the employers and communities that rely upon these highly skilled workers.

Mr. Speaker, in my district, many of these high-skilled professionals are world-class medical scientists, including oncologists and cardiologists. I have heard from and met with many of these professionals, just like Mr. Buck from Colorado has, throughout my State in central Washington.

Dr. Obulareddy and her husband, Dr. Chithiri, came to the United States in 2006 to study medicine. Dr. Obulareddy is now a specialist in oncology serving my constituency and surrounding communities. She states, “We always wanted to give something back to this great country, and hence, we decided to move to rural America, which is experiencing an acute shortage of physicians for a long time now. This shortage is more severe for specialist physicians like me.”

She and her husband, and many like them, also dream of opening businesses to create more American jobs, but their temporary status does not allow them to do so.

Dr. Obulareddy and Dr. Chithiri are from India and have been told the backlogged wait time for them to obtain their green cards is—now, get this, Mr. Speaker—between 70 and 150 years. This delay, in my judgment, is how seriously flawed the current program is and why we need this legislative fix.

We should continue to recruit and retain these highly educated, highly trained individuals in order to meet the demands of our local communities and economies.

The need for rural healthcare specialists is a problem across my district and across rural America, which is why I am grateful for these professionals who are helping address these problems facing our local communities.

Mr. Speaker, as I continue to work toward addressing other components of our broken immigration system, I am pleased that this bill makes such a mark.

Ms. LOFGREN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do want to address the points made by the ranking member of the full committee.

This bill has been around a while. It was introduced in 2011. At that point, we did have a hearing and a markup. We have had it on the floor before. We have, at this moment, 312 Members on the bill, bipartisan.

Addressing the issue that he was reading, and I don’t think it is all confusing, the Department of State is actually the agency that allocates the priority dates. They keep track of the visas. We have communicated with them frequently over the years.

We provided in this bill a transition period because as time has gone on, the delays have gotten even worse for large countries, so we wanted to put a transition period in the bill. That is what the section that he read about would do.

We do think that this has become an emergency in some sectors.

I recently met with a physician and his wife, who is also a physician, who are here on H–1B visas, and they have been for a number of years. They are not looking to seek citizenship in this country. Their children, who are here legally as dependents, are about “age out.” They haven’t been back to the country of their birth in who knows how long; they don’t speak the language; they don’t have anybody in the country of their birth; and they are about to be out of status even though they have played by all the rules.

Those two physicians told their patients that they would close their practice and move to Canada because they just couldn’t go on like this.

That is not a situation we can countenance. That is happening all over the country. We need to fix it.

Mr. Speaker, this bill does fix it, and I hope that we can support it. I reserve the balance of my time.

Mr. BUCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this Congress can create a truly fair and equitable employment-based immigration system. The Fairness for High-Skilled Immigrants Act will fundamentally change our employment-based immigration system. That means employers in our country can hire people based on qualifications and ability to do the job, not the country of origin.

We must continue working to build the U.S.-based high-skilled workforce. We simply do not have enough U.S. workers to fill our employment needs. Congress must address the system to ensure that we are
Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 1044, the "Fairness for High-Skilled Immigrants Act of 2019." H.R. 1044 will help alleviate the massive immigrant visa backlog by eliminating the 7 percent cap on employment-based visas and increasing the family-based per-country limit from 7 percent to 15 percent. The bill will also ease backlogs for certain family-sponsored immigrants by modifying the per-country limits in the family-sponsored green card system.

Specifically, H.R. 1044 provides for the phased elimination over three years of the "per country" cap for employment-based immigrant visas so that all workers are treated fairly. The legislation raises the "per country" cap from 7 percent to 15 percent for family-sponsored immigrant visas and restores 1,000 employment-based visas per fiscal year to the People's Republic of China, that have historically been set aside for green card applicants under the Chinese Student Protection Act of 1992.

Mr. Speaker, the United States makes 140,000 green cards available every year to employment-based immigrants, including many who first come here on temporary H–1B or L visas. Current law, however, provides that no more than 79 percent of these green cards can go to nationals of any one country—even though some countries are more populous than others.

This bipartisan bill alters the per-country limits for employment-based immigrants so that all are treated equally regardless of their country of birth.

Mr. Speaker, I have been a strong supporter of the H–1B program. Without it, American employers would not be able to hire enough highly educated professionals for the "specialty occupations." A "specialty occupation" is employment requiring the theoretical and practical application of a body of highly specialized knowledge. This includes doctors, professors and researchers in a wide variety of fields, accountants, medical personnel, and computer scientists.

An American employer who wants to bring an H–1B employee to the United States must, among other things, attest that it will pay the H–1B employee the greater of the actual compensation paid to other employees in the same job, or the prevailing compensation for that occupation. Additionally, the employer must attest that it will provide working conditions for the H–1B visa holder that will not cause the working conditions of the other employees to adversely be affected; and that there is no applicable strike or lockout.

The employer also must provide a copy of the attestation to the representative of the employee bargaining unit or, if there is no bargaining representative, post the attestation in conspicuous locations at the work site. Mr. Speaker, as important as it is that the employer properly attest to the employee's qualifications, it is equally important that we ensure American workers are protected and that they are not vulnerable to those who might be abusive employers trying to suppress their wages. So, this is good for American workers as well as those who would gain bargaining power by gaining legal permanent residence.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 1044, the "Fairness for High-Skilled Immigrants Act of 2019."
swiftly and delivers H.R. 1569 to the President for his signature.

It is time for Arizona to have a more efficient and effective court system.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I agree with everything the gentleman just said. This is a good bill. It needs to happen.

These locations are different, and since 1948, the State of Arizona has changed.

Mr. Speaker, I encourage everyone to vote “yes” on this bill, and I yield back the balance of my time.

Mr. STANTON. Mr. Speaker, I yield as much time as he may consume to the gentleman from Arizona (Mr. O’HALLERAN), the sponsor of H.R. 1569.

Mr. O’HALLERAN. Mr. Speaker, I thank Chairman NADLER and Ranking Member COLLINS for moving this bill through the Judiciary Committee. Similarly, I thank all the committee members for supporting the bill on a unanimous voice vote.

This legislation has the bipartisan and bicameral support of the Arizona delegation.

This simple, commonsense legislation provides current Federal judges to sit in existing courthouses or magistrate’s chambers in Yuma and Flagstaff, two rapidly growing communities where constituents do not have full access to the Federal judicial system.

By allowing existing judges to sit in Yuma and Flagstaff, residents of rural Arizona will not have to travel the significant distances they currently do to Phoenix or Tucson to be heard by a judge.

This will mean that police officers can spend more time on patrol and that individuals won’t have to travel to serve on juries or participate in matters that require a judge.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. BASS) and the gentleman from Georgia (Mr. COLLINS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

Mr. Speaker, I ask unanimous consent that Members have 5 legislative days to revise and extend their remarks and include material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of S. 998, the Supporting and Treating Officers in Crisis Act of 2019, also known as the STOIC Act. This bill would provide important mental health and suicide prevention services to law enforcement officers and their families.

Specifically, it would modify an existing, but expired, authorization providing support to law enforcement officers’ families to add mental health and suicide prevention programs directed at officers themselves. Additionally, S. 998 would also reauthorize the family support provisions and would appropriate up to $7.5 million for each fiscal year from 2020 to 2024 to carry out both the family and law enforcement officer mental health programs.

The law enforcement officers this grant program would assist all too often face dangerous and horrific challenges, which takes a hard toll on them and, often, their families. Too frequently, local resources are not readily available or accessible for these purposes. S. 998 would bridge this critical gap.

Seeking help is often the hardest step to take to address one’s mental health issues. It can be especially difficult for law enforcement officers because of the stigma against it within the law enforcement community and, too often still, in society as a whole. The aim of this legislation is to help overcome this reluctance by destigmatizing mental health treatment in the law enforcement community.

Provisions in this legislation encourage recipients of grant funding to set up suicide prevention hotlines. These lifelines are a critical step for getting those officers who need it the assistance they require and thereby help address the nationwide tragedy of officer suicide.

The impact of on-the-job stress is not limited to law enforcement officers, however. The underlying expired grant program, which this bill reauthorizes, permits recipients of grant programs for marital and adolescent support groups. This “whole family” approach to mental health services is essential for retaining officers. It is often said that departments recruit officers and retain families. For support programs, such as those authorized in S. 998, provide critical support that keeps officers on patrol.
Lastly, included in the reauthorization is the ability for recipients of this grant to provide child care on a 24-hour basis. This provision furnishes much-needed support to single parent officers, many of whom are women. The Bureau of Justice Statistics reports that there are over 100,000 female law enforcement officers nationwide. Child care programs, as authorized in this measure, help promote family-friendly workplaces and facilitate the employment of more female officers.

S. 2368, the Strengthening the Oath of Office for Law Enforcemen (STOIC) Act of 2019, a bipartisan measure sponsored by our House Judiciary Committee colleague, the gentleman from Pennsylvania, Representative GUY RESCHENTHALER, with the support of the gentlewoman from Pennsylvania, Representative MADELINE DEAN. I should also note that the Judiciary Committee passed the House bill by voice vote last month.

Accordingly, I support this bill, and I urge my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, as a son of a state trooper and as someone who also has served as a chaplain in police agencies and our first responders, this is a very important bill to me. I cannot think of a better Memorial Day than to police agencies and our first responders, this is a very important bill to me. I cannot think of a better Memorial Day than to police agencies and our first responders, this is a very important bill to me. I cannot think of a better Memorial Day than to police agencies and our first responders, this is a very important bill to me. I cannot think of a better Memorial Day than to police agencies and our first responders.

Mr. Speaker, it is a pleasure to yield such time as he may consume to the gentleman from Pennsylvania (Mr. RESCHENTHALER), the lead author on the Republican side of the STOIC Act.

Mr. RESCHENTHALER. Mr. Speaker, I rise today in support of S. 998, the Senate companion to this bipartisan legislation, that I introduced with Congresswoman DEAN, that will address the mental health needs of our Nation’s police officers.

Law enforcement officers put their lives on the line every day to protect our communities. Last year, when the Tree of Life synagogue was under attack, the Pittsburgh police and police from around the region ran into open gunfire to stop a deranged, hateful madman intent on killing as many worshippers as possible. The individuals who arrive first to those scenes, those crime scenes, the tragic loss of life could have been much worse.

Across the country, we sleep safely in our beds each night because of our law enforcement officers. But the critical work that these men and women undertake does not come without a cost.

According to the National Study of Police Suicides, law enforcement officers are two-and-a-half times more likely to die from suicides than from homicides. Studies show that police officers have above average stress levels that lead to post-traumatic stress, heart disease, and high blood pressure. Despite all we do for our communities, the Federal Government provides few resources to address the consequences of their taxing work.

The STOIC Act is a bipartisan piece of legislation that will reform and expand an existing grant program to better address the mental and support needs of our law enforcement, most importantly as it relates to suicide prevention.

I am very grateful to Senator HAWLEY and Senator WHITEHOUSE for prioritizing this important piece of legislation.

And, most importantly, I thank my friend and fellow Pennsylvanian, Congresswoman DEAN, for her tireless work to improve mental health treatment for police across the country. Throughout this entire process, Congresswoman DEAN has shown tremendous appreciation for law enforcement officers and great concern for the well-being of them and their families. It has truly been a pleasure to work on this bill with Congresswoman DEAN.

Mr. Speaker, I ask my colleagues to support the STOIC Act today. It is time for us to take care of those who take care of us.

Ms. BASS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Pennsylvania (Ms. DEAN).

Ms. DEAN. Mr. Speaker, I thank Chairman NADLER, Chairwoman BASS, and my colleague and friend from Pennsylvania for their efforts in moving this important legislation forward. Every day our law enforcement professionals don their uniforms, show up for work, and take on the extraordinary responsibility of keeping us safe. It is work that, too often, goes unnoticed or underappreciated, a kind of quiet heroism. But that work can also exact a very heavy toll.

The Supporting and Treating Officers in Crisis, STOIC, Act responds to the growing emergency in the law enforcement community. Studies show that law enforcement officers face a wide range of stressors, including responding to violent crime, managing crisis situations, and, as 77 percent of officers report, dealing with insufficient departmental support for their mission.

This stress has serious consequences. Studies indicate that 1 in 4 officers report symptoms consistent with subclinical health problems, and 1 in 14 meet the criteria for PTSD. Think of that: just showing up does not come without a cost.

Suicide among our law enforcement community is rising at a troubling rate, as well. The CDC reported in 2016 that the suicide rate in this community is 50 percent higher than the national average. In recent years, the number of first responders who have died by suicide has even surpassed the number of officers killed in the line of duty.

According to Blue H.E.L.P., we lost 124 officers to suicide in 2016. Last year, that number jumped to 167 compared to 144 who tragically lost their lives in the line of duty.

Officers in crisis need our support. The STOIC Act, and the House version, will reform and expand existing grant programs to better address mental health, establish suicide prevention programs, and offer aid to officers’ families.

Our law enforcement officers are true public servants, and honoring their service means providing them with the support they deserve.

I thank my colleague, fellow Pennsylvanian, Congressman RESCHENTHALER, for speaking in one voice across the aisle and across chambers. I thank him for his passion and his leadership on this bipartisan bill. It has been a pleasure to work with him and his team on an issue we both care deeply about. I look forward to our continued efforts, and I urge all Members to support the STOIC Act.

Mr. COLLINS of Georgia. Mr. Speaker, I yield the balance of my time.

Ms. BASS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank my friend and fellow Pennsylvanian, Congressman RESCHENTHALER, for speaking in one voice across the aisle and across chambers. I thank him for his passion and his leadership on this bipartisan bill. It has been a pleasure to work with him and his team on an issue we both care deeply about. I look forward to our continued efforts, and I urge all Members to support the STOIC Act.

Mr. COLLINS of Georgia. Mr. Speaker, I thank the gentlewoman for yielding; and I thank the two cosponsors, the gentleman from Pennsylvania and the gentlewoman from Pennsylvania, for a very important initiative that not one of us would want to see one of our law enforcement officers in recent years, in recent times, or in recent months committing suicide. That incident has occurred in my own community.

It is clearly important to be able to provide this extra support, the Supporting and Treating Officers in Crisis Act of 2019, the STOIC Act. It is crucial because it also impacts these families. These officers every day deal with such catastrophic incidences. In my own community, we have had six little children killed over the last couple of months.

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The individuals who arrive first to the scene are law enforcement officers, and they are moms and dads with children. And I cannot imagine the impact that those scenes, those crime scenes, have day after day on these officers who have joined the force to do good and to help people.

We often say when we call 911, we are looking for the men and women in blue, we are looking for them to protect us. We are looking for them to strengthen those families who are broken or in crisis. This particular act would revitalize the DOJ’s grant program for Law Enforcement Family Resources, in addition to allocating funds to establish suicide prevention, stress management, and mental health programs.

We know that just as our military men and women face the devastation of
PTSD, members of our various law enforcement agencies who work to protect us also experience post-traumatic stress disorder.

This program to enhance the grants that departments can secure will be able to fill in the gap and work with families dealing with the question of those experiencing mental illness. Post-traumatic stress disorder can come in the form of depression, burnout, and other mental-health-related issues and anxiety.

We know that over the years, suicides happen, but in 2017, an estimated 140 officers died from suicide, which exceeds the 129 that were killed in the line of duty.

Mental illness is a silent, but lethal killer. We are working in the Judiciary Committee on the Law Enforcement Trust and Integrity Act which will emphasize some of the protocols for improving, policing, working on professionalism, and working with the 18,000 police departments across America. I can’t imagine waiting to pass this legislation to reignite the grant program to be able to help those who are now presently suffering.

I am glad that this is a bicameral initiative. I hope that this will move quickly to the President’s desk to sign, and I hope those funds will get to the Houston Police Department, the Harris County Sheriff’s Department, constables’ offices, and various police departments across America.

A healthy police officer, physically and mentally, is the best community relations that you could ever have. A healthy officer who works with children, who works with communities, who works with families, and shows up when the civic club asks them to come and speak about safety and security in the neighborhood, that is who we hope will be the kind of officer who will come to work every day.

These grant programs will ensure that. Most of all, I would like to close by saying: for those law enforcement officers who are, many times, former military personnel and committed to the idea of service, go and get help. We are standing ready to help. These grant programs will allow police departments, cities, counties, and States to put out an effective and strong response to the needs of our law enforcement, and to thank them for their service.

Mr. Speaker, as a senior member of the Committee on the Judiciary, and on Homeland Security, I rise in strong support of S. 998, the “Supporting and Treating Officers in Crisis Act of 2019,” known for short as the “STOIC Act.”

The STOIC Act would reintroduce and revitalize the DOJ’s grant program for Law Enforcement Family Services, in addition to allocating funds to establish, suicide prevention, stress management, and mental health programs.

Mr. Speaker, as late as 2017, there were more than 600,000 law enforcement officers employed in the United States, charged with protecting their communities. Daily, the nation’s law enforcement officers witness and experience all manner of trauma in the line of duty.

As these brave members of our nation’s various law enforcement agencies work to protect the individuals of their communities, the difficulties they experience often leave them with this disorder (PTSD), depression, burnout and other mental health conditions related to anxiety.

These anxiety-related illnesses can even result in suicide.

In 2017, an estimated 140 officers died from suicide, which exceeds the 129 that were killed in the line of duty, making mental illness the silent killer and the most lethal threat to law enforcement professionals.

There is no doubt that these men and women suffering from mental health issues that occurred as a result of their efforts to protect and serve their communities, deserve our support throughout their recovery and treatment.

By passing S. 998, officers combating anxiety related mental health conditions, and their families, will receive improved support and care.

I urge my colleagues to join me in supporting S. 998 to ensure that the nation’s law enforcement officers, and their families, receive the mental health care and rehabilitation they deserve.

Mr. COLLINS of Georgia. Mr. Speaker, I am ready to close.

Again, it is a great bill. You have heard the accolades of the gentleman and gentlewoman from Pennsylvania. They have made that case clear, along with my friends from Texas and California.

This is a good bill. I urge everybody to support it, and I yield back the balance of my time.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the tragically high number of law enforcement professionals who take their own lives each year is a serious problem that must be addressed.

According to Blue H.E.L.P., an advocacy organization that works to reduce mental health stigma in the law enforcement community, 167 law enforcement officers committed suicide in 2018. By comparison, in the same year, 144 law enforcement officers died in the line of duty.

S. 998 will help provide critical mental health and suicide prevention assistance to law enforcement officers in need. I therefore urge my colleagues to join me in supporting this important measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question was taken; and (two-thirds being in the affirmative) the bill was passed.

A motion to reconsider was laid on the table.

EFFECTIVE PROSECUTION OF POSSESSION OF BIOLOGICAL TOXINS AND AGENTS ACT OF 2019

Ms. BASS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 744) to amend section 175b of title 18, United States Code, to correct a scrivener’s error.

The Clerk read the title of the bill. The text of the bill is as follows:

SEC. 1. SHORT TITLE.

This Act may be cited as the “Effective Prosecution of Possession of Biological Toxins and Agents Act of 2019.”

SEC. 2. PROHIBITION ON THE POSSESSION OF BIOLOGICAL TOXINS AND AGENTS.

Section 175b of title 18, United States Code, is amended—

(1) in subsection (a)−

(A) by striking “(a)(1) No restricted” and all that follows through the end of paragraph (1) and inserting the following:

“(a) OFFENSE.—

(1) IN GENERAL.—It shall be unlawful for a restricted person to—

“(A) ship, transport, or possess in or affecting interstate or foreign commerce any biological agent or toxin described in paragraph (2); or

“(B) receive any biological agent or toxin described in paragraph (2) that has been shipped or transported in interstate or foreign commerce.

“(2) AGENTS AND TOXINS COVERED.—A biological agent or toxin described in this paragraph is a biological agent or toxin that—

“(A) is listed as a non-overlap or overlap select biological agent or toxin under part 73 of title 14, Code of Federal Regulations, pursuant to section 361A of the Public Health Service Act (42 U.S.C. 262a); and

“(B) is not excluded or exempted under part 73 of title 14, Code of Federal Regulations.

“(3) PENALTY.—Whoever—

“(A) ship, transport, or possess in interstate or foreign commerce any biological agent or toxin that is a biological agent or toxin described in paragraph (2); and

“(B) receive any biological agent or toxin that is a biological agent or toxin described in paragraph (2) that has been shipped or transported in interstate or foreign commerce:

shall be fined under this title, imprisoned not more than 10 years, or both.

SEC. 3. PENALTIES/terms.

This Act may be cited as the “Effective Prosecution of Possession of Biological Toxins and Agents Act of 2019.”
This legislation will help ensure the safety of our citizens and the security of our Nation. S. 744, which the Senate passed by unanimous consent earlier this year, is identical to H.R. 1986, which the House Committee on the Judiciary recently approved by voice vote last month.

In 1990, Congress imposed criminal penalties with respect to the development, production, stockpiling, transfer, acquisition, retention, or possession of any biological agents, toxins, or delivery systems intended for use as a weapon.

Thereafter, Congress in 2001, added section 175b to title 18 of the U.S. Code, criminalizing the possession by unregistered individuals or restricted persons of certain biological agents, termed ‘‘select agents,’’ as determined by the Secretary of Health and Human Services. A person found guilty under section 175b can be imprisoned for up to 10 years.

As originally enacted and thereafter in subsequent amendments thereto, section 175b referred to specific sections of the Code of Federal Regulations that listed various biological agents and toxins.

This provision was last amended in 2004, but subsequently, the Department of Health and Human Services renumbered some sections of the Code of Federal Regulations and inadvertently rendered the references in section 175b inoperable.

For example, one of the select agents inadvertently eliminated from the list of prohibited substances is ricin, a poison found in castor beans. Ricin is inexpensive, easy to make, and highly toxic.

This result, the consequence of a drafting error, is clearly not what Congress intended. Unfortunately, there have already been real-life consequences for this error.

Last September, for instance, the District Court for the Northern District of Georgia, dismissed the indictment of William Christopher Gibbs, a self-appointed white supremacist who was charged with the unregistered possession of ricin. In dismissing the Gibbs indictment, the court stated it:

Appreciates the potential dangers associated with individuals possessing potentially hazardous agents and toxins without permission to do so. Equally, though, the Court takes very seriously the principle that citizens ought to have fair and clear warning of the conduct for which they can be held criminally responsible. It fails to Congress to write criminal laws, or to amend them if they yield unfair or unwanted results. The role of the courts, on the other hand, is limited to fairly reading and applying the laws Congress writes; not to change them.

As we consider S. 744 today, it is important to recognize and commend the sponsor of the House companion bill, the gentleman from Texas and our Judiciary Committee colleague, Representative J. R. Ratcliffe; and Judiciary Ranking Member Doug Collins; as well as the gentleman from New York, Representative Kathleen Rice; and the gentleman from Texas, Representative Will Hurd, for their bipartisan efforts to address this critical problem.

I urge my colleagues to support this important legislation, and I reserve the balance of my time.

Mr. Collins of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also rise in support of H.R. 1986 because it fixes a technical, but very important, error that occurred in the Code. And the gentlewoman from California, again, has done a wonderful job of explaining this.

She brought up an interesting case. She brought up the case out of the Northern Circuit of Georgia which is actually my circuit, and the judge in that case is actually a judge named Rick Story. And Rick Story is one of the best jurists we have in this country. His comment here is really, I think, telling for us that many times in Congress we need to take heed of when he says: ‘‘It falls to Congress to write criminal laws or to amend them if they yield unfair or unwanted results.’’ And that is exactly what we are doing here today.

This needs to be added. It was a scrivener’s error and a mistake that it was not there, and it needs to be corrected.

And with that, again, the gentlewoman from California has been a great help on this, and the gentleman from Texas (Mr. Ratcliffe), and others for their work on this legislation.

As we go forward, I think this has been a good process. I am glad to see it coming to fruition, and I yield back the balance of my time.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, without question, Congress should do everything within its power to ensure the safety of all Americans. Indeed, the possession and distribution of ricin is dangerous and should be included among the various biological toxins prohibited under current law, as Congress had intended.

S. 744 corrects this technical error and addresses the serious consequences presented by this oversight. For these reasons, I urge my colleagues to join me in supporting S. 744, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Committee on the Judiciary and on Homeland Security, I rise in strong support of S. 744 the ‘‘Effective Prosecution of Biological Toxins and Agents,’’ which amends 18 U.S.C. 175b to prohibit the possession, transport, or sale of biological agents and toxins by individuals.

S. 744 also prohibits the transport, possession, or shipment of any biological agent or toxin in interstate or foreign commerce.

Biological agents and toxins disseminate disease-causing organisms or toxins to harm or kill humans, animals or plants. In addition to strategic or tactical military applications, biological weapons can be used to infect livestock or agricultural produce to cause food shortages and economic loss, create environmental catastrophes, and introduce pandemics.

Biological agents can also be deployed in missiles, bombs, hand grenades, and rockets to deliver death and destruction.

The Speaker, there have also been documented efforts to develop delivery devices for assassinations or sabotage operations, including a variety of sprays, brushes, and injection systems as well as means for contaminating food and clothing.

It should concern us all that recent technological advances increase the likelihood that these weapons could be acquired or produced by non-state actors, including terrorist organizations and mentally unstable individuals.

This is a major threat to our national security as well as the safety of all American citizens.

Mr. Speaker, I urge my colleagues to join me in supporting S. 744.

In doing so we provide an added measure of security for our homeland by prohibiting the creation and proliferation of biological weapons as well as the sale of such weapons.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. Bass) that the House suspend the rules and pass the bill, S. 744.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

21ST CENTURY PRESIDENT ACT

Ms. BASS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 677) to amend gendered terms in Federal law relating to the President and the President’s spouse.

The Clerk reads the title of the bill.

The text of the bill is as follows:

H.R. 677

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.

This Act may be cited as the ‘‘21st Century President Act’’.

SEC. 2. MODERNIZATION OF TERMS RELATING TO THE PRESIDENT AND THE SPOUSE OF A PRESIDENT.

Section 879(b)(1)(A) of title 18, United States Code, is amended by striking ‘‘the wife of a former President during his lifetime, the widow of a former President until her death or remarriage’’ and inserting ‘‘the spouse of a former President during a former President’s lifetime, the surviving spouse of a former President until the surviving spouse’s death or remarriage’’.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. Bass) and the gentleman from Georgia (Mr. Collins) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. BASS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include material on the sponsor’s behalf.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?
There was no objection.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there will be a time in this country when the President of the United States will have a husband and not a wife. In preparation for that day, I urge the House to suspend the rules and pass H.R. 677, the 21st Century President Act, which removes gender terms from current law criminalizing threats against former Presidents and their immediate family.

Currently, we have a law that makes it unlawful to threaten to kill, kidnap, or inflict bodily harm upon a former President, President-elect, Vice President-elect, or a major candidate for President, or Vice President, or their immediate family member.

The statute, however, defines immediate family with terms such as: "wife," "her," and "widow," which makes presumptions that will not stand the test of the future of this country.

At present, one member of the LGBTQ community and six women have declared themselves to be candidates for the Presidency. Whether or not a candidate is nominated or elected, it is clear that the terminology in our law is outdated and should be changed to refer to the spouse of a former President.

The words we use shape the world in which we live. We should act accordingly. I support H.R. 677, and I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate this. I think the bill is a good bill. It does exactly what it needs to do, and it clarifies for the future. I encourage everyone to vote "yes," and I yield back the balance of my time.

Ms. BASS. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. POCAN].

Mr. POCAN. Mr. Speaker, I thank the Representative for the time.

The current field of Presidential candidates looks more like American society than ever before, and we are closer than ever to the possibility that a woman or LGBT person could hold the country’s highest office.

We have decades of activism by women and the LGBT community to thank for the President and the least Congress can do is to ensure the law recognizes the progress our country has made.

We have come a long way from 1872 when Victoria Woodhull became the first woman to seek the Presidency, decades before women won the right to vote. Today, six women, more than ever before, are running for President.

Almost 100 years after the passage of the 19th Amendment, and thanks to trailblazers like Victoria Woodhull, Shirley Chisholm, and Hillary Clinton, we are closer than ever before to having a woman in the Oval Office.

In 2012, Fred Karger, a Republican, was the first openly LGBT candidate for President, and the 2020 Democratic Presidential field includes one openly LGBT candidate.

The landmark 2015 Supreme Court decision making gay marriage legal in all 50 States means that a future President may have a spouse of the same sex.

Unfortunately, current Federal law is outdated and does not reflect the reality that we could have a female or gay President as soon as 2021.

Today’s bill updates Federal law to reflect the possibility of a female or LGBT President by replacing gender terms like “wife” and “widow” with “spouse.” It also replaces gender-specific pronouns when referring to the President and their spouse with gender-neutral terms.

Without this change, the law that makes it a crime to threaten to kill, kidnap, or inflict bodily harm upon the President, or his "immediate family" would fail to include a future female or gay President.

The words we use matter, and it is critically important that the law recognizes that soon we will have a President who is not a straight man.

I thank the chairman, the ranking member, and all the members of the committee for their support of this important bipartisan bill.

Mr. Speaker, ask my colleagues to support the 21st Century President Act. Ms. BASS. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Ms. JACKSON LEE].

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentlewoman for yielding and let me thank the sponsor of the legislation, the 21st Century President Act.

I wanted to affirm Congressman POCAN for the leadership that he has given to an issue that many might not pay attention to, and the term is appropriate, the 21st Century President Act, which deals with criminalizing threats against former Presidents and their families as well as providing security for those individuals who may be impacted.

For example, section 879 of title 18, enacted in 1982 after the assassination attempt on then-President Ronald Reagan, makes it unlawful to threaten to kill, kidnap or inflict bodily harm upon a former President, President-elect, or Vice President-elect, or a major candidate for President or Vice President, or [an] "immediate family member."

"Immediate family," however is defined with terms such as ‘wife,’ ‘her,’ and ‘widow’—which presumes the president will always be a man and his spouse will always be a woman.

H.R. 677, the 21st Century President Act makes an important contribution in recognition of the historic progress we have made in our country.

In 2016, the Democratic party, one of America’s two major political parties, nominated a woman to be its standard bearer and nominee of President of the United States.

It is clear that the time has come for the language to change to a neutral term of “spouse” to refer to the partner of the President.

Under current law, it is assumed that the President of the United States is male, and the spouse is female.

This accords with America’s past, but does not reflect its future.

It is time for Congress to change the law.

Equality is a principle that we must always embrace and affirm, and a principle that we must always keep working to advance and secure for every American.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 677 to amend federal law to recognize that persons other than men
The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. Bass) that the House suspend the rules and pass the bill, H.R. 677.

Mr. Speaker, I urge my colleagues to support this commonsense measure, and I yield back the balance of my time.

Mr. Speaker, I yield to the gentleman from California (Ms. Bass) for his comment.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The previous question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Providing for Consideration of H.R. 2500, National Defense Authorization Act for Fiscal Year 2020, and Providing for Consideration of Motion to SUSPEND the Rules

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the previous question on the resolution (H. Res. 476) and the amendment thereto to providing for consideration of the bill (H.R. 2500) to authorize appropriations for the Department of Defense activities for the fiscal year 2020.

The SPEAKER pro tempore. The Speaker pro tempore. The question is on ordering the previous question on the resolution (H. Res. 476) and the amendment (H. Res. 476) and the amendment therefor to providing for consideration of the bill (H.R. 2500) to authorize appropriations for the Department of Defense activities for the fiscal year 2020.

The Speaker pro tempore. The question is on ordering the previous question on the resolution (H. Res. 476) and the amendment therefor to providing for consideration of the bill (H.R. 2500) to authorize appropriations for the Department of Defense activities for the fiscal year 2020.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Providing for Consideration of H.R. 2500, National Defense Authorization Act for Fiscal Year 2020, and Providing for Consideration of Motion to SUSPEND the Rules

The SPEAKER pro tempore. The Speaker pro tempore. The question is on ordering the previous question on the resolution (H. Res. 476) and the amendment therefor to providing for consideration of the bill (H.R. 2500) to authorize appropriations for the Department of Defense activities for the fiscal year 2020.

The Speaker pro tempore. The question is on ordering the previous question on the resolution (H. Res. 476) and the amendment therefor to providing for consideration of the bill (H.R. 2500) to authorize appropriations for the Department of Defense activities for the fiscal year 2020.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WOODALL. Madam Speaker, I recorded a demand vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.
July 10, 2019

The vote was taken by electronic device, and there were—ayes 234, noes 197,
not voting 1, as follows:
[Roll No. 435]
AYES—234
Adams
Aguilar
Allred
Amash
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cummings
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
Garcı́a (IL)

Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy
Nadler
Napolitano
Neal
Neguse
Norcross

Abraham
Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson

Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)

O’Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small
(NM)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watson Coleman
Welch
Wexton
Wilson (FL)
Yarmuth

lotter on DSKBCFDHB2PROD with HOUSE

NOES—197

VerDate Sep 11 2014

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CONGRESSIONAL RECORD — HOUSE

Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)

Jkt 089060

Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duffy
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth

Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)

Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—1
Wild

b 1639
So the amendment was agreed to.
The result of the vote was announced
as above recorded.
The SPEAKER pro tempore. The
question is on the resolution, as
amended.
The question was taken; and the
Speaker pro tempore announced that
the ayes appeared to have it.
RECORDED VOTE

Mr. WOODALL. Madam Speaker, I
demand a recorded vote.
A recorded vote was ordered.
The SPEAKER pro tempore. This is a
5-minute vote.
The vote was taken by electronic device, and there were—ayes 234, noes 197,
not voting 1, as follows:
[Roll No. 436]
AYES—234
Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer

PO 00000

Frm 00029

Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas

Fmt 7634

Sfmt 0634

Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)

Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cummings
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
Garcı́a (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries

Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (NY)
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy
Nadler
Napolitano
Neal
Neguse
Norcross
O’Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Phillips

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne

Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duffy
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann

Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small
(NM)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watson Coleman
Welch
Wexton
Wilson (FL)
Yarmuth
Zeldin

NOES—197

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H10JYPT1

Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)


The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinishing business is the vote on the motion to suspend the rules and pass the bill (H.R. 1044) to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for family-sponsored immigrants, and for other purposes, as amended, on which the yeas and nays were ordered.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FAIRNESS FOR HIGH-SKILLED IMMIGRANTS ACT OF 2019

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1044) to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1044) to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes, as amended, on which the yeas and nays were ordered.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1078

Mr. BRINDISI. Madam Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 1078.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON EDUCATION AND LABOR

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Education and Labor:


Hon. Nancy Pelosi, Speaker, House of Representatives, Washington, DC.

Dear Speaker Pelosi: I write respectfully to tender my resignation as a member of the Committee on Education and Labor. It has been an honor to serve in this capacity.

Sincerely,
FRANCIS ROONEY, Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.
ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Ms. CHENEY. Madam Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 481

Resolved, That the following named Members be, and are hereby, elected to the following committees of the House of Representatives:

(1) Committee on the Budget.—Mr. Kevin Hern of Oklahoma, to rank immediately after Mr. Norman.

(2) Committee on Education and Labor.—Mr. Keller.

(3) Committee on Oversight and Reform.—Mr. Keller.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REQUEST TO CONSIDER H.R. 962, BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT

Mr. HICE of Georgia. Madam Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 962, the Born-Alive Abortion Survivors Protection Act, and ask for its immediate consideration in the House.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HICE) requests unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 962, the Born-Alive Abortion Survivors Protection Act, and ask for its immediate consideration in the House.

The Chair appoints the gentleman from Texas (Mr. CUELLAR) to preside over the Committee of the Whole.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020

GENERAL LEAVE

Mr. SMITH of Washington. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 2500.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. TURNER), who is the ranking member on the Subcommittee on Strategic Forces.

The Chair recognizes the gentleman from Texas (Mr. THORNBERY) each will control 30 minutes.

The Chair recognizes the gentleman from Washington (Mr. SMITH) and the gentleman from Texas (Mr. THORNBERY).

Mr. CHENEY. Madam Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration in the House.

The SPEAKER pro tempore. Pursuant to H.Res. 476 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill H.R. 2500.

The Chair appoints the gentleman from Texas (Mr. CUELLAR) to preside over the Committee of the Whole.
So the President said it can’t be 733; it has got to be 700. And then he agreed to 750. That doesn’t make a lot of sense. The 733 number is the number that we planned to.

Now, I will agree that there is a robust debate that can be had about that: Should it be 750 or 733? I very strongly support the 733 number. I don’t think giving the Pentagon an additional $17 billion at the last minute is fiscally responsible. I agree with the ranking member, who has said, in the years when we were cutting the defense budget by 20 percent, that wasn’t responsible either. I think 733 is responsible, but I can hear arguments for the other side.

What doesn’t make sense is to say that, if you don’t get 750, somehow 733 is so bad that we have to vote against it. That simply doesn’t make sense. 733 is the largest amount of money we have ever spent on the Pentagon. It more than funds our national security needs.

I believe this is a very strong bill. We will debate many other issues. When we get done, I hope we can uphold that bipartisan tradition and show that we support national security and we support the men and women who are putting their lives on the line for our country.

I reserve the balance of my time.

House of Representatives,
Committee on House Administration,
Hon. Adam Smith,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC.
Dear Chairman Smith:
I am writing to you concerning H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020.
There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on House Administration.
In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee’s right to sequential referral. I do so with the understanding that by waiving consideration of the bill the House Committee on Agriculture does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.
Please place this letter into the committee report on H.R. 2500 into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.
Sincerely,
Collin C. Peterson,
Chairman.

House of Representatives,
Committee on Appropriations,
Washington, DC, June 18, 2019.
Hon. Adam Smith,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC.
Dear Mr. Chairman:
I am writing to you concerning the bill H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Appropriations.
In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee’s right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on Appropriations does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.
Please place this letter into the committee report on H.R. 2500 into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.
Sincerely,
John Yarmuth,
Chairman.
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. I agree that the Committee on Education and Labor has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by waiving this committee’s right to sequential referral, the Committee on Education and Labor will be appropriately consulted and involved as this or similar legislation moves forward. The Committee reserves the right to request a referral in the interest of expediting consideration of the measure on the House Floor. Thank you for the cooperative spirit in which you have worked regarding this matter.

Sincerely,

MAXINE WATERS, Chairwoman.

Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. I agree that the Committee on Financial Services has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by waiving this committee’s right to sequential referral, the Committee on Financial Services is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH, Chairman.

Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. I agree that the Committee on Foreign Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by waiving this committee’s right to sequential referral, the Committee on Foreign Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH, Chairman.

Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. I agree that the Committee on Energy and Commerce has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by waiving this committee’s right to sequential referral, the Committee on Energy and Commerce is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH, Chairman.

Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. I agree that the Committee on Armed Services has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by waiving this committee’s right to sequential referral, the Committee on Armed Services is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH, Chairman.

Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR CHAIRMAN: I am writing to you concerning the bill H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Foreign Services.

In the interest of permitting your Committee to proceed expeditiously to floor consideration of H.R. 2500, I am willing to waive this Committee’s right to sequential referral and forgo formal consideration of H.R. 2500 at this time. I do so with the understanding that by waiving consideration of the bill, the Committee on Financial Services does not waive any future jurisdiction over the subject matters contained in H.R. 2500 which fall within the Committee’s Rule X jurisdiction. I also do so under the mutual understanding that the Committee on Financial Services will be appropriately consulted and involved as this or similar legislation moves forward. The Committee reserves the right to request a referral in the interest of expediting consideration of the measure on the House Floor. Thank you for the cooperative spirit in which you have worked regarding this matter.

Sincerely,

FRANK Pallone, Jr., Chairman.

Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN: Thank you for your letter regarding H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. I agree that the Committee on Armed Services has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by waiving this committee’s right to sequential referral, the Committee on Armed Services is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH, Chairman.

Chairwoman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR MS. CHAIRWOMAN: Thank you for your letter regarding H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. I agree that the Committee on Financial Services has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I agree that by waiving this committee’s right to sequential referral, the Committee on Financial Services is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

MAXINE WATERS, Chairwoman.
worked regarding this matter and others between our respective committees.

Sincerely,

ELIOT L. ENGEL,
Chairman.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. I agree that the Committee on Homeland Security has valid jurisdictional claims to certain provisions in this important legislation, and I am very appreciative of your decision to not to request a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Homeland Security is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH,
Chairman.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of H.R. 2500, the Committee on Homeland Security does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 2500 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

Hon. RAÚL M. GRIJALVA,
Chairman, Committee on Natural Resources.

DEAR MR. CHAIRMAN: I am writing to you concerning H.R. 2500, the ‘National Defense Authorization Act for Fiscal Year 2020.’ There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Homeland Security.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee’s right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Judiciary Committee does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 2500 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

JERROLD NADLER,
Chairman, Committee on the Judiciary.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee’s right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Judiciary Committee does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 2500 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

ELIJAH E. CUMMINGS,
Chairman.
I agree that the Committee on Oversight and Reform has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I am willing to waive this committee’s right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on Small Business does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 2500 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

NYDIA M. VELÁZQUEZ,
Chairwoman.

DEAR MR. SMITH: I am writing to you concerning the bill H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. I agree that the Committee on Small Business has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I am willing to waive this committee’s right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on Small Business does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 2500 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

PETER A. DEFAZIO,
Chair.

DEAR MR. SMITH: I am writing to you concerning the bill H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. I agree that the Committee on Small Business has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I am willing to waive this committee’s right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on Small Business does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place a copy of this letter and your response in the committee report. I agree that by foregoing a sequential referral, the Committee on Veterans’ Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to appoint Committee on Veterans’ Affairs members to any conference committee which is named to consider such provisions.

Sincerely,

MARK TAKANO,
Chairman.

DEAR MR. SMITH: I am writing to you concerning the bill H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. I agree that the Committee on Veterans’ Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request a referral in the interest of expediting consideration of the bill. I am willing to waive this committee’s right to sequential referral. I do so with the understanding that by waiving consideration of the bill the Committee on Veterans’ Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to appoint Committee on Veterans’ Affairs members to any conference committee which is named to consider such provisions.

Sincerely,

PETER A. DEFAZIO,
Chair.
waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH, Chairman.

HOUSE OF REPRESENTATIVES.
COMMITTEE ON INTELLIGENCE.
June 18, 2019.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services.
House of Representatives, Washington, DC.

Dear Chairman Smith: I am writing to you concerning H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. Certain provisions in the legislation fall within the jurisdiction of the House Permanent Select Committee on Intelligence (HPSCI), as set forth in the Rules of the House of Representatives for the 116th Congress.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee’s right to sequential referral. By waiving consideration of H.R. 2500, HPSCI does not waive any future jurisdictional claim over the subjects contained in the bill which fall within HPSCI’s Rule X jurisdiction. I further request that you urge the Speaker to appoint members of HPSCI to any conference committee which is named to consider provisions addressed to such subjects.

Please place this letter into the committee report on H.R. 2500 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

ADAM B. SCHIFF, Chairman.

HOUSE OF REPRESENTATIVES.
COMMITTEE ON ARMED SERVICES.
Washington, DC, June 18, 2019.

Hon. ADAM SMITH,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

Dear Mr. Chairman: Thank you for your letter regarding H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. I agree that the Permanent Select Committee on Intelligence has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to refer, or request a referral in the interest of expediting consideration of the bill. I agree that by foregiving a sequential referral, the Permanent Select Committee on Intelligence is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

ADAM SMITH, Chairman.

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I first want to thank Chairman Smith and the members of the Armed Services Committee for the work they have put into developing this product and the course of the year. We have a number of new members on the committee, and I continue to be impressed with the seriousness with which they take their task, with the different insights based on their background and perspective. It has been very helpful.

I also want to thank the staff. As you can tell, Mr. Chairman, from the size of the bill, as well as the number of amendments filed throughout the process, it is a big job, and a limited number of staff have worked very hard to get us to this point.

I think maybe it is helpful to just step back and respond and talk about what this bill is about.

The Preamble of the Constitution says that one of the reasons we have a government is to provide for the common defense. Article II, Section 2, goes into specifics by putting the responsibility on Congress’ shoulders to raise and support, provide and maintain the military forces for the United States.

I, well, we do or do not that job that the Constitution puts on us has real consequences. Literally, the life and death of the men and women who serve are at stake, as well as the security, the safety, and the well-being of all Americans.

Now, as the chairman noted, for 58 straight years, one of the ways we have fulfilled the responsibilities under the Constitution has been to pass, and a President of both parties has signed, a National Defense Authorization Act. Fifty-eight straight years that has occurred. And most of that time, at least certainly in my experience over the last 25 years, it has been done on a bipartisan basis.

For example, in last year’s bill, the committee reported the bill favorably by a vote of 60–1. The year before that, it was 60–2. The year before that, it was 60–2. Last year, on final passage, the vote on this floor was 351–66. The year before that, it was 344–81.

I could go on, but the point is, that there has been strong bipartisan support in fulfilling that essential responsibility under the Constitution.

As you know, Mr. Chairman, this year is different. I think the bill was reported out of committee by a vote of 33–24, and the reasons were serious, substantive disagreements with provisions that were in the bill.

As the chairman himself, said in, I believe, 2016: “There is nothing shameful about making a legitimate policy choice to oppose the NDAA or any other bill . . . Regardless of whether we support the NDAA or not, we all support the brave men and women of our military who defend the country.”

I think the chairman was right then, and I think the statement is still true today.

When the bill came out of committee, some of us had a hard time deciding whether to support it or not because there are many good elements in this bill. And it is absolutely true that, from the ground up, a number of Republicans, as well as Democrats, have worked together to contribute to this bill. When we were some adjustments that could be made that would enable most Members to support it.

Unfortunately, that is not what we are seeing today.

Now, the problem with that, Mr. Chairman, is there is virtually no opportunity to improve the administration’s request by $17 billion, to fail to keep that momentum on fixing our readiness, on modernization, on research in key areas, all of the different categories in making sure that we continue to improve the situation for our troops.

Mr. Chairman, there are a lot of good things in this bill, but they don’t seem
to overcome the ways in which this bill takes steps backwards. I don’t know. There are lots of things we could talk about. The bottom line, however, is there is only one thing that matters: does this bill adequately support our troops and American national security? There are other criteria, no other criteria, that matters the way that that fundamental question does.

I am concerned that this bill does not meet that standard. I know a number of my colleagues are concerned about that as well.

We have hopes that at some point in the process, the bill will actually come closer to adequately supporting our troops and American national security, but it is not there yet. And I have concerns, given what the Rules Committee has done, that it will be hard to do so on this floor.

Mr. Chair, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I will just say quickly that I completely agree with the ranking member. The question is, does this bill adequately support our national security?

I don’t think that is even debatable. There is no question that at $733 billion, with all the bipartisan provisions that we put in there, this bill more than adequately supports our troops and supports our national security.

That is why I think it is so wrong that even in committee, the Republicans have decided to oppose it. It does more than adequately support.

Now, there are things we disagree with, certainly, but I totally agree with that formulation. If you believe this bill at least adequately, I think more than adequately, supports it, you ought to vote for it.

The only comment I will make on the floor is that we submitted 480 on the Democratic side, the Republicans submitted 201. So, yes, there are going to be more Democratic amendments, because we, I guess, are a little bit more prolific in that regard, but there is not a partisan effort in that.

Mr. Chair, I yield 3 minutes to the gentleman from New Jersey (Mr. Norcross), the chairman of the Tactical Air and Land Forces Subcommittee.

Mr. NORCROSS. Mr. Chair, I thank the members for voting and thank the work that we have all done, particularly under his leadership, to bring this to the floor.

Mr. Chair, this bill continues that long tradition of transparent and bipartisan work by the Tactical Air and Land Forces Subcommittee to support the development and delivery of capabilities that make America’s land forces the best in the world.

Mr. Chair, I would like to thank our subcommittee ranking member, Mrs. Harttler, for her collaboration and her contribution to the bill. Both she and her staff have been helpful during this entire process. It is certainly what works well here in Congress. And I appreciate her commitment to the bipartisan tradition we proudly uphold on our subcommittee.

The subcommittee mark was adopted by unanimous voice vote, which is indicative of how important it was to both Democrats and Republicans, but most importantly, Americans.

This cooperation helped us focus on what is important: that we deliver a defense authorization act that meets the modernization and readiness requirements of our Nation’s air and land forces.

The committee used the $733 billion as a top line based on sworn testimony from military officials, and the $733 billion is the amount that would give our forces a competitive advantage, based on the capabilities of Russia and China, by 2025.

In fact, the Chairman of the Joint Chiefs of Staff, General Dunford, said that $733 billion is completely informed by the analysis conducted by the military, for the path of capability development.

This goes to the heart of the conversation that we are having here: Are we doing what is right? Certainly the military let that out in the number that they provided for the research, development, and acquisition of modern defense systems recommended by our military leaders.

At the same time, this bill includes bipartisan provisions that increase our oversight of the Department’s largest, most complex, and expensive programs to protect the taxpayers, support our troops, and boost American industry.

Overall, this is a thoughtful, carefully constructed bill that emphasizes aggressive, effective oversight for the development of our country.

Mr. THORNBERRY. Mr. Chair, I yield 2 minutes to the distinguished gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Chair, I rise to express concerns regarding H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020, specifically the overall top-line budget for the Department of Defense that is outlined in the bill.

Senior military commanders, including General Dunford and Secretary Mattis, have testified that a 3 to 5 percent real growth in the defense budget to top out in 2026 is necessary to maintain readiness recovery and our competitive edge over peer adversaries like Russia and China.

Regrettably, this bill in its current form reduces the President’s budget request by 17 percent to achieve an arbitrary lower top line.

To reach this lower top line, many critical modernization and readiness programs had funding reduced that will slow our recovery efforts. These programs include hypersonic munition development, the Air Force Next Generation Air Dominance program, and F–15C spare and repair parts.

I am concerned that we are creating conditions that could prohibit the realization of the National Defense Strategy and impact our ability to project credible deterrence at a time when we need it most, given the evolving threats that we now face.

Mr. Chair, as the ranking member of the Tactical Air and Land Forces Subcommittee, I would like to thank our subcommittee chairman, DONALD NORCROSS, for his leadership and his bipartisanship.

From a policy perspective, I am pleased with the legislative outcomes the subcommittee was able to accomplish with this bill. For example, the bill rightfully recognizes the importance of fifth generation strike fighter capability and also supports growing fighter force structure capacity through strong support for both the F–35EX and the F–35 programs.

The bill appropriately provides oversight on vehicle Active Protection Systems for combat and tactical vehicles and authorizes additional funding for those critically needed systems.

The NDAA has always been a product of bipartisan consensus, and I hope that as we go forward with the floor process, we can reach that level of consensus again.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), who is the chair of the Intelligence and Emerging Threats and Capabilities Subcommittee.

Mr. LANGEVIN. Mr. Chair, I want to thank the gentleman for yielding.

Today I rise in strong support of the fiscal year 2020 NDAA, and I would like to thank Chairman SMITH for his work on this important legislation.

I am particularly pleased with the provisions in the bill that were reported out of the Intelligence and Emerging Threats and Capabilities Subcommittee, which I chair.

Mr. Chair, I want to also begin by thanking my subcommittee ranking member, Ms. STEFANIE, for her contributions to this bill and her bipartisan partnership throughout the process.

Befitting our focus on emerging capabilities, this bill provides for additional investments in cybersecurity as well as 5G technology, and additive manufacturing, and supports education programs to grow the STEM workforce.

Recognizing the challenges of foreign intelligence services targeting academic institutions, the bill establishes a public-private partnership at the National Academies to address counterintelligence concerns, while maintaining an open and collaborative research environment.

Provisions are included also to synchronize efforts and leverage best practices across the Department relating to network, industrial base, military installation, and weapon system cybersecurity. We strengthen oversight of military operations and capabilities to ensure the administration’s more assertive posture continues to promote stability in cyberspace.
Mr. Chair, I have supported every National Defense Authorization Act since I arrived in Congress 11 years ago. Unfortunately, in its current form, I rise in opposition to H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. This bill does a number of good things. Notably, it includes an authorization of 11 ships, it reaffirms congressional support for midlife refueling of the USS John C. Stennis, it robustly supports the merchant marine with the renewal of the Maritime Security Program, and it provides for a new tanker security program that our services need. In summary, the bill did a good job with the resources that were provided. However, due to the decimation of $15 billion from the President’s budget request, the bill imposed the limitations on low-yield nuclear weapons, restrictions on the President’s request to secure the border, and an entirely avoidable failure to delay the construction of the next Ford-class aircraft carrier by 1 year, eliminate a replenishment ship, reduce the Navy’s innovation by limiting development of unmanned surface vessels, and restrict critical development of anti-mine warfare programs. Additionally, this top-line reduction limited our flexibility to address critical shortfalls in amphibious ships and weapons. Simply put, we can do better. While I am concerned about the entirety of this current bill, I am not concerned about the bipartisan nature of our approach. I specifically thank Chairman COURTNEY and his team for their extraordinary effort and their leadership toward a bipartisan subcommittee mark. He did extraordinary work reaching across the aisle and getting everybody’s thoughts and ideas about what should be in the subcommittee mark, something that should also be part of every continuing effort subsequently. I have no doubt in his support for our national security, and I appreciate his dedication and passion for this effort.

In the end, I am hopeful that our amendment debate in the following days will serve to make our bill a stronger, bipartisan bill. But in its current form, I urge my colleagues to oppose final passage. Mr. SMITH of Washington. Mr. Chair, I yield an additional 30 seconds to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Chair, our military is the finest in the world, but there must be accountability and the Department must live within its means. Mr. Chair, I commend Chairman SMITH for striking an appropriate balance with this NDAA, and I urge my colleagues to support it.

Mr. THORNBERRY. Mr. Chair, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Mr. Chair, I thank the ranking member for yielding.

Mr. Chair, I have supported every National Defense Authorization Act since I arrived in Congress 11 years ago. Unfortunately, in its current form, I rise in opposition to H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020. This bill does a number of good things. Notably, it includes an authorization of 11 ships, it reaffirms congressional support for midlife refueling of the USS John C. Stennis, it robustly supports the merchant marine with the renewal of the Maritime Security Program, and it provides for a new tanker security program that our services need. In summary, the bill did a good job with the resources that were provided. However, due to the decimation of $15 billion from the President’s budget request, the bill imposed the limitations on low-yield nuclear weapons, restrictions on the President’s request to secure the border, and an entirely avoidable failure to delay the construction of the next Ford-class aircraft carrier by 1 year, eliminate a replenishment ship, reduce the Navy’s innovation by limiting development of unmanned surface vessels, and restrict critical development of anti-mine warfare programs. Additionally, this top-line reduction limited our flexibility to address critical shortfalls in amphibious ships and weapons. Simply put, we can do better. While I am concerned about the entirety of this current bill, I am not concerned about the bipartisan nature of our approach. I specifically thank Chairman COURTNEY and his team for their extraordinary effort and their leadership toward a bipartisan subcommittee mark. He did extraordinary work reaching across the aisle and getting everybody’s thoughts and ideas about what should be in the subcommittee mark, something that should also be part of every continuing effort subsequently. I have no doubt in his support for our national security, and I appreciate his dedication and passion for this effort.

In the end, I am hopeful that our amendment debate in the following days will serve to make our bill a stronger, bipartisan bill. But in its current form, I urge my colleagues to oppose final passage. Mr. SMITH of Washington. Mr. Chair, I yield a pleased to yield 2 minutes to the distinguished gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Chair, I thank the chairman for yielding. Mr. Chair, the Strategic Forces Subcommittee probably has the heaviest responsibility of any in Congress, or possibly in the world, because authorizing nuclear weapons affects the fate of the Nation and of the planet. I thank all of our subcommittee members and our wonderful staff for their hard work on this bill.

The most important duty of our government is to defend the Nation, and the number one priority of the Defense Department is to make sure that we have safe, secure, reliable, and effective nuclear weapons. This subcommittee has a long tradition of bipartisanship on these vital issues.

This bill upholds our commitment to maintaining a strong nuclear deterrent force. We owe it to our constituents, to our allies, and to the planet to strengthen and preserve the remarkable peace and prosperity that the world has known for the last 75 years. As an example, this bill funds the National Nuclear Security Administration at 4.3 percent over last year’s appropriation, which also means a $608 million increase to the NNSA Weapons Activities programs.

We take steps to reduce the risk of nuclear miscalculation. This bill denies President Trump’s request for a new low-yield nuclear weapon for use on our nuclear submarines, a request that would undermine our security. The last 60 years of nuclear deterrent strategy were based, in large part, on the U.S. strategic nuclear submarine force, that most sure leg of our triad, never being used for tactical nuclear weapons. Deploying another low-yield nuclear weapon, of which we have countless ones and other delivery systems, is not only unnecessary but a dangerous policy.

We prioritize a production level of 30 plutonium pits a year and making this happen as soon as possible by 2026. This goal alone will be extremely challenging. We must set up NNSA for success.

On arms control treaties, we continue to be challenged by the administration, which continues to try to upend treaties. This bill supports the Open Skies Treaty. Mr. Chair, I look forward to our colleagues supporting this important legislation.

Mr. THORNBERRY. Mr. Chair, I am pleased to yield 2 minutes to the distinguished gentlewoman from New York (Ms. STEFANIK).

Ms. STEFANIK. Mr. Chair, I thank the ranking member for yielding. First, I thank my colleague and counterpart, Chairman Jim LANGEVIN, for his bipartisan work on this bill. As ranking member of the Subcommittee on Strategic Forces, I long tradition of our subcommittee’s jurisdiction. We continue our focus on emerging technologies, including manufacturing technologies that are fundamental to our advancements and scaling of
hypersonic weapons and directed energy. We also include an emphasis on basic research and the important contributions provided by universities and Department of Defense labs. And we enhanced capabilities and support for our Special Operations Forces including additional funds for the Prevention of the Force and Families program.

The bill also extends the National Security Commission on Artificial Intelligence, which is a provision I sponsored as part of last year’s NDAA that created this Commission to advance the development of AI. The Commission’s recommendations will help us maintain global leadership in AI research and prepare our citizens for an AI-enabled future.

As a second broad theme, this bill continues the tradition of robust congressional oversight of sensitive military operations and activities, including cyber, counterterrorism, and intelligence. These are broad, bipartisan frameworks put in place several years ago by then-Chairman Mac Thornberry, as well as myself and subcommittee Chairman Jim Langevin. I am pleased that we continue to advance these frameworks forward.

As we move forward to debate and consider this NDAA, we should remind ourselves of our role in national security as a legislative body. It is our principal responsibility to protect our home and provide our men and women in uniform the tools and training they need to safely execute their dangerous missions on our behalf.

I am very concerned about where our colleagues in the majority are taking this bill and whether we are fulfilling that duty. Despite Ranking Member Thornberry’s hard work in committee to restore funding to $750 billion, this bill remains $15 billion short of the recommendations from former Secretaries of Defense, current Acting Secretaries of Defense, and senior military commanders.

The CHAIR. The time of the gentlewoman has expired.

Mr. THORNBERRY. Mr. Chair, I yield an additional 30 seconds to the gentlewoman from New York.

Ms. STEFANIK. With the top-line of $735 billion, this bill would cut personnel accounts; limit programs that are crucial to our national security; squander $538 million of sunk costs to cancel refueling the carrier USS Harry S. Truman, which would have squandered $2.8 billion; and provide only $735 billion, this bill would cut personnel accounts; limit programs that are crucial to our national security; squander $538 million of sunk costs to cancel refueling the carrier USS Harry S. Truman, which would have made $2.8 billion; and provide only $15 billion short of the recommendations from former Secretaries of Defense, current Acting Secretaries of Defense, and senior military commanders.

The CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. Mr. Chair, I am pleased to yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY), the chairman of the Subcommittee on Seapower and Projection Forces.

Mr. COURTNEY. Mr. Chair, I rise in strong support of the 2020 National Defense Authorization Act. As chair of the Seapower and Projection Forces Subcommittee, I believe this bill invests in critical priorities for our Nation in a new era of great power competition. On seapower, we responsibly scrupulously identified the portions of the President’s budget request under our jurisdiction and identified savings that allow us to smartly provide for the ships, aircraft, and capabilities our Nation needs.

This bill authorizes a $22 billion shipbuilding budget to construct 11 battle force ships, including three Virginia-class submarines, three Arleigh Burke destroyers, one frigate, one LPD amphibious transport dock, one FFGX, and two salvage and rescue ships. Also, this bill will statutorily reverse the administration’s baffling decision to cancel refueling the carrier USS Harry S. Truman, which would have squandered $2.8 billion; and provide only $15 billion short of the recommendations from former Secretaries of Defense, current Acting Secretaries of Defense, and senior military commanders.

Additionally, on sealift, we translated the urgent testimony from leaders at MARAD into real action by legislation reauthorization of the Maritime Security Program, creating a new tanker security program to secure our military’s fuel supply, and establishing a new-build domestic sealift vessel program.

This bill also provides strong support for our projection forces, including the KC-46 tanker, the B-21 long-range bomber, and the B-52 re-engining program.

Outside of seapower, the full committee worked hard to improve quality of life for servicemembers and their families. I am pleased that my amendment at committee is included in this bill, which reverses last year’s callous DOD order blocking longer term servicemembers’ ability to transfer their GI Bill benefits to eligible dependents.

This mark would not have been possible without the work of my friend and ranking member, Rob Wittman; our subcommittee staff; Phil Stackley; MacNaughton, Dave Sienicki, and Megan Handal; and all our subcommittee members, particularly our new members, and their contributions to this year’s bill.

Overall, I am confident that the bill will withstand the test of time, which had significant bipartisan input, will meet the pressing needs of the sea services and protection forces and provide a historic boost of quality of life that our All-Volunteer Force deserves. I strongly encourage my colleagues to support this legislation when it comes to a vote Friday.

Mr. THORNBERRY. Mr. Chair, I am pleased to yield 2 minutes to the distinguished gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Chair, I thank the ranking member for yielding and for his leadership.

Mr. Chair, as we consider H.R. 2500, the 2020 National Defense Authorization Act, it is important to remember that this bill is about ensuring the men and women in our Armed Forces and their families that they have what they need to defend our great Nation. We have done well in some respects, but we have come up regrettably short in other areas vital to our military.

I am proud of the bipartisan work the Readiness Subcommittee completed under the leadership of my friend, Chairman Garamendi. We funded all MILCON projects on the unfunded requirements lists, prohibited nondisclosure agreements in privatized military family housing, directed development of a tenants’ bill of rights, directed TRANSCOM to do a business case analysis before awarding global household goods contract, and took major steps to address fluorinated firefighting foams.

This bill comes to the floor as we emerge from a dangerous readiness crisis. We have made huge investments to build readiness while also modernizing for near-peer competitors, but we cannot move backward now.

Secretary Mattis and General Dunford said we needed 3 to 5 percent real growth to keep our competitive edge against Russia and China. By not supporting the $750 billion request, we are not maintaining that edge.

The bill does not support strategic priorities such as hypersonic and low-yield weapons, and it fails to fund almost $1.5 billion in key readiness accounts. It also failed to fund a high-value detainee complex at Guantanamo Bay.

For these reasons, I could not support final passage of the NDAA out of committee. I am hopeful that we can improve the bill in a bipartisan way through the amendment process. Failing that, I will urge my colleagues to vote against final passage.

Mr. SMITH of Washington. Mr. Chair, I am pleased to yield 2 minutes to the gentleman from California (Mr. Garamendi), the chairman of the Readiness Subcommittee.

(Mr. Garamendi asked and was given permission to revise and extend his remarks.)

Mr. GARAMENDI. Mr. Chair, I rise in support of this legislation. It is a good piece of legislation.

I thank Chairman Smith; Ranking Member Thornberry; and my colleagues, Mr. Lamborn, for working with our committee. We worked closely with members of the committee on and off to ensure that the bill addresses four priority areas affecting our military.

First, we ask the question: Is the military ready for climate change? It is not. In the last 12 months, severe storms have devastated Marine Corps
Base Camp Lejeune, Marine Corps Air Station Cherry Point, Tyndall Air Force Base, and Offutt Air Force Base. This NDAA will accelerate and enhance readiness by requiring the Department of Defense to plan for and respond to the threat that climate change poses to military training and operations.

Second, the bill includes a number of bipartisan provisions aimed at addressing problems associated with the management and oversight of military housing for families.

Third, the bill authorizes additional funding and includes bipartisan provisions to mitigate drinking water contamination resulting from fluorinated compounds used in military installations.

Fourth, the bill continues to uphold the committee’s responsibility to conduct oversight of, and provide support for, military training maintenance and infrastructure. For example, the mark authorizes $256.4 billion, an $8.8 billion increase over the President’s budget request for construction projects associated with the European Deterrence Initiative and authorizes $11.5 billion for military construction, family housing, and implementation of previous Base Realignment and Closure activities.

This includes $168 million above the budget request for construction projects associated with the European Deterrence Initiative and authorizes 31 additional programs.

Mr. Chair, today I rise in support of the fiscal year 2020 National Defense Authorization Act (NDAA). I would like to start by thanking Chairman Smith and the House Armed Services Committee staff who have worked many long nights putting together this year’s NDAA. The bill that is before the House is a good bill and I encourage my colleagues to support its passage.

As the Chairman of the Readiness Subcommittee, I worked closely with members on and off the committee to ensure the bill addressed three priority areas affecting our military. First, the bill includes a number of bipartisan provisions aimed at addressing problems associated with the management and oversight of military housing. The bill does the following:

- Requires the military services to establish a tenants’ bill of rights for residents of privatized military family housing.
- Requires the Secretary of Defense to develop an assessment tool to identify and measure health and safety hazards in housing.
- Prohibits the use of non-disclosure agreements in connection with entering into, continuing, or terminating a lease for on-base military housing.
- Authorizes an additional $140.8 million to hire additional civilian personnel to improve oversight and management of military family housing.

Creates a public database for complaints related to military housing, requires annual financial audits of randomly selected privatized military family housing, and annual congressional reports on the condition, maintenance, and management of privatized military family housing.

Second, the bill authorizes additional funding and includes bipartisan provisions to mitigate drinking water contamination resulting from fluorinated compounds around military installations.

- Prohibits the release of fluorinated firefighting foam (AFFF) at military installations except in cases of emergency response or in limited circumstances.
- Requires the Secretary of Navy to complete a new military specification by January 2025 for a fluorine free firefighting agent to be used at all DoD installations and a complete ban on fluorinated foams on military installations by September 2028, or sooner if possible.
- Authorizes the National Guard to access Defense Environmental Remediation Account funds, for five years, for the limited purpose of addressing Per- and Polyfluoroalkyl Substances (PFAS) exposure and contamination.
- Prohibits the use of fluorinated AFFF in training exercises and encourages the Department to ensure adequate training for individuals in regular contact with AFFF about the potential dangers associated with PFAS.
- Requires a report on the Department’s understanding of best-practices for cleanup and disposal of PFAS.
- Provides an additional $121.3 million in environmental restoration accounts for remediation activities related to perfluorinated chemicals in drinking water on or near military installations; and
- Authorizes DoD to provide fresh water and treatment of contaminated water for agricultural purposes adjacent to a military installation where water is contaminated due to military activities.

Third, the bill contains a number of sensible provisions requiring the Department of Defense to plan for and respond to the threat that climate change poses to military installations and military operations.

- Requires DoD to develop installation master plans that assess current climate vulnerabilities and calculate the risk of climate change.
- Limits DoD’s ability to spend planning and design funds until it initiates the process of amending the building standards for climate change construction to ensure that building practices and standards promote energy, climate, and cyber resilience at military installations.
- Requires all proposals for military construction projects to consider potential long-term changes in environmental conditions, and increasingly frequent extreme weather events, as well as, industry best-practices to withstand extreme weather events.
- Authorizes an additional $40 million for the Department’s Energy Resilience and Conservation Investment Program; and
- Directs the Secretary of Defense to develop a climate vulnerability and risk assessment tool to assist in providing standardized risk calculations of climate-related impacts to military installations and capabilities.

Further, the bill also includes important provisions to reform border deployment and ensure funding for our military is spent wisely and as Congress intended, and not on an unnecessarily border wall.

It prevents the President from diverting Defense funding to pay for an unnecessary border wall; and

Includes a blanket prohibition on funding for the construction of a wall, barrier, or fence along the southern border.

- Prohibits reprogramming of funds into the counter drug account, which has been used by the Administration to backfill MILCON projects and/or forward fund portions of the wall.
- Modifies an authority the DoD uses when deploying active duty personnel to the border to require all support to be reimbursable and require a waiver that the deployment won’t affect readiness, the support task aligns with the unit’s mission, the task is inherently government and can’t be contracted.

Amends the emergency construction authority (10 USC 2808) to limit the total cost of military construction projects undertaken during a national emergency to $500 million, with a further limit of $100 million for construction projects associated with the United States’ foreign policy.

In addition, the bill continues to uphold the committee’s responsibility to conduct oversight of, and provide support for, military training maintenance, and infrastructure.

In addition, this year’s NDAA funds important priorities at Travis and Beale Air Force Base, enabling it to continue to support intelligence, surveillance, and reconnaissance (ISR) and multidomain operations.

I’m proud of the funding authorized by, and legislative provisions included in the Readiness mark. I believe the mark ensures Congress fulfills its oversight responsibilities, helps advance our military’s near-term readiness goals, and drives the Department to plan for and take action against long-term threats.

I’m also pleased this NDAA includes a 3.1 percent pay raise for our troops and includes the text of my bill, H.R. 2617, the Occupational Environmental and Health Act. This will require DoD to input any Occupational Environmental Health hazards exposure into servicemembers’ records while deployed, so it is tracked throughout their career and into veteran status. It will also require the Department to proactively update records based on information contained in the Burn Pit Registry, since many veterans’ health records do not account for their exposures.
Additional provisions I'm pleased are included in the fiscal year 2020 NDAA are included below, many of which are related to the critical oversight the Strategic Forces Subcommittee is conducting over our nuclear weapons enterprise:

- Receives a report from the Secretary of Defense on military-to-military dialogue with foreign countries to reduce the risk of miscalculation, unintended consequences, or accidents that could precipitate a nuclear war;
- Prohibits funding for the deployment of new, low-yield nuclear warheads;
- Clarifies the Defense Nuclear Facilities Safety Board's authorities by providing prompt and unfettered access to defense facilities for independent nuclear oversight;
- Facilitates implementation of the Open Skies Treaty and prohibits funding for withdrawal unless Russia is in material breach or DoD and State provide a certification that withdrawal is in the best interest of national security and have consulted with U.S. allies;
- Increases funding for Nuclear Command, Control, and Communications;
- Repeals the requirement to demonstrate plutonium pit production at a rate of 80 pits per year by 2027, and instead prioritizes producing 30 plutonium pits per year by 2026;
- Until the Nuclear Security Administration submits an analysis of alternatives with respect to replacing the ICBM W78 warhead, this bill cuts $103 million from the Ground-Based Strategic Deterrent, cuts $59 million from the related warhead, and fences remaining funding for the warhead;
- Requires an independent technical study of the W78 replacement and potential problems; and
- Repeals the conventional requirement for the Long Range Stand Off Weapon.

I'm proud of the hard work that's been done to put together a strong National Defense Authorization Act this year, and I urge my colleagues to support the fiscal year 2020 NDAA.

Mr. THORBERRY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Mississippi [Mr. KELLY].

Mr. KELLY of Mississippi. Mr. Chairman, I rise to express concerns with the FY20 NDAA in its current form.

Specifically, I am concerned with the plan to cut $15 billion from the top line requested by the President and, more specifically, $1.2 billion from the President's request for military personnel accounts.

I spent 33 years in uniform serving the Nation but can't support this bill in its current form without changes to the amendment process. While it is true that personnel accounts have historically had money left over at the end of the year, several factors will likely make fiscal year 2020 different.

Over the last few years, there have been soft overages associated with the transition to the new military-blended retirement system because fewer servicemembers are opting into the new retirement system than expected. However, the opt-in period ends this year, so there will be no leftover funds related to this in FY 2020.

Also, in fiscal year 2019, the Army will likely fall short of its end strength goals by approximately 9,500 troops, which will result in excess funds for 2019 because fewer troops came into the Army. However, the Army is likely to meet their comparatively modest end strength goal of FY 2020, so there will likely be no excess funds relating to end strength.

Finally, the 3.1 percent automatic pay raise and the proposed increase in total force end strength means that personnel costs will increase, not go down.

In sum, there is likely to be no excess funding in the military personnel accounts in FY 2020.

In addition, given the provisions in this bill that would greatly restrict reprogramming authority, I am concerned that, if personnel accounts are underfunded, the Department may not have sufficient transfer authority to reprogram funds to fix it.

There are more important provisions in this bill, and I particularly want to thank Chairwoman SPEIER for her work in arriving at a bipartisan subcommittee mark. Specifically, the bill would provide important end strength increases and provide additional benefits for military spouses seeking employment.

In closing, I want to thank Ranking Member THORBERRY and Chairman SMITH for their leadership. I am committed to continuing to work with my colleagues in a bipartisan manner to improve this bill which is so important for our troops and their families.

Mr. SMITH of Washington. Mr. Chairman, I yield myself such time as I may consume.

I would simply note that, in last year's NDAA, when the Republicans were in charge, they cut $751 million from the personnel account, and then the President, 6 months after that, took another $1 billion out of the personnel account to fund his wall.

So, in last year's bill which all of them enthusiastically supported, the personnel account was cut by $1.7 billion. We do not simply rubber-stamp the President's request and never have. What we are doing this year is perfectly in keeping with past history.

I yield 2 minutes to the gentlewoman from California [Ms. SPEIER], the chair of the Military Personnel Subcommittee.

Ms. SPEIER. Mr. Chairman, I am proud to speak in support of this bipartisan bill that contains the priorities of both parties. And while it wasn't unanimous, it does nothing to change our responsibilities to give military members and families bipartisan support. We did that in the Military Personnel Subcommittee, and I thank Ranking Member KELLY for his work.

This bill contains two landmark achievements for our servicemembers and their families. It institutes a comprehensive fix to the festering problem of the so-called widow's tax, ensuring that surviving widows or widowers won't have their DOD and VA benefits offset.

I was once a widow. I know the pain and the emptiness. We must take care of the spouses who sacrifice so much for our Nation.

This bill rectifies a grievous denial of rights to servicemembers who are victims of malpractice at military medical facilities. It empowers our Duty servicemembers to sue the Department for malpractice. For more than a half century, those who put their lives on the line have had fewer legal rights to sue for malpractice than prisoners in Federal prisons.

This bill moves the ball forward on other personnel priorities by funding a 3.1 percent pay raise; shortening childcare backlogs; improving sexual assault prevention and response, including at the service academies; promoting spousal employment; creating a housing ombudsman; and providing TRICARE beneficiaries the same contraception coverage benefits as all other Americans.

The bill also provides a historic 12 weeks of family and medical leave to Federal employees and congressional staff.

Mr. Chairman, I owe servicemembers and their families. We owe them this important set of benefits.

Mr. THORNBERY. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Ohio [Mr. TURNER].

Mr. TURNER. Mr. Chairman, I am disappointed by the fiscal year 2020 National Defense Authorization Act that is offered here on the floor today. This bill represents a significant deviation from our past sentiment of bipartisanship.

Now, the Senate has passed their bill by 86 votes, but not the House, not this year. This bill, in its totality, makes us less safe, which is why it does not have bipartisan support on this floor.

Chairman SMITH said that we were able to negotiate through a few things, and that is right. But there are also some that we were not, and one of them is a big one, and it is why there is not one Republican who voted in the Subcommittee on Strategic Forces for the bill to come out of subcommittee, and not one Republican in the full committee voted for the Strategic Forces portion of this bill to be referred to the full committee and to this floor.

That is because it contains a provision that can only be described as unilateral nuclear disarmament. It is unilateral because it does not involve anybody else; it only inhibits us. It is nuclear because it involves our nuclear weapons, and it is disarmament because it recalls a nuclear weapon.

It prohibits the use of funds for the deployment of low-yield ballistic missile warheads that have already been funded and produced and are to be deployed in a bipartisan effort by Congress to recall these assets from deployment is unilateral disarmament.

Now, even if you are against nuclear weapons, you should be against the
other side having nuclear weapons, and that means that you should be pursuing restrictions by treaty.

Imagine how this conversation is going to go in Moscow. Someone in the Kremlin is going to walk into Vladimir Putin's office, and they are going to say: Vladimir, you have modernized our nuclear weapons. You have invaded our neighbors. You have threatened the U.S. and our adversaries and their allies. And now, the U.S. Congress has just voted to unilaterally pull the low-yield nuclear warhead that was scheduled for deployment.

Putin is not going to believe them. He is going to think that this is a joke, because no one would believe that the United States Congress in the National Defense Authorization Act would regard us as being on the path to war without congressional approval.

It is clear that we will pass, perhaps, the most progressive and robust defense authorization in years, and I am proud to support it.

Mr. SMITH of Washington. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Michigan (Mr. BERGMAN), a general new to the committee, but not new to national security.

Mr. BERGMAN. Mr. Chairman, I rise today with disappointment. What was once a bipartisan bill is now a vehicle for policies that hinder our readiness and our defense capabilities.

For almost 60 years, the NDAA has been a bipartisan endeavor. The NDAA fulfills the number one role of Congress: to provide for our common defense. But House Democratic leadership has turned this into yet another partisan bill.

Let me be clear. I support a pay raise for our troops. I support providing all warfighters with the best resources available and a National Defense Authorization Act that empowers America and our allies. But, unfortunately, this current form, poses a significant threat to our ability to carry out the national defense strategy now and in the years ahead.

As President Reagan often said of our national defense strategy, "Peace through strength." This bill does not—repeat, does not—show strength. We can and must do better.

Mr. SMITH of Washington. Mr. Chairman, I am pleased to yield 1½ minutes to the gentleman from Michigan (Ms. SLOTKIN), a member of the Armed Services Committee.

Ms. SLOTKIN. Mr. Chairman, I rise in support of the NDAA.

I want to thank Chairman SMITH, the entire committee, Members on the other side of the aisle, and staff on the other side of the aisle.

Funding our national defense is and should always be a bipartisan priority. We have created a bill that is strong on the Armed Forces, funding a 3.1 percent pay raise for our service members, the largest in a decade.

In this year's NDAA, we have the opportunity to increase research capacity for Historically Black Colleges and Universities. We empower the Department of Defense to identify the scope of white nationalism, extremism, and violent misogyny in the military, and we pursue a new diversity and inclusion strategy within the DOD to ensure minorities are more fully represented in our officer corps.

We also rise to the challenge set forth by the gentleman from Michigan (Mr. BERGMAN), that we have not heard enough about the administration's worst policy decisions. We deny the increase of low-yield nuclear warheads that would lower the threshold for nuclear war. We prevent the President's use of the military as a piggy bank for his border wall.

With additional amendments, we will allow transgender Americans to openly and honorably serve our country in uniform, and we will ensure that the Post-9/11 veterans on the path to war without congressional approval.

It is clear that we will pass, perhaps, the most progressive and robust defense authorization in years, and I am proud to support it.

Mr. THORNBERY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Tennessee (Mr. DESJARLAIS).

Mr. DESJARLAIS. Mr. Chairman, I thank the ranking member for yielding.

Mr. Chair, I rise to express my concern and frustration with this bill in its current form. While I appreciate the work done on this NDAA, the legislation simply doesn't provide our military men and women with the resources needed to adequately protect the homeland and could negatively impact facilities in and around the Fourth District of Tennessee, including Arnold Air Force Base, Redstone Arsenal, Oak Ridge National Laboratory, and the Y-12 National Security Complex.

Whether it be refusing to deploy the W76-2 tactical nuclear weapon to deter Russian aggression or underprioritizing funding for research and development of next-generation capabilities, such as hypersonic weapons and directed energy, this NDAA does not adequately meet the requirements for addressing challenges posed from our adversaries.

As a former Pentagon official, as an Army wife with a stepdaughter serving on Active Duty right now, I firmly believe that we have a solemn responsibility to our men and women to pass a bill that funds our military. Failure to do so, despite concerns about certain provisions, would be an abdication of that responsibility.

This bill also funds priorities that are important to the economies and the safety of our local communities and our districts. I fought hard to include provisions that directly impact my community in Michigan and communities like ours across the country.

The NDAA will reduce PFAS contamination by phasing out the firefighting foam with PFAS chemicals and ask the Pentagon to come up with a plan of action on how they plan to transition and clean up PFAS sites.

This NDAA includes provisions that help States like Michigan capitalize on our unique capabilities in autos, cyber, robotics, and software to help fuel innovation at the Defense Department.

I urge my colleagues to support this bill.

Mr. THORNBERY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Tennessee (Mr. DESJARLAIS).

Mr. DESJARLAIS. Mr. Chairman, I thank the ranking member for yielding.

Mr. Chair, I rise to express my concern and frustration with this bill in its current form. While I appreciate the work done on this NDAA, the legislation simply doesn't provide our military men and women with the resources needed to adequately protect the homeland and could negatively impact facilities in and around the Fourth District of Tennessee, including Arnold Air Force Base, Redstone Arsenal, Oak Ridge National Laboratory, and the Y-12 National Security Complex.

Whether it be refusing to deploy the W76-2 tactical nuclear weapon to deter Russian aggression or underprioritizing funding for research and development of next-generation capabilities, such as hypersonic weapons and directed energy, this NDAA does not adequately meet the requirements for addressing challenges posed from our adversaries.

Finally, this NDAA highlights my colleagues' continuing disregard for the national emergency occurring at our southern border. This bill prevents the DOD from playing a role in addressing the crisis. Our military's number one responsibility is to protect the homeland. If my Democratic colleagues refuse to provide funding for DHS to secure the border, then the military must have a role.

Mr. Chair, this bill, from its funding top line to its policy, does not support our military or our security appropriately. For that reason, I cannot support this bill, and I urge my colleagues to vote "no."
Mr. SMITH of Washington. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Texas (Ms. ESCOBAR), who is a member of the committee.

Ms. ESCOBAR. Mr. Chairman, I am proud to welcome you to draft this year’s National Defense Authorization Act. This fiscal year 2020 bill incorporates ideas from both sides of the aisle to deliver essential support and a pay raise to our deserving men and women in uniform.

Our bill authorizes $733 billion to provide for a smart and robust national defense, enhances housing and financial support for military families, and addresses operational and budgetary threats posed by climate change.

I was pleased to share with my Armed Services Committee colleagues the innovative work happening in districts like mine which are home to some of the military’s core training installations. This includes Fort Bliss’ leadership on net-zero energy and ongoing partnership with the VA that improves soldiers’ medical expertise, while also serving our local veterans.

I was proud to support our vibrant El Paso community by advancing a community infrastructure support program and ensuring promising technologies like additive manufacturing, and the unique contributions of our small businesses that always have a place in building our national defense.

Finally, our bill enhances diversity and inclusion efforts in our armed services, improves oversight and accountability of DOD support to DHS and, yes, blocks the President from robbing finite military resources for a wall that our military never requested.

This is a bill we can all be proud of. I look forward to casting my vote in support.

Mr. Chairman, I thank the chairman for his leadership, and I urge my colleagues to vote as well.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Mr. Chairman, I thank Mr. THORNBERRY for yielding me time.

It has been a pleasure to be on two committees that have historically been bipartisan, the House Armed Services and Transportation and Infrastructure. As witnesses, historically this has been a bipartisan bill. Last year it passed out of committee with one “no” vote. The Senate achieved it. It passed the Senate Armed Services Committee unanimously, and it passed the Senate 86-8.

Yet, here we stand because, Mr. Chairman, bipartisanship is not simply counting percentages of amendments that were brought to the floor and passed.

There are significant issues that we are not dealing with in this bill. While we give people an additional pay raise, a significant raise to military, we cut funding that impacts modernization, readiness and training, and cuts military funding $1.2 billion.

Further, the bill neglects to address something that has had bipartisan support for a long period of time which is nuclear readiness, our nuclear triad. Here we are doing it all over again. I stress that we must make a bipartisan effort to bring a bill to this floor that supports our military consistently and not have partisan politics take over our military. I support that, I reject this bill, and I urge my colleagues to do the same.

Mr. SMITH of Washington. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Maryland (Mr. HOYER), who is the majority leader.

Mr. HOYER. Congratulations, ChairSMITH, on bringing to the floor an excellent bill. I want to also congratulate Mr. THORNBERRY from Texas, a responsible Member of this Congress, a responsible member of the minority, leadership and a strong voice on behalf of national defense.

Mr. Chairman, I rise in strong support of this year’s defense authorization bill. It makes smart, strategic investments in our military to keep America safe and ensure our interests overseas, and it reflects core values.

We are proud to fund the Department of Defense. I have been in this body for some 38 years. I have supported every Defense bill. Now, when I say that, I say that frankly, I have had some political fights back and forth and there have been political votes cast where we thought that there were things being done that shouldn’t be done. But I have supported a strong national defense. I supported most of Ronald Reagan’s build-up which was, by the way, started by Jimmy Carter.

I have supported making sure that we had weapons we needed and the personnel we needed.

We are proud as Democrats to stand behind our men and women in uniform. As a matter of fact, some of the great victories of democracy have been led by people like Woodrow Wilson in World War I, Franklin Roosevelt in World War II, Harry Truman in Korea, and John Kennedy confronting communism and authoritarianism, the people who want to rule by armed might.

This bill, the first written by a Democratic majority in 8 years, raises many of the needs that we recognize for a stronger military by prohibiting funding for discrimination against transgender, that denies us the talents and courage service of patriotic Americans.

Now, that has happened before, and Harry Truman stepped in and said that, no, we are not going to segregate our services. We are not going to discriminate against those of color in our services. We are not going to segregate our men and women in uniform. It supports a stronger military by prohibiting funding for discrimination against transgender, that denies us the talents and courageous service of patriotic Americans.

This bill cuts $17 billion. The chairman, the ranking member, and I had discussions through the years. We need to stop spending money blindly and not just blindly spend money. We need to make sure that every dollar is spent effectively, but that our national security is not in any way undermined. I believe the savings that have been effected are focused and that are taken and using it for effective items and taking it away from an expensive and ineffective wall on the southern border that the President wants to spend money on.

It also acknowledges the serious national security challenges posed by climate change. Surely, we know how critical to our national security the effects of climate change are showing. We experienced that just the other day when in Washington it requires the Pentagon to develop a plan, along with others in our government, as to how we can confront, effectively and on behalf of our national security, climate change.

It also accelerates the closure—long overdue—it is not the American way to hold people without finding out whether they are, in fact, guilty or not. I have been to Guantanamo. Nobody in America ought to be held for years and years and years and years, if the situations were reversed, my Republican colleagues would be accusing me of being weak, not supporting our national security, not supporting our troops, not supporting the men and women who are put at the point of a spear, in harm’s way, many paying the ultimate price. That is what you would have accused us of.

As I am deeply disappointed that my Republican friends are bucking a long tradition. I did not like everything in your Defense bill. I disagreed sincerely with some of the provisions that you put in your Defense bill, and I voted for the Defense bills you offered on this floor because I thought they were in the best interests of our country—not perfect—but in the best interests of our country, of our military, and of our national security.

I am sorry that that is not happening today or tomorrow or Friday when we vote on it. This bill ought to have bipartisan support. It ought to have bipartisan support for our military, and if the situations were reversed, my Republican colleagues would be accusing me of not supporting our national security, not supporting our troops, not supporting the men and women who are put at the point of a spear, in harm’s way, many paying the ultimate price. That is what you would have accused us of.

How sad it is that some in this House are choosing loyalty to the President and their party over a common commitment to our troops—tough words, but I think true. Republicans object to this bill because they claim they don’t have a mandate for $750 billion. Until March of this year, however, they were demanding exactly the number in this bill. Some on my side of the aisle
think this sum is too high. Mr. Smith, the Speaker, and I urged our colleagues to adopt this number because it was a bipartisan number—not the perfect number.

More than 70 Republican Members out of a total of 194 voted to give the Pentagon the same number as their preferred figure for defense investment. That is the number the Pentagon used for the previous year around which it built its budget.

This is what Joseph Dunford—Chairman of the Joint Chiefs of Staff, General Dunford, said was the number the Pentagon needed “after scrubbing every account,” $733 billion. That is the figure we included in this bill. That is the figure you are prepared to vote against.

Ranking Member Thornberry, who is my friend and whom I respect and whom I have just spoken of, penned an op-ed that President Trump must “move forward with the $733 billion budget proposal represented for bipartisan support.”

We took your number, and, yes, there are some things you don’t agree with in this bill, but there were things we didn’t agree with. Very frankly, there are very few bills that we consider on this floor that are agreed with 100 percent. But we are a democratic body. We are a collective, collegial body, and we try to reach consensus.

We took your number. We took the Chairman of the Joint Chiefs of Staff’s number. But, at the same time, Republicans are arguing that $733 billion isn’t enough, the White House is calling for a continuing resolution that spends far less. A former Member of this body originally suggested seques- ter which would devastate our national security and our domestic security.

As Chairman Adam Smith has stated, to claim that $733 billion is an abdication of our responsibility to fund our troops is patently ridiculous and contrary to the representations that have been made on your side of the aisle.

They claim this bill is partisan. That is absurd. The bill includes more than 53 percent of the amendments offered by Republican Members—a higher figure than Democratic amendments in the bill. Chairman Smith’s staff worked tirelessly and collegially with Republicans for months to ensure that the defense authorization bill would be bipartisan as this legislation has been historically.

Of course, there are provisions in this bill with which Republicans disagree. I would be shocked if that were not the case. There are probably going to be some provisions in there that I disagree with. That doesn’t mean they should vote against this entire bill, however. Mr. Chairman. Democrats supported this bill when we were in the minority over the last 8 years—check the record—even when Republicans forced controversial measures into it because it was important to support our military. We voted for it over serious objections on policy because we viewed it as a must-pass bill.

Where has that bipartisanship on national security gone? Is it just a strategy to defeat this bill?

I am convinced that we are going to have 218-plus Democrats vote for this bill. Mr. Chairman, I urge my Republican colleagues to reconsider their opposition and vote for their number and put country over party.

To my Democratic colleagues, I say: This is a strong Defense bill, as good as you are going to get. It protects LGBT rights and advances family leave. It loosens the heinous restrictions on transferring prisoners from Guantanamo Bay. Opposing this bill means we will be stuck with a Senate version that omits these provisions.

I thank Chairman Smith and members of the Armed Services Committee for their hard work, and I thank the ranking member. I congratulate you both on producing a very strong, very positive bill together. Do not abandon your work. I hope that it will pass with resounding support from both sides of the aisle. Our troops in harm’s way deserve that affirmation, that trust, that faith, that commitment. Let’s not let them down.

The CHAIR. Members are reminded to address their remarks to the Chair.

Mr. THORNBERY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I appreciate the remarks of the majority leader. I know from some experience it is certainly not easy to hold your side of the aisle and the other side of the aisle together to have the sort of votes like we had—351, 349, and so forth—to pass this bill.

That is part of the reason I began my remarks by pointing out this is different. I am not sure that great Democrats of the past—Roosevelt, Truman, and Kennedy—would recognize this defense bill that is before us, much less the amendments that we see coming down the pike.

I just want to emphasize two points, briefly:

One, is we have lots of quotes being thrown around here about what General Dunford has said or what he has not said. I don’t have his words from a transcript, but what I do have is Defense News, June 13, 2017, where he says, directly: “We now know that continued growth in the base budget of at least 3 percent above inflation is the floor necessary to preserve just the competitive advantage we have today, and we can’t assume our adversaries will remain still.”

Consistent testimony from Dunford, Mattis, Shanahan, et cetera, is that the floor is 3 percent, and I think statements to the contrary do not reflect his view.

Secondly, the majority leader said something like: Loyalty to the President. That loyalty is a trap.

I want to quote back Chairman Smith’s comments that I mentioned earlier, and expand a bit.

Chairman Smith said, when he voted against the bill on the floor: “There is nothing shameful about making a legitimate policy choice to oppose the NDAA or any other bill. But it is hypocritical and the height of shameless partisanship for him”—and he was referring to Speaker Boehner—“to now claim that a vote against the NDAA is a vote against the troops. It is not. Regardless of whether you support the NDAA or not, we all support the brave men and women of the military we defend this country for.”

I think this side of the aisle, we have nothing to apologize for in our support of the troops and American national security. We want a better product, and I hope that at some point we will get it.

Mr. Chair. I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I may inquire as to how much time each side has remaining.

Mr. THORNBERRY. Mr. Chairman from Washington has 5 minutes remaining.

Mr. SMITH of Washington. Mr. Chair, I am the only remaining speaker at this point, and I reserve the balance of my time.

Mr. THORNBERY. Mr. Chairman, I am pleased to yield 1½ minutes to the distinguished gentleman from Florida (Mr. Waltz).

Mr. WALTZ. Mr. Chair, with 23 years of service as a Green Beret, as a special operator with tours in the White House and the Pentagon, I can assure my colleagues that my primary focus is the Floridians I represent and the troops downrange.

There are many things that I support in this bill: support and greater benefits for Gold Star families—although some of those recently introduced are not fully funded; restricting additional contracting with the Maduro regime; fully authorizing the Navy’s anti-submarine warfare capability; and, of course, the emerging Space Corps.

But I would describe this bill is, in many ways, necessary, but in a whole, not sufficient, particularly in seeking to close Guantanamo Bay without sufficient alternatives that previous administrations and Congresses have all, I think, sought to do in good faith; tying the President’s hands in protecting the border and Iran; and, of course, a wholly insufficient top line, as we have discussed here today, to deal with the global threat that remains on terrorism, to deal with China, to deal with Russia, Iran, North Korea, and other near-peer threats.

Mr. Chair. I hope this bill improves, sincerely, with amendments on the floor to be worthy of the men and women downrange defending this great country.

Mr. SMITH of Washington. Mr. Chair, I reserve the balance of my time.

Mr. THORNBERY. Mr. Chairman, may I inquire of the chairman if he has only one more speaker remaining.
Mr. SMITH of Washington. Mr. Chairman, I have one more speaker, and then I will be prepared to close.

Mr. THORNBERRY. Mr. Chair, I yield myself the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield myself the balance of my time.

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Mr. Chair, I yield the back of the balance of my time.
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rity programs.
TITHE SEC. 2. CONGRESSIONAL DEFENSE COMMITTEES.
In this Act, the term “congressional defense com-
mittees” has the meaning given that term in
section 101(a)(16) of title 10, United States Code.
DIVISION A—DEPARTMENT OF DEFENSE
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TITHE I—PROCUREMENT
Subtitle A—Authorization
Sec. 111. Modification of Annual Report on
Cost Targets for Certain Air-
craft Carriers.
Section 126(c) of the National Defense Author-
ization Act for Fiscal Year 2017 (Public Law
114–338, 130 Stat. 2035) is amended—
(1) in the subsection heading,
by striking “AND CVN–80” and
inserting “, CVN–80, AND
CVN–81”;
(2) in paragraph (1), by striking “costs de-
scribed in subsection (b) for
the CVN–79 and
CVN–80” and inserting “cost targets
for the CVN–79, the CVN–80, and
the CVN–81”;
(3) in paragraph (2)—
(A) in the matter preceding subparagraph (A),
by striking “ and the CVN–80” and
inserting “, the CVN–80, and
the CVN–81”;
(B) in subparagraph (A), by striking “costs described in subsection (b)” and inserting “cost
targets”; and
(C) in subparagraph (B), by striking “costs
described in subsection (b)” and inserting “cost
targets”.
Sec. 115. Design and Construction of Am-
burio’s Transport Dock De-
signed LPD–31.
(a) In General.—Using funds authorized to
be appropriated for the Department of Defense
for Shipbuilding and Conversion, Navy, the Sec-
retary of the Navy may enter into a contract,
beginning with the fiscal year 2020 program

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year, for the design and construction of the amph humiliating transport dock designated LPD-31.

(b) USE OF INCREMENTAL FUNDING.—With respect to the contract entered into under subsection (a), the Secretary may use incremental funding to make payments under the contract.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—If 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 later fiscal year.

SEC. 116. LIMITATION ON AVAILABILITY OF FUNDS FOR VQ-2 QUARTERLY UPDATES ON THE CH-53K KING STALLION HELICOPTER PROGRAM.

(a) LIMITATION.—The funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for aircraft procurement, Navy, for the CH-53K King Stallion helicopter program, not more than 50 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of the Navy provides the first briefing required under subsection (b).

(b) QUARTERLY BRIEFINGS REQUIRED.—

(1) IN GENERAL.—Beginning not later than October 1, 2019, and on a quarterly basis thereafter through September 30, 2026, the Secretary of the Navy shall provide to the Committee on Armed Services of the House of Representatives a briefing on the progress of the CH-53K King Stallion helicopter program.

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

(A) An overview of the program schedule.

(B) A statement of the total cost of the program as of the date of the briefing, including the costs of development, testing, and production.

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

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

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

(i) identification of the technical deficiencies that have been corrected as of the date of the briefing;

(ii) identification of the technical deficiencies that have been discovered, but not corrected, as of such date;

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

(iv) an explanation of any significant deviations from the testing and program schedule that are anticipated due to the discovery and correction of technical deficiencies.

SEC. 117. LIMITATION ON AVAILABILITY OF FUNDS FOR VQ-2H HELICOPTER.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for procurement for the VQ-2H-A helicopter, not more than 75 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of the Navy submits to the Committee on Armed Services of the House of Representatives the report required under subsection (b).

(b) REPORT REQUIRED.—The Secretary of the Navy shall submit to the Committee on Armed Services of the House of Representatives a report assessing the status of the VQ-2H-A helicopter program industrial base and the potential impact on the manufacturing base under the acquisition program. The report shall include a description of—

(1) estimated effects on the manufacturing readiness level of the VQ-2H-A program due to planned changes to the program manufacturing base;

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

(3) any estimated schedule impacts, including impacts to the manufacturing base due to planned changes to initial production lots and full rate production, resulting from changes to the manufacturing base;

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

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

SEC. 118. NATIONAL DEFENSE RESERVE FLEET F-15E AIRCRAFT—F-15C AIRCRAFT.

(a) USE OF EXISTING DESIGN.—The design of the sealift vessel shall be based on a domestic or foreign design that exists as of the date of the enactment of this Act.

(b) QUARTERLY BRIEFINGS REQUIRED.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary of the Navy, acting through the executive agent described in subsection (c), shall enter into a contract for the construction of one sealift vessel for the National Defense Reserve Fleet.

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

(c) DESIGN AND CONSTRUCTION REQUIREMENTS.—

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

(c) COMMERCIAL STANDARDS AND PRACTICES.—Subject to paragraph (1), the sealift vessel shall be constructed using commercial design standards and commercial practices that are consistent with the best interests of the Federal Government.

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

(e) CERTIFICATE AND ENDORSEMENT.—The sealift vessel vessel shall meet the requirements necessary to receive a certificate of documentation and a coastwise endorsement under chapter 121 of title 46, United States Code, and the Secretary of the Navy shall ensure that the completed vessel receives such a certificate and endorsement.

(f) EXECUTIVE AGENT.—

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

(2) RESPONSIBILITIES.—The executive agent described in paragraph (1) shall provide for—

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

(B) managing and overseeing the construction of the sealift vessel;

(C) other matters as the Secretary of the Navy determines to be appropriate.

(g) SEALIFT VESSEL DEFINED.—In this section, the term ‘‘sealift vessel’’ means the sealift vessel.

(h) SEALIFT VESSEL DEFINED.—In this section, the term ‘‘military flight release’’.

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

(c) FUND USE.—The funds described in this paragraph are funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 or any subsequent fiscal year for the Air Force for any of the following:

(1) Research and development, nonrecurring engineering.

(2) Aircraft procurement.

(3) F-15EX PROGRAM DEFINED.—In this section, the term ‘‘F-15EX program’’ means the F-15EX aircraft program of the Air Force as described in the materials submitted to Congress by the Secretary of Defense in support of the budget of the President for fiscal year 2020 (as submitted to Congress in section 1105(a) of title 31, United States Code).

SEC. 124. PROHIBITION ON AVAILABILITY OF FUNDS FOR REDUCTION IN KC-10 PRIMARY MISSION AIRCRAFT INVENTORY.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 or any subsequent fiscal year for the Air Force may be obligated or expended to reduce the number of KC-10 aircraft in the primary mission aircraft inventory of the Air Force.

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

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

(1) with respect to work relating to aircraft paint scheme, interiors and livery, such work pursuant to the VC-25B program does not cause the aircraft to exceed—

(A) the specification requirements applicable to the VC-25A aircraft; or

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

(2) the livery for the VC-25B aircraft will comply with the criteria set forth in the report of the Office of the Secretary of the Air Force, ‘‘Livery and Paint Study Final Report’’ as submitted to the Federal Government in April 2017;
(3) such work is not a result of late design changes made by the Federal Government to the interior design of the VC-25A aircraft; and

(4) such work is not a result of rework that exceeds 50 percent of the time, effort, or cost of repair efforts described in paragraphs (1) through (3).

(b) OVER-AND-AFTER WORK DEFINED.—In this section, the term ‘over-and-after work’ means work discovered during the course of performing overhaul, repair, or repair efforts that—

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

(2) is not required for the basic work under the contract; and

(3) is necessary in order to satisfactorily complete the contract.

SEC. 129. ESTABLISHMENT OF ECONOMIC ORDER QUANTITY CONCEPTUAL CONTRACT FOR F-35 AIRCRAFT.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Air Force may be obligated or expended to reprocure, or prepare for reprocure, the F-35 aircraft or components thereof, if—

(1) such work is not a result of late design changes made by the Federal Government to the interior design of the VC-25A aircraft; and

(2) such work is not a result of rework that exceeds 50 percent of the time, effort, or cost of repair efforts described in paragraphs (1) through (3).

(b) EXCEPTION.—The limitation in subsection (a) shall not apply to reprocure a F-35 aircraft if the Secretary of Defense certifies to the congressional defense committees, in writing, that—

(1) the F-35 aircraft and the components thereof are necessary to meet national security interests of the United States.

(2) the components of the F-35 aircraft and the components thereof are necessary to meet national security interests of the United States.

(3) the F-35 aircraft and the components thereof are necessary to meet national security interests of the United States.

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(83) the F-35 aircraft and the components thereof are necessary to meet national security interests of the United States.
(1) is included, with a specific dollar amount, in the materials relating to the F-35 aircraft program submitted to Congress by the Secretary of Defense in support of the budget of the President of the United States for fiscal year 2023 and each fiscal year thereafter until the date on which the F-35 aircraft program terminates.

(d) COMPTROLLER GENERAL REPORTS.—
(1) ANNUAL REPORT REQUIRED.—Not later than 30 days after the date on which the President submits to Congress under section 1105(a) of title 31, United States Code, for each of fiscal years 2023 through 2025, the Comptroller General of the United States shall submit to Congress an annual report on the F-35 aircraft program, following each fiscal year the end of which is the date on which the F-35 aircraft was delivered.

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

(A) An assessment of the progress of manufacturing processes improvement under the program.

(B) The business case analysis of the Department of Defense for F-35 Block 4 follow-on modernization efforts.

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

(D) The Department’s schedule for delivering software upgrades in six-month, scheduled increments.

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

(F) Any other issues the Comptroller General determines to be appropriate.

(e) F-35 BLOCK 4 DEFINED.—In this section, the term “F-35 Block 4” means Block 4 capabilities and development for F-35 Block 4 conducted by the Under Secretary of Defense for Research and Engineering.

SEC. 132. REPORTS ON F-35 AIRCRAFT PROGRAM.

(a) REPORT ON F-35 RELIABILITY AND MAINTAINABILITY METRICS.—The Secretary of Defense shall submit to the congressional defense committees a report on the reliability and maintainability metrics for the F-35 aircraft. The report shall include the following:

(1) The report shall include a review and assessment, conducted by the program office for the F-35 aircraft program, of the reliability and maintainability metrics for the aircraft as set forth in the most recent operational requirements document for the program.

(2) A determination of whether the reliability and maintainability metrics for the aircraft, as set forth in the most recent operational requirements document for the program, are feasible and attainable, and what changes, if any, will be made to update the metrics.

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

(A) Identify specific and measurable reliability and maintainability objectives in the improvement plan guidance; and

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

(b) REPORT ON F-35 BLOCK 4.

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

(A) An independent cost estimate for F-35 Block 4 conducted by the Director of Cost Assessment and Program Evaluation.

(B) A test and evaluation master plan, approved by the Under Secretary of Operational Test and Evaluation, that addresses testing resources, testing aircraft shortfalls, and testing funding.

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

(D) A cursory summary of the continuous capability development and delivery strategy for F-35 Block 4 technologies conducted by the Under Secretary of Defense for Research and Engineering.

(E) Any other issues the Comptroller General determines to be appropriate.

(f) MILESTONES AND DEFICIENCIES.—The Secretary of Defense shall submit to the congressional defense committees a report on the Department of Defense’s efforts to address deficiencies in the F-35 aircraft program, including:

(1) All shortfalls, capability gaps, and deficiencies in the system that have been identified as of the date of the enactment of this Act.

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

(3) The strategy, implementation plan, schedule, and estimated costs of developing and fielding:

(A) The next generation of the system;

(B) future increments of the system.

(d) DEADLINE FOR SUBMITTAL.—The report required under paragraph (c) will be submitted to the congressional defense committees not later than 180 days after the date of the enactment of this Act.

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 2022 for the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.
in the Department of Defense with principal responsibility for carrying out the program and activities described in subsections (d) through (g). The Director shall report to the Assistant Secretary of Defense, within the Office of the Under Secretary of Defense for Research and Engineering.

(c) UNIVERSITY CONSORTIUM.—

"(1) IN GENERAL.—The Director shall designate a consortium of institutions of higher education (as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) to lead foundational hypersonic research in research areas that the Director determines to be appropriate for the Department of Defense.

(2) INFORMATION OF INTEGRATION.—The Director shall ensure that the research results and reports of the consortium are made available across the Federal Government, the private sector, and academia, consistent with appropriate visibility and infrastructure guidance.

(3) APPLICABLE SECURITY CLASSIFICATION GUIDANCE.—In subsection (f), as so redesignated—

(A) in paragraph (2), by striking "as is being consistent with the roadmap under subsection (d)" and inserting "certifications of performance (g) as being consistent with the roadmap under subsection (f)");

(B) in paragraph (4)(A)(ii), by striking "private sector" and inserting "private-sector academic"; and

(4) in subsection (d), by striking "The Office" and inserting "The Director";

(5) in subparagraph (e), as redesignated—

(A) in the matter preceding paragraph (1), by striking "program required by subsection (b), the Office" and inserting "program required by subsection (d), the Director";

(B) in paragraph (3)(A), by striking "private sector" and inserting "private-sector academic";

(C) in paragraph (5), by striking "certified under subsection (e) as being consistent with the roadmap under subsection (d)" and inserting "certifications of performance (g) as being consistent with the roadmap under subsection (f)";

(D) in subsection (f), as so redesignated—

(A) in paragraph (3), by redesignating subsection (C) as subsection (C)—

(1) in clause (i), by striking "and" at the end; and

(2) in clause (ii), by striking the period at the end and inserting "and";

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

(iii) the activities and resources of the consortium directed by the Director under subsection (c) to be leveraged by the Department to meet such goals; and

(ii) in subparagraph (D), by striking "facilities" and inserting "facilities and infrastructure"; and

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

"(4) SUBMITTAL TO CONGRESS.—

(A) INITIAL SUBMISSION.—Not later than 180 days after the date of the enactment of this paragraph, the Secretary of Defense shall submit to the congressional defense committees the roadmap developed under paragraph (1).

(B) SUBSEQUENT SUBMISSIONS.—The Secretary of Defense shall submit to the congressional defense committees each roadmap revised under paragraph (1) together with the budget submitted to Congress under section 1105 of title 31, United States Code, for the fiscal year concerned.

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

(A) by striking "subparagraph (e) each place it appears and inserting "subsection (f)";

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "The Office" and inserting "The Director";

(ii) in subparagraph (A) by striking "research, development, test, and evaluation and demonstration programs within the Department of Defense" and inserting "defense-wide research, development, test, and evaluation and demonstration programs"; and

(iii) in subparagraph (B), by striking "the hypersonics" and inserting "all hypersonics";

(C) in paragraph (2), by striking "The Office" and inserting "The Director";

(D) in paragraph (3), by striking "2016" and inserting "2026"; and

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

"(h) FUNDING.—The Secretary may make available such funds to the Office for basic research, applied research, advanced technology development, prototyping, studies and analyses, and organizational support as the Secretary considers appropriate to support the efficient and effective development of hypersonics technologies and transition of those systems and technologies into acquisition programs or operational use.

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

(a) EXTENSION OF PROGRAM.—Section 1039(g) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–91; 10 U.S.C. 2359 note) is amended by striking "2019" and inserting "2024".

(b) ADDITIONAL IMPROVEMENTS.—Section 1603 of such Act, as amended by subsection (a), is further amended—

(1) in the section heading, by inserting "OF DUAL-USE TECHNOLOGY" after "COMMERCIALIZATION";

(2) in subsection (a)—

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

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

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

(4) by striking subsection (d);

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

(6) by striking subsection (f); and

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

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

(I) Section 1599g of title 10 of the United States Code, relating to public-private talent exchanges.

(II) Section 2386 of title 10, relating to Centers for Science, Technology, and Engineering Partnerships.

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

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

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


(VII) Section 2374a of such title, relating to a pilot program on strengthening manufacturing in the defense industrial base.


SEC. 215. CONTRACT FOR NATIONAL SECURITY RESEARCH STUDIES.

(a) CONTRACT AUTHORITY.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall seek to enter into a contract with a federally funded research and development center under which the private sector advisory group known as "JASON" will provide national security research studies to the Department of Defense.

(b) TERMS OF CONTRACT.—The contract entered into under subsection (a) shall be an indefinite delivery–indefinite quantity contract with terms substantially similar to the terms of the current contract awarded under which JASON provided national security research studies to the Department of Defense (solicitation number HQ0034-19-B-0011 for JASON Research and Development Services). The Secretary of Defense may terminate the contract under subsection (a) until a period of 90 days has elapsed following the date on which the Secretary notifies the congressional defense committees of the intent of the Secretary to terminate the contract.

SEC. 216. EXTENSION OF SECURITY ADVISORY GROUP.

Pursuant to section 172 of title 10, United States Code, the Secretary of Defense shall seek to engage the members of the private scientific advisory group known as "JASON" to provide advice, on an ongoing basis, on matters involving science, technology, and national security, including methods to defeat existential and technologically-amplified threats to national security.

SEC. 217. DIRECT AIR CAPTURE AND BLUE CARBON REMOVAL TECHNOLOGY PROGRAM.

(a) PROGRAM AUTHORIZED.—

(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, may carry out a program on research, development, testing, evaluation, study, and demonstration of technologies related to blue carbon capture and direct air capture.

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

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

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

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

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

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

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

(A) The first phase may consist of research and development and shall be carried out as described in subsection (b);

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

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

(b) RESEARCH AND DEVELOPMENT PHASE.

(A) STANDARDS AND REQUIREMENTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the appropriate congressional defense committees, shall establish standards and requirements for the research and development program under subsection (a), including—

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

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

(b) RESEARCH AND DEVELOPMENT PHASE.—

The Secretary of Defense in coordination with the appropriate congressional defense committees shall determine the research and development objectives and requirements for the research and development program under subsection (a), including—

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

(B) in modes of transportation by the Navy or the Coast Guard.
the Secretary shall submit to Congress a report on the research and development carried out under the Program.

(c) TESTING AND EVALUATION PHASE.—

(1) TESTING AND EVALUATION—During the testing and evaluation phase of the Program, the Secretary may, in pursuit of the goals set forth in subsection (a), conduct tests and evaluations of the technologies researched and developed during the research and development phase of the Program.

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

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

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

(3) DURATION.—Subject to subsection (a)(3)(B), the Secretary may carry out the testing and evaluation phase of the Program commencing on the date of the completion of the research and development phase described in subsection (b), except that the testing and evaluation phase of the Program with respect to direct air capture with respect to a facility, technology, or system that constitutes a front end engineering and design study demonstrates to the Secretary that commencement of such phase is appropriate.

(4) CANCELLATION.—The Secretary may cancel the testing and evaluation phase of the Program through the award of grants to private persons and eligible laboratories.

(5) REPORT REQUIRED.—Not later than September 30, 2028, 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.

(d) DEFINITIONS.—In this section:

(1) DIRECT AIR CAPTURE.—The term "direct air capture" means the term "direct air capture" does not include any facility, technology, or system that captures carbon dioxide—

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

(ii) using natural photosynthesis.

(2) ELIGIBLE LABORATORY.—The term "eligible laboratory" means—

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

(B) the science and technology reinvention laboratories (as defined under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–44; 10 U.S.C. 2356 note)).

(C) the Major Range and Test Facility Base (as defined in section 258a(f)(5) of title 10, United States Code).

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

SEC. 218. FOREIGN MALIGN INFLUENCE OPERATIONS RESEARCH PROGRAM.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall carry out a research program on foreign malign influence operations research as part of the University of Virginia research programs of the Department of Defense (such as the Minerva Research Initiative).

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

(1) To enhance the understanding of foreign malign influence operations, including activities conducted on social media platforms, and to facilitate the compilation, analysis, and storage of publicly available or voluntarily provided information on malign influence operations, including those appearing on social media platforms, for the purposes of additional research.

(2) To promote the development of best practices relating to tactics, techniques, procedures, and technology for the protection of the privacy of the customers and users of the social media platforms and the sharing of information obtained from the social media companies in conducting research and analysis and compiling and storing indicators and key trends of foreign malign influence operations on social media platforms.

(3) To promote collaborative research and information exchange with other relevant entities within the Department and with other agencies responsible for combating malign influence operations.

(c) PROGRAM ACTIVITIES.—In order to achieve the objectives specified in subsection (b), the Secretary may authorize to carry out the following activities:

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

(2) The Secretary may award financial assistance to graduate students on a competitive basis.

(d) REPORT.—Not later than March 1, 2020, the Secretary of Defense shall submit to Congress a report on the findings of the Secretary in carrying out the research program under this section, including a description of the activities and research conducted as part of the program.

SEC. 219. SENSOR DATA INTEGRATION FOR FIFTH GENERATION AIRCRAFT.

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

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

(2) the Secretary has developed achievable, effective, and suitable concepts and supporting technical architectures to collect, store, manage, and disseminate information collected by such sensors.

(b) GAO STUDY AND REPORT.

(1) STUDY.—The Comptroller General of the United States shall conduct a study of the sensor data integration capability of fifth generation aircraft of the Department of Defense.

(2) ELEMENTS.—The study required by paragraph (1) shall include an assessment of the following:

(A) the extent to which the Department has established doctrinal, organizational, and technological methods of managing the large amount of sensor data that is currently collected and which may be collected by existing and planned advanced fifth generation aircraft, including the F-22, F-35, F-22, and the B-21; and

(B) the status of the existing sensor data collection, storage, dissemination, and management capability and capacity of fifth generation aircraft.

(c) IMPLEMENTATION.—Not later than 180 days after the date on which the final analysis of alternatives for the Advanced Battle Management System is completed; or

(2) April 1, 2020.

(C) ADVANCED BATTLE MANAGEMENT SYSTEM DEFINED.—In this section, the term "Advanced Battle Management System" means the Advanced Battle Management System of Systems capability of the Air Force, including each program, project, and activity that comprises such capability.

SEC. 221. DOCUMENTATION RELATING TO B-52 COMMERCIAL ENGINE REPLACEMENT PROGRAM.

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

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

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

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for Fiscal Year 2020 for the Air Force, not more than 75 percent may be obligated or expended until the date on which the Secretary of the Air Force submits to the congressional defense committees the documentation required under subsection (a).

SEC. 222. DIVERSIFICATION OF THE SCIENCE, TECHNOLOGY, RESEARCH, AND ENGINEERING WORKFORCE OF THE DEPARTMENT OF DEFENSE.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall conduct an assessment of critical skillsets required across the science, technology, research, and engineering workforce of the Department of Defense to support emerging and future warfighter technology.

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

(A) The percentage of women and minorities employed in the workforce as of the date of the assessment.
(B) The percentage of grants, fellowships, and funding awarded to minorities and women.

(C) The effectiveness of existing hiring and attrition incentives, other encouragements, and requirements across various projects, fellowships, STEM programs.

(D) The geographical diversification of the workforce and the operating costs of the workforce across various geographic regions.

(3) SUBMITAL TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on such recommendation described in subsection (b)(2)(B) after the date specified in paragraph (1) if the Secretary determines that the recommendation described in subsection (b)(2)(B) after the date specified in paragraph (1) if the Secretary determines that the recommendation is a policy that is—

(a) To require a policy that is—

(1) IN GENERAL.—It shall be a policy of the Department of Defense to promote and maintain digital expertise and software development as core competencies of civilian and military personnel across the Armed Forces and as a capability to support the National Defense Strategy, which policy shall be achieved by—

(A) the recruitment, development, and retention of individuals with demonstrated aptitude, interest, and proficiency in computer science, software engineering, and mathematics; and

(B) to support the goals set forth in the plan.

(1) IN GENERAL.—Based on the results of the assessment conducted under subsection (a) and the Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall develop and implement a plan to diversify the science, technology, research, and engineering workforce of the Department of Defense.

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) align with science and technology strategy priorities of the Department of Defense, including the emerging and future warfighter technology requirements identified by the Department;

(B) except as provided in subsection (c)(2), set forth steps for the implementation of each recommendation described in the 2013 report of the RAND corporation titled “First Steps Toward Improving DoD STEM Workforce Diversity”; and

(C) harness the full range of the Department’s efforts, including but not limited to, recruitment, retention, and strategies to attract and retain students, academics, and other talent; and

(E) establish and use contracts, agreements, or other arrangements with institutions of higher education, the National Science Foundation, the High-er Education Act of 1965 (20 U.S.C. 1001), including historically black colleges and universities, and other minority-serving institutions (as described in section 371(a) of such Act (20 U.S.C. 1067q(a)) to enable easy and efficient access to research and researchers for Government-sponsored basic and applied research and studies at each institution, including contracts, agreements, and other authorized arrangements such as those authorized under—

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

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

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

(2) E XPIRATION OF APPOINTMENT .—The appointment described in paragraph (1) shall expire on September 30, 2029.

(3) APPOINTMENT OF OFFICER.—Not later than 270 days after the date of enactment of this Act, the Secretary of Defense shall appoint a civilian to serve as the Chief Digital Engineering Recruiter to carry out the requirements of this section.

(4) DUTIES.—In developing and providing for the discharge of the policy set forth in subsection (a), the Secretary shall—

(A) to provide technically accurate digital engineering and science, technology, engineering, and mathematics (STEM) generally, including initiatives, programs, activities, and mechanisms to target populations of individuals not typically aware of the opportunities in the Department of Defense for a digital engineering career;

(B) to identify and share with the military departments, best practices to develop a strategic workforce plan and the implementation of flexibile career tracks and identifiers for digital engineering and related digital competencies and meaningful opportunities for career development, talented individuals, and promotion within such career tracks.

(C) Develop and maintain education, training, doctrine, relational opportunities, and professional development opportunities to support the civilian and military digital engineering workforce.

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

(E) Create a Department-wide mechanism to track digital expertise in the workforce, develop and maintain organizational policies, strategies, and processes with respect to the management, incentives, and promotion of members at all levels of such career tracks;

(F) Identify necessary changes in authorities, policies, resources, or a combination thereof to further the policy set forth in subsection (a), and submit to Congress a report on such changes.

(2) IMPLEMENTATION PLAN.—Not later than May 1, 2020, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a plan to carry out the requirements of this section. The plan shall include recommendations for change in legislation or administrative action required to meet the requirements of this section.

(3) CAPABILITIES.—In general, the capability developed under subsection (a) shall consist of digital platforms that are—

(A) capable of automating the software testing and evaluation processes; and

(B) to provide technologically accurate digital models to the acquisition process; and

(C) to provide as a part of the automated approaches to software testing and evaluation.

(2) ELEMENTS.—The capability developed under subsection (a) shall include—

(A) the ability to provide a comprehensive, high-quality, and unique evaluation of software and system capabilities that is—

(a) a software product management program or service;

(b) a software testing and evaluation program or service; and

(c) an automated software testing and evaluation program or service;

(D) to provide technologically accurate digital models to the acquisition process; and

(E) to provide as a part of the automated approaches to software testing and evaluation.

(2) ELEMENTS.—The capability developed under subsection (a) shall include—

(A) the ability to provide a comprehensive, high-quality, and unique evaluation of software and system capabilities that is—

(a) a software product management program or service;

(b) a software testing and evaluation program or service; and

(c) an automated software testing and evaluation program or service;
evaluation, and operation of software. The platforms shall enable such individuals to—
(A) use systems-level digital representations and simulation environments;
(B) conduct automated software testing based on criteria developed, in part, in consultation with the Under Secretary’s developmental test organization and the Director to satisfy program operational and safety needs;
(C) perform testing on a repeatable, frequent, and iterative basis;
(b) PILOT PROGRAMS.—
(1) IN GENERAL.—The Under Secretary and Director shall carry out pilot programs to demonstrate whether it is possible for automated testing to operationalize the nondigital engineering and automated testing approach of the Secretary and Director shall—
(A) developmental test requirements for the software-intensive programs of the Department of Defense; and
(B) the Director’s operational test requirements for such programs.
(2) NUMBER OF PILOT PROGRAMS.—The Under Secretary and Director shall carry out not fewer than four and not more than ten pilot programs under this section.
(3) REQUIREMENTS.—For each pilot program carried out under paragraph (1), the Under Secretary and Director may consider the authorities provided under sections 672 and 674 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).
(5) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary and Director shall submit to the congressional defense committees a report that includes a description of—
(A) each pilot program that will be carried out under this section;
(B) software programs that may be used as part of each pilot program;
(C) selection criteria and intellectual property and licensing issues relating to such software programs;
(D) any recommendations for changes to existing law to facilitate the implementation of the pilot programs; and
(E) such other matters as the Under Secretary and Director determine to be relevant.
(6) TERMINATION.—Each pilot program carried out under paragraph (1) shall terminate not later than December 31, 2022.
(c) POLICIES AND GUIDANCE REQUIRED.—
(1) IN GENERAL.—The Under Secretary and the Director shall issue policies and guidance to implement—
(A) the digital engineering capability and infrastructure developed under subsection (a); and
(B) the pilot programs carried out under subsection (b).
(2) ELEMENTS.—The policies and guidance issued under paragraph (1) shall include—
(A) procedures for developing and maintaining digital engineering models and the automated testing of software throughout the program life cycle;
(B) include processes for automated testing of developmental test requirements and operational test requirements;
(C) defense processes for automated security testing, including—
(i) penetration testing; and
(ii) vulnerability scanning;
(D) include processes for security testing performed by individuals, including red team assessments with zero-trust assumptions;
(E) encourage automated testing capability instead of acquisition-related processes that require artifacts to be created for acquisition oversight but are not used as part of the engineering process;
(F) support the high-confidence distribution of software to the field on a time-bound, repeatable, frequent, and iterative basis;
(G) provide technically accurate models, including models of system design and performance, to the acquisition process; and
(H) ensure that models are continually updated with the newest design, performance, and testing data.
(4) REPORT.—Not later than one year after the date of enactment of this Act, the Under Secretary and Director shall submit to the congressional defense committees a report on the progress of the Under Secretary and Director in carrying out subsections (a) through (c).
(5) REPORT REQUIRED.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of the Secretary in carrying out subsection (a).
(2) FINAL REPORT.—Not later than 30 days after the date on which the Secretary of Defense establishes the process required under subsection (a), the Secretary shall submit to the congressional defense committees a report that describes such process.
(d) DEFINITIONS.—In this section:
(1) The term “covered official” means the Chair of the Joint Chiefs of Staff, the Under Secretary of Defense for Research and Engineering, the Under Secretary of Defense for Policy, the commanders of the combatant commands, and the Secretaries of the military departments.
(2) The term “emerging technology” means technology determined to be in an emerging phase of development by the Secretary of Defense, including—
(A) artificial intelligence, autonomous technology, robotics, directed energy, hypersonics, and biotechnology.
SEC. 226. LIMITATION ON TRANSITION OF STRATEGIC CAPABILITIES OFFICE OF THE DEPARTMENT OF DEFENSE.
(a) LIMITATION.—The Secretary of Defense may not transition or transfer the functions of the Strategic Capabilities Office of the Department of Defense to another organization or element of the Department until—
(1) the plan required under subsection (b) has been submitted to the congressional defense committees; and
(2) a period of 30 days has elapsed following the date on which the Secretary notifies the congressional defense committees of the intent of the Secretary to transition or transfer the functions of the Office.
(b) PLAN REQUIRED.—
(1) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a plan for the transition or transfer of the functions of the Strategic Capabilities Office to another organization or element of the Department of Defense.
(2) ELEMENTS.—The plan required under paragraph (1) shall include the following:
(A) A timeline for the potential transition or transfer of the capability and technologies of the Strategic Capabilities Office and any organization or element of the Department of Defense affected by the realignment of the Office.
(B) An assessment of the impact of the transition or transfer on the capabilities of the Department to rapidly address Combatant Command requirements.
(C) The impact of the transition or transfer on the cultural attributes and cost competencies of the Strategic Capabilities Office and any organization or element of the Department of Defense affected by the realignment of the Office.
(D) A plan to coordinate activities relating to such technology with the Under Secretary; and
(E) incorporate procedures for the legal review of—
(A) weapons that incorporate emerging technology; and
(B) treaties that may be affected by such technology.
(c) REPORTS REQUIRED.—
(1) INITIAL REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that describes such process.
(2) FINAL REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that describes such process.
SEC. 227. INCLUSION OF Defence INStruMENTS IN THE STRATEGIC CAPABILITIES OFFICE OF THE DEPARTMENT OF DEFENSE.
(a) ALIGNMENT OF POLICY AND TECHNOLOGICAL DEVELOPMENT.—
(A) The Secretary of Defense shall ensure that the policies and guidance issued by the Under Secretary of Defense for Acquisition and Sustainment will inform subsequent policy and guidance, particularly the policy and guidance of the Director of Operational Test and Evaluation; and
(B) any changes made as of the date of this report;
(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the progress of the Secretary in carrying out subsection (a).
SEC. 231. MASTER PLAN FOR IMPLEMENTATION OF AUTHORITIES RELATING TO SCIENCE AND TECHNOLOGY RE-INVENTION LABORATORIES. (a) PLAN REQUIRED.—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall develop a master plan for using current authorities and responsibilities to strengthen and modernize the workforce and capabilities of the science and technology reinvention laboratories of the Department of Defense (referred to in this section as the ‘‘laboratories’’) to enable the ability to execute missions in the most efficient and effective manner.

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

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

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

(B) to recruit and retain qualified personnel.

(2) A summary of existing and emerging military research, development, test, and evaluation mission areas requiring the use of the laboratories—

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

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

(3) For each project identified under paragraph (2),

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

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

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

(4) A description of how the Department, including each military department concerned, will carry out the projects identified in paragraph (3) using—

(A) current authorities and responsibilities; and

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

(5) Identification of any statutory barriers to implementing the master plan and legislative proposals to address such barriers.

(c) CONSULTATION.—In developing the master plan required under subsection (a), the Secretary of Defense and the Under Secretary of Defense for Research and Engineering shall consult with—

(1) the Secretary of each military department;

(2) the Service Acquisition Executives with responsibilities relevant to the laboratories; and

(3) the commander of each military command with responsibility to conduct research and engineering that is affected by the master plan;

and

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

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

(1) organizations and elements of the Department of Defense;

(2) organizations outside the Department;

(3) final REPORT.—Not later than October 30, 2020, the Under Secretary of Defense for Research and Engineering shall submit to the congressional defense committees—

(1) a report to the activities carried out under this section; and

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

SEC. 232. MASTER PLAN FOR INFRASTRUCTURE RE-INVESTMENT PROGRAM. (a) PLAN REQUIRED.—The Secretary of Defense, in consultation with the Secretaries of the military departments, shall develop and implement a master plan that addresses the research, development, test, and evaluation infrastructure and modernization requirements of the Department of Defense, including the science and technology reinvention laboratories and the facilities of the Major Range and Test Facility Board.

(b) ELEMENTS.—The master plan required under subsection (a) shall include, with respect to the research, development, test, and evaluation infrastructure of the Department of Defense, the following:

(1) A summary of deficiencies in the infrastructure, by location, and the effect of the deficiencies on the ability of the Department—

(A) to meet current and future military requirements identified in the National Defense Strategy;

(B) to support science and technology development and acquisition programs; and

(C) to recruit and train qualified personnel.

(2) A summary of existing and emerging military research, development, test, and evaluation mission areas, by location, that require modernization investments in the infrastructure—

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

(B) to enhance the overall capabilities of the research, development, test, and evaluation infrastructure, including facilities and resources;

(C) to improve safety for personnel and facilities; and

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

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

(4) For each project identified under paragraph (3),

(A) a description of the scope of work;

(B) a cost estimate; and

(C) a schedule of the plan for the project;

(5) An explanation of the level of priority that will be given to the project; and

(E) a schedule of required infrastructure investments.

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

(A) the current authorities and responsibilities;

(B) unspecified minor military construction authority under section 2802 of title 10, United States Code;

(C) the authority to carry out facility repair projects, including the conversion of existing facilities, under section 2801 of such title; and

(D) the authority provided under the Defense Logistics Agency Modernization Act and title 10, United States Code, section 2803 of the National Defense Authorization Act for Fiscal Year 2016.

(e) SUBMISSION TO CONGRESS.—Not later than October 30, 2020, the Secretary of Defense shall submit to the congressional defense committees the master plan developed under subsection (a).

(f) RESEARCH AND DEVELOPMENT INFRASTRUCTURE DEFINED.—In this section, the term ‘‘research, development, test, and evaluation infrastructure’’ means the infrastructure—

(1) the science and technology reinvention laboratories (as designated under section 1105 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–92; 10 U.S.C. 2558 note));

(2) the Major Range and Test Facility Base (as defined in section 2558a(f)(2) of title 10, United States Code); and

(3) other facilities that support the research development, test, and evaluation activities of the Department.

SEC. 233. STRATEGY AND IMPLEMENTATION PLAN FOR FIFTH GENERATION INFORMATION AND COMMUNICATIONS TECHNOLOGIES. (a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall develop a strategy for harnessing fifth generation (commonly known as ‘‘5G’’) information and communications technologies to enhance military capabilities, maintain a technological advantage over the battlefield, facilitate the deployment of new commercial products and services enabled by 5G networks throughout the Department of Defense; and

(b) PLAN FOR IMPLEMENTING THE STRATEGY DEVELOPED.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the activities carried out under this section; and

(c) CONSULTATION AND USE OF CONTRACT AUTHORITY.—In implementing the plan required under subsection (a), the Secretary of Defense shall—

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

(2) consider using the contract authority provided to the Secretary under section 2681 of title 10, United States Code.

(d) SUBMISSION TO CONGRESS.—Not later than October 30, 2020, the Secretary of Defense shall submit to the congressional defense committees the master plan developed under subsection (a).

(e) RESEARCH AND DEVELOPMENT INFRASTRUCTURE DEFINED.—In this section, the term ‘‘research, development, test, and evaluation infrastructure’’ means the infrastructure—

(1) the science and technology reinvention laboratories (as designated under section 1105 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–92; 10 U.S.C. 2558 note));

(2) the Major Range and Test Facility Base (as defined in section 2558a(f)(2) of title 10, United States Code); and

(3) other facilities that support the research development, test, and evaluation activities of the Department.
(5) Preserving the ability of the Joint Force to achieve objectives in a contested and congested spectrum environment.

(6) Strengthening the ability of the Joint Force to execute spectrum operations that enhance the military advantages of the United States.

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

(8) Such other matters as the Secretary of Defense determines to be relevant.

(c) In developing the strategy and implementation plan required under subsection (a), the Secretary of Defense shall consult with the following:

(1) The Chief Information Officer of the Department of Defense.

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

(3) The Under Secretary of Defense for Acquisition and Sustainment.

(4) The Under Secretary of Defense for Intelligence.

(5) Service Acquisition Executives of each military service.

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

SEC. 234. DEPARTMENT-WIDE SOFTWARE SCIENCE AND TECHNOLOGY STRATEGY.

(a) Designation of senior official.—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 and in consultation with the Under Secretary of Defense for Acquisition and Sustainment, shall designate a single official or existing entity within the Department of Defense as the official or entity (as the case may be) with principal responsibility for guiding the direction of research and development of next generation software and software intensive systems for the Department, including the research and development of—

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

(2) new approaches to software development, data-based analytics, and next generation management tools.

(b) Development of strategy.—The official or entity designated under subsection (a) shall develop a comprehensive strategy for the research and development of next generation software and software intensive systems for the Department of Defense, including strategies for—

(1) types of software innovation efforts within the science and technology portfolio of the Department;

(2) investment in new approaches to software development, data-based analytics, and next generation management tools;

(3) ongoing research and other support of academic, commercial, and development community efforts to innovate the software development, engineering, and testing process;

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

(A) the final report of the Defense Innovation Board submitted to the congressional defense committees under section 872 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 133 Stat. 1497); and


(5) preserving the ability of the Department through the development of capabilities, including personnel and infrastructure, and programs in—

(A) the science and technology reinvention laboratories (as designated under section 105 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 111–84; 10 U.S.C. 2358 note));

(B) the facilities of the Major Range and Test Facility Board under section 2358a(f)(3) of title 10, United States Code); and

(C) the Defense Advanced Research Projects Agency; and

(6) the translation of relevant capabilities and technologies to information technology programs of the Department, including software intensive tactical systems, enterprise systems, and business systems.

(c) Submittal to Congress.—Not later than one year after the date of the enactment of this Act, the official or entity designated under subsection (a) shall submit to the congressional defense committees the strategy developed under subsection (b).

SEC. 235. ARTIFICIAL INTELLIGENCE EDUCATION STRATEGY.

(a) Strategy required.—

(1) In general.—The Secretary of Defense shall develop a strategy for educating service members in relevant occupational fields on matters relating to artificial intelligence.

(2) Elements.—The strategy developed under subsection (a) shall include a curriculum designed to give service members a basic knowledge of artificial intelligence. The curriculum shall include instruction in—

(A) artificial intelligence design;

(B) software design;

(C) potential military applications for artificial intelligence;

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

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

(F) ethical issues relating to artificial intelligence;

(G) the potential biases of artificial intelligence;

(H) potential weakness in artificial intelligence technology; and

(I) any other matters the Secretary of Defense determines to be relevant.

(b) Implementation plan.—

(1) In general.—The Secretary of Defense shall develop a plan for implementing the strategy developed under subsection (a).

(2) Elements.—The implementation plan required under paragraph (1) shall identify the following:

(A) The military occupational specialties (applicable to enlisted members and officers) that are most likely to interact with artificial intelligence technology.

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

(C) The duration of the training.

(D) The context in which the training will be provided, which may include basic training, occupational, specialized, refresher training, and professional military education.

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

(F) Any other issues the Secretary of Defense determines to be relevant.

(c) Submittal to Congress.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees—

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

(2) the implementation plan developed under subsection (b).

SEC. 236. BIANNUAL REPORT ON THE JOINT ARTIFICIAL INTELLIGENCE CENTER.

(a) Report.—Not later than 180 days after the date of the enactment of this Act and biannually thereafter through the end of 2023, the Secretary of Defense shall submit to the congressional defense committees a report on the Joint Artificial Intelligence Center (referred to in this section as the “Center”).

(b) Elements.—Each report under subsection (a) shall include the following:

(1) Information relating to the mission and objectives of the Center;

(2) A description of the National Mission Initiatives, Component Mission Initiatives, and any other initiatives of the Center, including a description of—

(A) the activities carried out under the initiatives;

(B) any investments made or contracts entered into under the initiatives; and

(C) the progress of the initiatives.

(3) A description of how the Center has sought to leverage the lessons learned from past practices, avoid duplication of efforts, and transition artificial intelligence research efforts into operational capabilities by—

(A) the Center and the private sector and academia; and

(B) the Center and international allies and partners.

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

(5) A description of the organizational structure and staffing of the Center.

(6) A detailed description of the frameworks, metrics, and capabilities established to measure the effectiveness of the Center and the Center’s investments in the National Mission Initiatives and Component Mission Initiatives.

(7) A description of any new policies, standards, or guidance relating to artificial intelligence that have been issued by the Chief Information Officer of the Department.

(c) Joint Artificial Intelligence Center Defined.—In this section, the term “Joint Artificial Intelligence Center” means the Joint Artificial Intelligence Center of the Department of Defense established pursuant to section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

SEC. 237. QUARTERLY UPDATES ON THE OPTIONALLY MANNED FIGHTING VEHICLE PROGRAM.

(a) In general.—Beginning not later than October 1, 2019, and on a quarterly basis thereafter through October 1, 2025, the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, in consultation with the Commanding General of the Army Futures Command, shall provide to the Committee on Armed Services of the House of Representatives a briefing on the progress of the Optionally Manned Fighting Vehicle program of the Army.

(b) Elements.—Each briefing under subsection (a) shall include—

(1) an overview of the program, including identification of—

(A) any obligations and expenditures that have been made under the program; and

(B) any obligations and expenditures that are planned for the program;

(2) an overview of the program schedule;

(3) a description of each contract awarded under the program, including a description of the type of contract and the status of the contract; and

(4) an assessment of the status of the program with respect to—

(A) the development and approval of technical requirements;
sure an equitable geographic distribution of practicable, the Secretary of Defense shall ensure that the funds received under this section shall be evaluated on the basis of merit pursuant to competitive procedures prescribed by the Secretary of Defense.

(c) SELECTION CRITERIA.—To be selected to receive a grant under this section an eligible entity shall demonstrate each of the following to the satisfaction of the Secretary:

(1) The civics education program proposed by the entity will include innovative approaches for improving civics education.

(2) The entity will dedicate sufficient resources to the program.

(3) As part of the program, the entity will conduct evaluations in accordance with subsection (f)(3).

(4) The entity will carry out activities to disseminate the results of the evaluations described in subsection (b), including publication of the results in academic journals.

(d) GEOGRAPHIC DISTRIBUTION.—To the extent practicable, the Secretary of Defense shall ensure that the equitable geographic distribution of grants under this section.

(e) CONSULTATION.—In awarding grants under this section, the Secretary of Defense shall consult with the Secretary of Education.

(f) USES OF FUNDS.—(1) REQUIRED USES OF FUNDS.—An eligible entity that receives a grant under this section shall use such grant for—

(A) to establish a civics education program or to improve an existing civics education program; and

(B) to evaluate the effect of the program on participants, including with respect to—

(i) critical thinking and media literacy;

(ii) voting and other forms of political and civic engagement;

(iii) interest in employment, and careers, in public service;

(iv) understanding of United States law, history, and society;

(v) the ability of participants to collaborate and compromise with others to solve problems.

(2) ALLOWABLE USES OF FUNDS.—An eligible entity that receives a grant under this section may use such grant for—

(A) the development or modification of curricula relating to civics education;

(B) classroom activities, thesis projects, internships, or community service activities relating to civics;

(C) collaboration with government entities, nonprofit organizations, or consortia of such entities and organizations to provide participants with civics-related experiences;

(D) civics-related faculty development programs;

(E) recruitment of educators who are highly qualified in civics education to teach civics or to assist with the development of curricula for civics education;

(F) presentation of seminars, workshops, and training for the development of skills associated with civics education;

(G) activities that enable participants to interact with government officials and entities;

(H) expansion of civics education programs and opportunities for members of the Armed Forces, dependents and children of such members and employees of the Department of Defense; and

(I) opportunities for participants to obtain work experience in fields related to civics.

(g) DEFINITIONS.—In this section:

(1) the term ‘civics education program’ means an educational program that provides participants with—

(A) knowledge of law, government, and the rights of citizens; and

(B) skills to enable participants to responsibly participate in democracy.

(2) The term ‘eligible entity’ means a Department of Defense educational institution, or secondary school (as described in section 2164 of title 10, United States Code).

239. TECHNOLOGY AND NATIONAL SECURITY INSTITUTIONS.

(a) FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish the fellowship program described in paragraph (2).

(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 “fellowship program”).

(3) EMPLOYMENT.—Fellows will be assigned to a one year tour of duty within the Department of Defense.

(4) PAY AND BENEFITS.—An individual assigned to a position under the fellowship program shall be compensated at the rate of compensation for an eligible individual that, as determined by the Secretary, focuses on science, technology, engineering, and mathematics credentials employed by the Department.

(b) ALLOWABLE USES OF FUNDS.—An eligible entity that receives a grant under this section shall use such grant for—

(1) to establish the fellowship program including fellowship administration;

(2) to establish an academic or research center for the purpose of conducting fellowship activities; and

(3) to support the development of fellowship programs.

(c) SELECTION CRITERIA.—To be selected to receive a grant under this section an eligible entity shall demonstrate each of the following:

(1) The civil, aerospace, or defense research program proposed by the entity will include innovative approaches for improving science and technology education.

(2) The entity will dedicate sufficient resources to the program.

(3) As part of the program, the entity will conduct evaluations in accordance with subsection (f)(3).

(d) GEOGRAPHIC DISTRIBUTION.—To the extent practicable, the Secretary of Defense shall ensure that the equitable geographic distribution of grants under this section.

(e) CONSULTATION.—In awarding grants under this section, the Secretary of Defense shall consult with the Secretary of Education.

(f) USES OF FUNDS.—(1) REQUIRED USES OF FUNDS.—An eligible entity that receives a grant under this section shall use such grant for—

(A) to establish a fellowship program or to improve an existing fellowship program; and

(B) to evaluate the effect of the program on participants, including with respect to—

(i) critical thinking and media literacy;

(ii) voting and other forms of political and civic engagement;

(iii) interest in employment, and careers, in public service;

(iv) understanding of United States law, history, and society;

(v) the ability of participants to collaborate and compromise with others to solve problems.

(2) ALLOWABLE USES OF FUNDS.—An eligible entity that receives a grant under this section may use such grant for—

(A) the development or modification of curricula relating to science, technology, engineering, or mathematics education;

(B) classroom activities, thesis projects, internships, or community service activities relating to science, technology, engineering, or mathematics;

(C) collaboration with government entities, nonprofit organizations, or consortia of such entities and organizations to provide participants with science, technology, engineering, or mathematics-related experiences;

(D) civic-engaged science, technology, engineering, or mathematics-related experiences; and

(E) civic-engaged science, technology, engineering, or mathematics-related experiences;

(F) presentation of seminars, workshops, and training for the development of skills associated with science, technology, engineering, or mathematics education;

(G) activities that enable participants to interact with government officials and entities;

(H) expansion of science, technology, engineering, or mathematics-related programs and opportunities for members of the Armed Forces, dependents and children of such members and employees of the Department of Defense; and

(I) opportunities for participants to obtain work experience in fields related to science, technology, engineering, or mathematics.
(1) IN GENERAL.—The Commission shall carry out the review described in paragraph (2). In carrying out such review, the Commission shall consider the methods and means necessary to advance research at covered institutions to comprehensively address the national security and defense needs of the United States.

(2) SCOPE OF THE REVIEW.—In conducting the review required under paragraph (1), the Commission shall consider the following:

(A) The competitiveness of covered institutions in developing, capturing, and executing defense research with the Department of Defense through contracts and grants.

(B) Means and methods for enhancing the capacity of covered institutions to conduct research related to national security and defense.

(C) The advancements and investments necessary to elevate covered institutions to RI status on the Carnegie Classification of Institutions of Higher Education, covered institutions to R1 status on the Carnegie Classification of Institutions of Higher Education.

(D) The legal and organizational structure for defense-related research at covered institutions as compared to the facilities and infrastructure at universities classified as R1 status on the Carnegie Classification of Institutions of Higher Education.

(E) Incentives to attract, retain, and lead development of leading research faculty to covered institutions.

(F) Incentives to attract, retain, and lead development of leading research faculty to covered institutions.

(G) A capability of covered institutions to develop, protect, and commercialize intellectual property created through defense-related research.

(H) The amount of defense research funding awarded to all colleges and universities through contracts and grants for the fiscal years of 2010 through 2019, including—

(i) the legal mechanism under which the organization was formed;

(ii) the total value of contracts and grants awarded to the organization during fiscal years 2010 to 2019;

(iii) the overhead rate of the organization for fiscal year 2019.

(iv) the Carnegie Classification of Institutions of Higher Education of the associated university or college;

(v) the associated university or college qualifies as a historically Black college or university or a minority institution.

(I) Areas for improvement in the programs executed under section 2362 of title 10, United States Code, the existing authorization to enhance defense-related research and education at covered institutions;

(J) Previous executive or legislative actions by the Federal Government to address the imbalance in federal research funding, such as the Established Program to Stimulate Competitive Research (commonly known as “EPSCoR”);

(K) Any other matters the Commission deems relevant to the advancement of the defense research capacity of covered institutions.

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the President and Congress an initial report on the findings of the Commission and such recommendations that the Commission may propose for action by the executive branch and Congress related to the covered institutions participating in Department of Defense research and actions necessary to expand their research capacity.

(2) FINAL REPORT.—Prior to the date on which the commission terminates under subsection (d), the Commission shall submit to the President and Congress a comprehensive report on the results of the review required under subsection (b).

3. FORM OF REPORTS.—Reports submitted under this subsection shall be made publically available.

(d) TERMINATION.—The Commission shall terminate on December 31, 2021.

(e) COVERED INSTITUTIONS DEFINED.—In this section, the term ‘‘covered institution’’ means—

(1) a part B institution (as that term is defined in section 232(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2))); and

(2) any other institution of higher education (as that term is defined in section 101 of such Act (20 U.S.C. 1001)) at which not less than 50 percent of the total student enrollment consists of students from ethnic groups that are under-represented in the fields of science and engineering.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are here authorized to be appropriated out of any funds not otherwise provided for, for operation and maintenance, as specified in the funding tables in section 4301.

Subtitle B—Energy and Environment

SEC. 312. AUTHORITY TO MAKE FINAL FINDING.

(a) IN GENERAL.—The Commission shall carry out the review described in paragraph (2) that benefit the military installation where the geothermal energy resource is located or—

(iii) energy or water security projects that—

(B) by striking the term ‘‘shall be available’’ and inserting—

(c) IN GENERAL.—Section 4718 of title 49 and inserting—

(d) IN GENERAL.—The Secretary of Defense shall be available to the extent determined by the Secretary concerned.

(e) IN GENERAL.—The Secretary concerned may carry out an environmental restoration project if the Secretary determines that under such circumstances the Secretary—

(1) has authority to carry out a response to perfluorooctanoic acid or perfluorooctane sulfonate contamination under this chapter or CERCLA;

(2) SAVING CLAUSE.—Nothing in this section, or the amendment made by this section, shall affect any requirement or authority under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

SEC. 310. AUTHORIZATION OF APPROPRIATIONS.

Funds are here authorized to be appropriated out of any funds not otherwise provided for, for operation and maintenance, as specified in the funding tables in section 4301.

Subtitle A—Authorization of Appropriations

 SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are here authorized to be appropriated out of any funds not otherwise provided for, for operation and maintenance, as specified in the funding tables in section 4301.

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(d) IN GENERAL.—The Secretary of Defense shall be available to the extent determined by the Secretary concerned.

(e) IN GENERAL.—The Secretary concerned may carry out an environmental restoration project if the Secretary determines that under such circumstances the Secretary—

(1) has authority to carry out a response to perfluorooctanoic acid or perfluorooctane sulfonate contamination under this chapter or CERCLA;

(2) SAVING CLAUSE.—Nothing in this section, or the amendment made by this section, shall affect any requirement or authority under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

SEC. 310. AUTHORIZATION OF APPROPRIATIONS.

Funds are here authorized to be appropriated out of any funds not otherwise provided for, for operation and maintenance, as specified in the funding tables in section 4301.

Subtitle A—Authorization of Appropriations

 SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are here authorized to be appropriated out of any funds not otherwise provided for, for operation and maintenance, as specified in the funding tables in section 4301.

Subtitle B—Energy and Environment

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(a) IN GENERAL.—The Commission shall carry out the review described in paragraph (2) that benefit the military installation where the geothermal energy resource is located or—

(iii) energy or water security projects that—

(B) by striking the term ‘‘shall be available’’ and inserting—

(c) IN GENERAL.—Section 4718 of title 49 and inserting—

(d) IN GENERAL.—The Secretary of Defense shall be available to the extent determined by the Secretary concerned.

(e) IN GENERAL.—The Secretary concerned may carry out an environmental restoration project if the Secretary determines that under such circumstances the Secretary—

(1) has authority to carry out a response to perfluorooctanoic acid or perfluorooctane sulfonate contamination under this chapter or CERCLA;

(2) SAVING CLAUSE.—Nothing in this section, or the amendment made by this section, shall affect any requirement or authority under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

SEC. 310. AUTHORIZATION OF APPROPRIATIONS.

Funds are here authorized to be appropriated out of any funds not otherwise provided for, for operation and maintenance, as specified in the funding tables in section 4301.

Subtitle A—Authorization of Appropriations

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(iii) energy or water security projects that—

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(c) IN GENERAL.—Section 4718 of title 49 and inserting—

(d) IN GENERAL.—The Secretary of Defense shall be available to the extent determined by the Secretary concerned.

(e) IN GENERAL.—The Secretary concerned may carry out an environmental restoration project if the Secretary determines that under such circumstances the Secretary—

(1) has authority to carry out a response to perfluorooctanoic acid or perfluorooctane sulfonate contamination under this chapter or CERCLA;

(2) SAVING CLAUSE.—Nothing in this section, or the amendment made by this section, shall affect any requirement or authority under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

SEC. 310. AUTHORIZATION OF APPROPRIATIONS.

Funds are here authorized to be appropriated out of any funds not otherwise provided for, for operation and maintenance, as specified in the funding tables in section 4301.

Subtitle A—Authorization of Appropriations

 SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are here authorized to be appropriated out of any funds not otherwise provided for, for operation and maintenance, as specified in the funding tables in section 4301.
(B) certification, in writing, that the waiver is necessary for the protection of life and safety.

(2) LIMITATION.—A waiver under this subsection shall apply for a period that does not exceed three years.

SEC. 319. PROHIBITION OF UNCONTROLLABLE RELEASE OF FLUORINATED AQUEOUS FILM FORMING FOAM AT MILITARY INSTALLATIONS.

(a) PROHIBITION.—As provided by subsection (b), the Secretary of Defense shall prohibit the uncontrolled release of fluorinated aqueous film-forming foam (hereinafter in this subsection referred to as “AFFF”) at military installations.

(b) EXCEPTIONS.—Notwithstanding subsection (a), fluorinated AFFF may be released at military installations if—

(1) AFFF may be released for purposes of training exercises at military installations.

(b) REAL-TIME NOISE-MONITORING STUDY AT MILITARY INSTALLATIONS WHERE TACTICAL FIGHTER AIRCRAFT OPERATE.

(a) REAL-TIME MONITORING.—The Secretary of the Navy and the Secretary of the Air Force shall each conduct a real-time noise-monitoring study at no fewer than three Navy installations and three Air Force installations. In conducting such study, the Secretaries shall—

(1) select installations where tactical fighter aircraft operate and noise contours have been developed through noise modeling to validate the noise contours developed through analysis and modeling at those installations; and

(2) ensure that such monitoring is conducted during times of high, medium, and low activity.

(b) REPORT REQUIRED.—Not later than December 1, 2020, the Secretary of the Navy and the Secretary of the Air Force shall jointly submit to the Committee on Armed Services of the Senate and House of Representatives a report on the real-time noise monitoring required under subsection (a). Such report shall include—

(1) a description of the monitoring;

(2) a comparison of such monitoring and the noise contours previously developed with the analysis and modeling methods previously used;

(3) an overview of any changes to the analysis and modeling process that have been made or are being considered as a result of the findings of such monitoring; and

(4) any other matters that the Secretaries determine appropriate.

SEC. 322. DEVELOPMENT OF CLIMATE VULNERABILITY AND RISK ASSESSMENT TOOL.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a climate vulnerability and risk assessment tool to assist the military departments in measuring how the risks associated with climate change impact networks of forces, installations, facilities, and other assets, as well as the operational plans and capabilities of the Department of Defense.

(b) CONSULTATION.—In developing the tool under subsection (a), the Secretary shall consult with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, the Administrator of the National Aeronautics and Space Administration, the Federal Emergency Management Agency, the Commander of the Army Corps of Engineers, the Administrator of the National Oceanic and Atmospheric Administration, the Federal Emergency Management Agency, the Administrator of the Federal Emergency Management Agency, the Commander of the National Aeronautics and Space Administration, a federally funded research and development center, and the heads of such other Federal agencies and the Secretary of Defense determines appropriate.

(c) PREVAILING SCIENTIFIC CONSENSUS.—Before completing development of the tool under subsection (a), the tool shall be modeled in accordance with prevailing scientific consensus on climate change.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the congressional defense committees a report describing the tool developed under subsection (a).

(2) CLASSIFIED ANNEX.—The report under paragraph (1) shall be submitted in unclassified form but may contain a classified annex if necessary.

(3) PUBLICATION.—Upon submittal of the report under paragraph (1), the Secretary shall publish the unclassified portion of the report on an internet website of the Department that is available to the public.

(e) UPDATES TO TOOL.—

(A) submit to the congressional defense committees a report describing such update; and

(B) publish the unclassified version of such report on an internet website of the Department that is available to the public.

SEC. 323. PROVISION OF UNCONTAMINATED WATER FOR AGRICULTURAL USE ON LAND CONTAMINATED BY PFOS AND PFOA.

(a) FINDINGS.—Congress makes the following findings:

(1) Perfluorooctanesulfonic acid (in this section referred to as “PFOS”) and perfluorooctanoic acid (in this section referred to as “PFOA”) are a part of a class of man-made chemicals that have been used in a variety of industrial and consumer products to make the products resist heat, stains, water, and grease.

(2) PFOS and PFOA are carcinogenic and cause liver and kidney damage, developmental issues, and cancer.

(3) PFOS and PFOA contamination has been found in drinking water, milk, and food products eaten by people living near military bases.

(b) AUTHORITY TO PROVIDE UNCONTAMINATED WATER FOR AGRICULTURAL USE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall consult with the Secretary of Agriculture to develop guidance requiring the Secretary of Agriculture to—

(1) issue guidance to State regulatory entities to ensure that water systems provide uncontrolled, safe drinking water.

(b) AUTHORITY TO PROVIDE UNCONTAMINATED WATER FOR AGRICULTURAL USE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall consult with the Secretary of Agriculture to develop guidance requiring the Secretary of Agriculture to—

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(b) AUTHORITY TO PROVIDE UNCONTAMINATED WATER FOR AGRICULTURAL USE.
each major weapon system by designated mission design series, variant, or class.

"(c) MATERIAL READINESS OBJECTIVES.—(1) The Secretary of Defense shall establish, and annually report on, an objective value for each metric required by subsection (b) as a necessary component to support the review and revision of the national defense strategy required pursuant to section 202(a) of this title.

"(2) To the maximum extent practicable, the Secretary shall ensure that objective values established under this subsection are classified.

"(d) DEFINITIONS.—In this section:

'(1) The term ‘major weapons system’ has the meaning given the term ‘major system’ under section 202(a) of this title, except that such term does not include an acquisition program for a defense business system (as defined in section 2222(i)(1) of this title).

'(2) The term ‘functional availability’ means the probability of a covered asset being in a state capable of performing an assigned mission.

'(3) The term ‘material reliability’ means the probability that a covered asset will perform without failure over a specified interval.

'(4) The term ‘operational availability’ means the measure of the percentage of a time a covered asset is operationally capable.

'(5) ‘Weapon system’ means a system consisting of an operational capability across all program participants that is capable of performing an assigned mission as identified by a key force element and other relevant information related to each problem or deficiency.

"(2) CLERICAL AMENDMENTS.—The table of sections at the end of title 10, United States Code, is amended—

'(a) by inserting ‘‘to meet the material readiness objectives’’ after ‘‘for the weapon system’’; and

'(b) by inserting ‘‘and objectives’’ after ‘‘for the system’’.

"(3) DEADLINES.—

'(A) DEADLINE FOR GUIDANCE.—The guidance required by section 118(a) of title 10, United States Code, is amended—

'(i) in paragraph (1), by striking ‘‘carry out’’ and inserting ‘‘to meet the material readiness objectives’’ before ‘‘for the weapon system’’; and

'(ii) in paragraph (2), by striking ‘‘and objectives’’ after ‘‘for the weapon system’’.

'(B) CONFIRMING AMENDMENT.—Section 2337(b)(2)(A) of title 10, United States Code, is amended—

'(i) by striking ‘‘to meet the material readiness objectives’’ after ‘‘for the weapon system’’; and

'(ii) by inserting ‘‘under section 118 of this title’’ after ‘‘for the weapon system’’.

'(C) DEADLINES.—

'(i) DEADLINE FOR ESTABLISHMENT OF MATERIAL READINESS OBJECTIVES.—The material readiness objectives required by section 118(c)(1) of title 10, United States Code, as added by subsection (a), shall be established by not later than one year after the date of the enactment of this Act.

'(ii) DEADLINE FOR MATERIAL READINESS OBJECTIVES.—The material readiness objectives required by section 118(c)(1) of title 10, United States Code, as added by subsection (a), shall be established by not later than one year after the date of the enactment of this Act.

"SEC. 323. CLARIFICATION OF AUTHORITY REGARDING USE OF WORKING CAPITAL FUNDS FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS RELATED TO REVALIDATION AND RECAPITALIZATION OF DEFENSE INDUSTRIAL BASE FACILITIES.

Section 2908(w) of title 10, United States Code, is amended—

'(1) in paragraph (1), by striking ‘‘carry out’’ and inserting ‘‘fund’’;

'(2) in paragraph (2)—

'(A) by striking ‘‘Section 2005’’ and inserting ‘‘sections 2005’’;

'(B) by striking ‘‘carried out with’’ and inserting ‘‘funded using’’; and

'(C) by adding at the end the following new subparagraph:

‘‘(B) For purposes of applying subparagraph (A), the dollar limitation specified in subsection (a) of this title, subject to adjustment as provided in subsection (f) of this section, shall apply rather than the dollar limitation specified in subsection (c) of this section.

'(3) in paragraph (4), by striking ‘‘carry out’’ and inserting ‘‘fund’’.

"SEC. 333. F–35 JOINT STRIKE FIGHTER TITLES.

(a) LIMITATION ON USE OF FUNDS.—Of the amounts authorized to be appropriated or otherwise made available in this Act for the Office of the Under Secretary of Defense for Acquisition and Sustainment for fiscal year 2020, not more than 75 percent may be obligated or expended until the date on which the Under Secretary submits the report required by subsection (b).

'(b) REPORT REQUIRED.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on steps being taken to improve the availability and accountability of F–35 parts within the supply chain. The report shall include a detailed plan for each of the following elements:

'(1) How the accountable property system of record will be updated with information from the prime contractors supplying such parts on required cost and related data with respect to the parts and how the F–35 Program Office will ensure such contractors are adhering to contractual requirements for the management, reporting, visibility, and accountability of all such parts supplied by the prime contractors.

'(2) How the accountability property system of record will have interfaces that allow the F–35 Program Office and other authorized entities to have proper visibility of assets in accordance with applicable Department of Defense Instructions, Department of Defense Manuals, and other applicable regulations.

'(3) How the Secretary and the Secretary of each of the military departments will ensure business rules for the prioritization of F–35 parts across all program participants is sufficient, effective, and responsive.

'(4) Steps being taken to ensure parts within the base, aflot, and deployment spares packages are compatible for deploying F–35 aircraft and aircraft account for demand.

"SEC. 334. REPORT ON STRATEGIC POLICY FOR PREPOSITIONED MATERIEL AND EQUIPMENT.

(a) REPORT REQUIRED.—Not later than March 1, 2020, the Assistant Secretary of Defense for Sustainment, in coordination with the Joint Staff, shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the implementation plan for prepositioned materiel and equipment required by section 321(b) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 730; 10 U.S.C. 2229 note). Such report shall include each of the following:

'(1) A comprehensive list of the prepositioned materiel and equipment programs of the Department of Defense.

'(2) A detailed description of how the plan will be implemented.

'(3) A description of the resources required to implement the plan, including the amount of funds and personnel.

'(4) A description of how the plan will be reviewed and assessed to monitor progress.

'(5) Guidance on applying a consistent definition of prepositioning across the Department, including the military departments, the combatant commands, and the Defense Agencies.

'(6) A detailed description of how the Secretary will implement a joint oversight approach of the prepositioning programs of the military departments.

'(b) LIMITATION ON USE OF FUNDS.—Of the amounts authorized to be appropriated or otherwise made available in this Act for the Office of the Assistant Secretary of Defense for Sustainment for fiscal year 2020, not more than 75 percent may be obligated or expended until the date on which the Under Secretary submits the report required by subsection (a).

"SEC. 335. LIMITATION ON USE OF FUNDS FOR THE ACQUISITION OF ELEMENTS OF MASTER PLAN FOR THE REDEVELOPMENT OF FORMER SHIP REPAIR FACILITY IN GUAM.

(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 Navy for fiscal year 2020 may be obligated or expended for any construction, alteration, repair, or development of the real property consisting of the Former Ship Repair Facility in Guam.

(b) EXCEPTION.—The limitation under subsection (a) does not apply to any project that directly supports depot-level ship maintenance capabilities, including the mooring of a floating dry dock.

"SEC. 336. FORMER SHIP REPAIR FACILITY IN GUAM.

In this section, the term ‘Former Ship Repair Facility in Guam’ means the property identified by that name under the base realignment and closure authority carried out under the Defense Base Closure and Realignment Act of 1990 (part 2 of title XIX of Public Law 101–510; 10 U.S.C. 2687 note).

Subtitle D—Reports

SEC. 341. READINESS REPORTING.

(a) READINESS REPORTING SYSTEM.—Section 117 of title 10, United States Code, is amended—

'(1) by striking subsections (d) through (g); and

'(2) by redesignating subsection (h) as subsection (d).

'(b) QUARTERLY REPORTS.—Section 482 of title 10, United States Code, is amended—

'(1) in the section heading, by striking ‘‘Quarterly Reports’’ and inserting ‘‘Reports and Briefings’’;

'(2) in subsection (a)—

'(A) in the subsection heading, by striking ‘‘Quarterly Reports’’ and inserting ‘‘Reports and Briefings’’;

'(B) in the first sentence—

'(i) by striking ‘‘Not later’’ and inserting ‘‘(1) Not later’’; and

'(ii) by striking ‘‘each calendar-year quarter’’ and inserting ‘‘the second and fourth quarter of each calendar year’’;

'(C) by striking the second and third sentences and inserting ‘‘The Secretary of Defense shall submit each such report in writing and shall also submit a copy of each such report to the Chairman of the Joint Chief of Staff’’; and

'(D) by adding at the end the following new paragraphs:

'(i) ‘‘Not later than 30 days after the end of the first and third quarter of each calendar year, the Secretary of Defense shall provide to Congress a briefing regarding the military readiness of the active and reserve components.‘‘

'(ii) ‘‘Each report under this subsection shall contain the elements required by subsection (b) for the quarter covered by the report, and each report shall address any changes to the elements described in subsection (b) since the submittal of the most recently submitted report.‘‘

'(3) by striking subsection (b) and inserting the following:

'(B) REQUIRED ELEMENTS.—The elements described in this subsection are each of the following:

'(i) A description of each readiness problem or deficiency that affects the ground, sea, air, space, cyber, or special operations forces, and any other area determined appropriate by the Secretary of Defense.

'(ii) The key contributing factors, indicators, and other relevant information related to each identified problem or deficiency.

'(iii) A summary of combat readiness ratings for the key force elements assessed, including information on personnel, supply, equipment, and training problems or deficiencies that affect the combat readiness ratings for each force element.

'(iv) A summary of each upgrade or downgrade of the combat readiness of a unit that was issued by the commander of the unit, together
with the rationale of the commander for the issuance of such upgrade or downgrade.

“(6) A summary of the readiness of supporting capabilities, including infrastructure, prepositioned equipment and supplies, and mobility assets, and other supporting logistics capabilities.

“(7) A summary of the readiness of the combat support and related agencies, any readiness problem or deficiency affecting any mission essential tasks of any such agency, and actions recommended to address any such problem or deficiency.

“(8) A list of all Class A, Class B, and Class C mishaps that occurred in operations related to combat support and related agencies, prepositioned events involving aviation, ground, or naval platforms, weapons, space, or Government vehicles, as defined by Department of Defense Instruction 6055.07, or a successor instruction.

“(9) Information on the extent to which units of the armed forces have removed serviceable parts, supplies, or equipment from one vehicle, vessel, or aircraft in order to render a different vehicle, vessel, or aircraft operational.

“(10) Such other information as determined necessary or appropriate by the Secretary of Defense.”.

“(4) by striking subsection (d) through (h) and subsection (i);

“(5) in paragraphs (3) and (4), by striking ‘‘Defense Department’’ and inserting ‘‘Department of Defense’’;”.

“(5) The cost, categorized by class of ship, of unplanned growth work for each of the three preceding fiscal years.

“SEC. 344. REPORT ON RUNT DOME.

“(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Energy, in coordination with the Administrator of Environmental Protection Agency and Secretary of Defense, shall submit to the Committee on Energy and Commerce, the Committee on Natural Resources, and the Committee on Armed Services of the House of Representatives and the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate a report on the status of the Runt Dome in the Marshall Islands.

“(b) MATTERS FOR INCLUSION.—The report required by subsection (a) shall include each of the following:

“(1) A detailed plan to remove the radioactive materials in the dome to a safer and more stable location, including a predicted timeline and associated costs.

“(2) A detailed plan to repair the dome to ensure that it does not have any harmful effects to the local population, environment, or wildlife, including the predicted costs of implementing such plan.

“(3) The effects on the environment that the dome has currently and is projected to have in 5 years, 10 years, and 20 years.

“(4) An assessment on the safety of food gathered from local food sources.

“(5) An assessment of the current condition of the outer constructs of the dome.

“(6) An assessment of the current and long-term safety to local humans posed by the site.

“(7) How rising sea levels are predicted to affect the dome, including a description of projected scenarios if the dome becomes partially or fully submerged by ocean water.

“(8) A summary of interactions between the Government of the United States and the government of the Marshall Islands about the dome.

“(9) A detailed description of the physical health effects on Pacific Islanders, including residents of Hawaii, Fiji, and Samoa, of nuclear testing conducted at Runt Dome.

“(10) A detailed description of the pre-and post-nuclear test communications between the United States Government and the territories and nations of the Pacific Islands, including Hawaii, Fiji, and Samoa.

“(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form and made publicly available.

“Subtitle E—Other Matters

“SEC. 351. INCLUSION OF OVER-THE-HORIZON RADARS IN EARLY OUTREACH PROCEDURES.

“Section 183a(c)(6) of title 10, United States Code, is amended by striking ‘‘or airport surveillance radar’’ and inserting ‘‘, airport surveillance radar, or wide area surveillance over-the-horizon radar’’.

“SEC. 352. EXTENSION OF AUTHORITY FOR SEC- RETARY OF TRANSPORTATION TO ISSUE NON-PREMIUM AVIATION INSURANCE.

“Section 4310(b) of title 49, United States Code, is amended by striking ‘‘December 31, 2020’’ and inserting ‘‘September 30, 2023’’.

“SEC. 353. DEFENSE PERSONAL PROPERTY PROGRAM.

“(a) ADVISORY GROUP.—Establishment.—There is established an advisory group on the defense personal property program, to be known as the ‘‘Global Household Relocation Services Advisory Committee’’.

“(b) MEMBERSHIP.—The advisory group shall be comprised of 15 members appointed from among individuals who represent appropriate entities as follows:

“(1) One member representing United States Transportation Command, appointed by the Commander of United States Transportation Command.

“(2) A flag or general officer of the Armed Forces representing each of the Army, Navy, Air Force, Marine Corps, and Coast Guard appointed by the Vice Chief of Staff of the Army, Vice Chief of Naval Operations, Vice Chief of Staff of the Air Force, the Assistant Commandant of the Marine Corps, and Vice Commandant of the Coast Guard, respectively.

“(C) Four members representing appropriate transportation service providers, including two small business concerns, appointed by the Assistant Secretary of Defense for Sustainment.

“(D) Five members representing consumer representatives who are members of the Armed Forces or spouses of members of the Armed Forces, one of whom is appointed by the senior enlisted commissioned officer of each of the Army, Navy, Air Force, Marine Corps, and Coast Guard.
(3) MEETINGS.—The advisory group shall convene regularly to provide to the Secretary of Defense feedback on the execution of, and any recommended changes to, the global household goods contract.

(4) REPORTS.—
(a) QUARTERLY REPORTS.—Not later than 30 days after the end of each fiscal quarter, the advisory group shall submit to the congressional defense committees a report on the activities and recommendations of the advisory group during such fiscal quarter.

(b) TERMINATION OF REPORT REQUIREMENT.—
(1) The requirement to submit a report under paragraph (A) shall terminate on the termination date under paragraph (5)(A).

(2) TERMINATION.—The advisory group shall terminate on the date that is five years after the date of the enactment of this Act.

(c) BUSINESS CASE ANALYSIS.—Not later than 60 days after the date of the enactment of this Act, the Commander of United States Transportation Command shall make a business case analysis for the proposed award of a global household goods contract for the defense personal property program.

(c) LIMITATION.—
(1) the Innovative Readiness Training program is an effective training program for members of the Armed Forces and is highly beneficial to local American communities;

(2) the geographic complexities and realities of nonmilitary States and territories, and the geographic complexities and realities of nonmilitary States and territories.

(3) The Department of Defense should pursue continued readiness through Innovative Readiness Training in non-contiguous States and territories;

(4) In considering whether to recommend a project, the Secretary should consider the benefits of the project to the economy of a region damaged by natural disasters.

SEC. 358. PILOT PROGRAM ON REDUCTION OF EFFECTS OF MILITARY AVIATION NOISE ON PRIVATE RESIDENCES.

(a) IN GENERAL.—The Secretary of Defense shall carry out a five-year pilot program under which the commander of a military installation may provide funds for the purposes of installing noise insulation on private residences impacted by military aviation noise from the installation.

(b) ELIGIBILITY.—To be eligible to receive funds under the pilot program, a recipient shall enter into an agreement with the commander to:

(1) provide at least 50 percent of the funds required to carry out the noise insulation; and

(2) ensure that the noise at any private residence where insulation is installed is reduced by at least 5 dB.

(c) USE OF FUNDS.—Funds provided under the pilot program shall be used for the installation of noise insulation at a residence—

(1) located within a Department of Defense noise contour between 65 dB day-night average sound level and 75 dB day-night average sound level as validated on a National Environmental Policy Act-compliant assessment within the past three years; and

(2) where interior noise has been measured at 45 dB day-night average sound level by the installation.

(d) GOALS AND BEST PRACTICES.—In carrying out the pilot program under this section, a commander shall use the following goals and best practices:

(1) Minimize cost in order to maximize number of homes served.

(2) Focus efforts on residences newly impacted by noise.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES. The Armed Forces are authorized strengths for active duty personnel as of September 30, 2020, as follows:

(1) The Army, 480,000.

(2) The Navy, 340,500.

(3) The Marine Corps, 186,200.

(4) The Air Force, 332,800.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. MANAGEMENT POLICIES FOR JOINT QUALIFIED OFFICERS. Section 603(b)(1)(B) of title 10, United States Code, is amended in the third sentence by inserting “or a designee of the Chairman who is
an officer of the armed forces in grade O-8 or higher” before the period.

SEC. 502. GRADE OF CHIEF OF THE VETERINARY CORPS OF THE ARMY.

Section 703(b) of title 10, United States Code, is amended by adding at the end the following:

“(f) REPORT.—Not later than two years after the date of the enactment of this Act and shall apply to appointments made under this subsection (a) beyond the date described in subsection (a).”

SEC. 503. AUTHORITY OF PROMOTION BOARDS TO RECOMMEND THAT OFFICERS OF PARTICULAR MERIT BE PLACED HIGHER ON PROMOTION LIST.

(a) IN GENERAL.—Section 14108 of title 10, United States Code, is amended by adding at the end the following:

“(h) PLACEMENT OF OFFICERS OF PARTICULAR MERIT ON PROMOTION LIST.—(1) In selecting officers to be recommended for promotion, a promotion board may, when authorized by the Secretary concerned, recommend that officers of particular merit, from among those officers selected for promotion, be placed higher on the promotion list established by the Secretary under section 14309(a) of this title.

“(2) A promotion board may make a recommendation under paragraph (1) only if an officer recommended by the promotion board—

“(A) the Secretary determines appropriate.

“(B) a notice of such assignment or reassignment.

“(C) the Secretary of Defense shall issue new guidance that treats the use of unmanned aircraft systems by the National Guard for covered activities in a manner no more restrictive than the use of aircraft for covered activities by the National Guard for covered activities,”.

(b) REPORT.—In this section, “covered activities” means the following:

“(1) Emergency operations.

“(2) Search and rescue operations.

“(3) Defense support to civil authorities.

“(4) Support under section 502(f) of title 32, United States Code.

SEC. 511. JUNIOR RESERVE OFFICERS TRAINING CORPS.

(a) IN GENERAL.—Section 2630(b)(2) of title 10, United States Code, is amended by inserting “and” before “any student”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 180 days after the date of the enactment of this Act.

SEC. 516. JROTC COMPUTER SCIENCE AND CYBERSECURITY PROGRAM.

Chapter 102 of title 10, United States Code, is amended by adding at the end the following new section:

“(a) PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a program to enhance the preparation of students in the Junior Reserve Officers’ Training Corps in careers in computer science and cybersecurity.

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

“(1) The Secretaries of the military departments.

“(2) The Secretary of Education.

“(3) The National Science Foundation.

“(4) The heads of such other Federal, State, and local government entities the Secretary of Defense determines appropriate.

“(5) Private sector organizations the Secretary of Defense determines appropriate.

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

“(1) Establishment of targeted internships and cooperative research opportunities in computer science and cybersecurity at defense laboratories and other technical centers for students in and instructors of the Junior Reserve Officers’ Training Corps.

“(2) Funding for training and other supports for instructors to teach evidence-based courses in computer science and cybersecurity to students.

“(3) Efforts and activities that improve the quality of computer science and cybersecurity education, training opportunities, and curricula for students and instructors.

“(4) Development of travel opportunities, demonstrations, mentoring programs, and informal computer science and cybersecurity education for students and instructors.

“(5) METRICS.—The Secretary shall establish and apply metrics to assess the effectiveness of the program, including assessments to determine the number of students in the program, and metrics and other assessments to evaluate the merits and benefits of activities conducted under the program with respect to the needs of the Department of Defense.

“(6) AUTHORIES.—In carrying out the program, the Secretary shall—

“(A) not later than two years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–28), take such actions as the Secretary determines appropriate.

“(B) require the Secretary of Defense to submit to the committees on Armed Services of the Senate and the House of
Representatives a report on activities carried out under the program.".

SEC. 517. PROGRAMS OF SCHOLARSHIPS FOR MEMBERS OF JUNIOR RESERVE OFFICERS' TRAINING CORPS UNITEO TOWARD OBTAINING PRIVATE PILOT'S CERTIFICATES.

(a) PROGRAMS AUTHORIZED.—Each Secretary of a military department may carry out a program to award scholarships to qualified members of units of the Junior Reserve Officers' Training Corps under the jurisdiction of such Secretary to be eligible for the award of a scholarship under the program.

(b) MEMBER QUALIFICATIONS.—(1) In general.—In carrying out a program under subsection (a), the Secretary of a military department shall prescribe the standards to be met by members of units of the Junior Reserve Officers' Training Corps under the jurisdiction of such Secretary to be eligible for the award of a scholarship under the program.

(c) UNIFORMITY ACROSS MILITARY DEPARTMENTS.—To the extent practicable, the standards prescribed under this subsection shall be uniform across the military departments.

(d) APPROVED INSTITUTIONS OF HIGHER EDUCATION.—(1) In general.—In carrying out a program under subsection (a), the Secretary of a military department shall prescribe the requirements that institutions of higher education must meet in order to be approved to award scholarships, including the number of scholarships that may be awarded.

(2) QUALIFICATIONS AND STANDARDS.—Any institution of higher education included on a list under this subsection, and any course of instruction for which a private pilot's certificate is awarded under the program, must meet the qualifications and standards prescribed by the Secretary.

SEC. 518. SENSE OF CONGRESS REGARDING JUNIOR RESERVE OFFICERS' TRAINING CORPS.

It is the sense of Congress that—

(1) the Junior Reserve Officers' Training Corps (referred to in this section as "JROTC") contributes to the character development of youth in the Nation and in the members of the Armed Forces who serve;

(2) JROTC develops a culture dedicated to service of our country, land and reinforces duty, honor and coeurage;

(3) The nation has been steadily depending on a smaller and smaller minority of the population to fight its wars and protect its borders;

(4) This dwindling population risks the long-term security of our Nation and the freedoms it provides;

(5) JROTC operates in all 50 States and contributes to better grades and graduation rates; and

SEC. 519. SENSE OF CONGRESS REGARDING THE NATIONAL GUARD YOUTH CHALLENGE PROGRAM.

It is the sense of Congress that—

(1) the National Guard Youth Challenge Program provides a vital service to at-risk youth by providing life-changing mentorship, developing self-discipline, and preparing for education in valuable skills; and

(2) the Secretary of Defense should authorize the program to continue.

SEC. 521. ESTABLISHMENT OF BOARD OF APPEALS REGARDING DENIED REQUESTS FOR UPGRADED DISCHARGES AND DISMISSALS.

(a) ESTABLISHMENT.—(1) The Secretary of Defense shall establish a Board of Discharge Appeals to hear appeals of requests for upgraded discharges and dismissals under section 513 of this title that are denied by the service review agencies.

(2) The Board of Discharge Appeals shall consist of not fewer than three members appointed by the Secretary.

(b) APPEAL.—(1) Upon the request of an appellant, the Board of Discharge Appeals shall review the findings and decisions of a service review agency regarding the review of the discharge or dismissal of an appellant.

(2) The Board of Discharge Appeals may direct the Secretary of the military department concerned to change the discharge or dismissal of an appellant, or issue a new discharge for an appellant, to reflect its findings.

(c) DEFINITIONS.—In this section:

(1) the term 'appellant' includes a former member of the armed forces (or if the former member is dead, the surviving spouse, next of kin, or legal representative of the former member) whose request for an upgraded discharge or dismissal was denied by a service review agency.

(2) The term 'service review agency' has the meaning given that term in section 513 of this title.

SEC. 522. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TABLE OF SECTIONS.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 513 the following new item:

"513aa. Board of Discharge Appeals."

(b) CONFORMING AMENDMENT.—Section 513(b) of title 10, United States Code, is amended—

(1) by inserting "513aa" before "513"; and

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

"(7) The Secretary of Defense shall establish a Board of Discharge Appeals under section 513aa of this title."

SEC. 523. DEADLINE.—The Secretary of Defense shall establish and implement the Board of Discharge Appeals established under such section 513aa of title 10, United States Code, as added by subsection (a), not later than September 30, 2020.

SEC. 524. TRAINING.—Each member of the Board of Discharge Appeals established under such section 513aa shall receive training under section 513aa of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 114–328; 10 U.S.C. 1525 note).

SEC. 525. REPORTING.—Not later than April 1, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report regarding the Board of Discharge Appeals established under such section 513aa. The report shall include, with respect to appeals heard by the Board of Discharge Appeals since implementation, the following:

(a) The number of appeals heard.

(b) The number of appeals granted.

(c) The number of appeals denied, including the reasons for such denial.

(d) A summary of any differences between reviews under section 513aa of title 10, United States Code, amended by section 513aa of this title, and any related decisions of the Board of Discharge Appeals.
States Code, and appeals under section 1553a of such title.

(2) ONLINE PUBLICATION.—On October 1 of each year starting in 2022, the Secretary shall publish a report on the operation described in subparagaphs (A), (B), and (C) of paragraph (1) with regards to the preceding fiscal year.

SEC. 522. PROHIBITION ON REDUCTION IN THE NUMBER OF PERSONNEL ASSIGNED TO DUTY WITH A SERVICE REVIEW AGENCY.

(a) PROHIBITION.—Section 1559(a) of title 10, United States Code, is amended—

(1) by striking “December 31, 2019” and inserting “December 31, 2021”; and

(2) by striking “that agency until—” and inserting “that agency,”;

and

(b) PRIORITY.—(1) RECORD AND UPGRADE REVIEW BOARDS.—Not later than 180 days after the enactment of this Act, the Secretary of each military department shall submit a report to the Committees on Armed Services of the Senate and House of Representatives that details a plan to—

(A) reduce the backlog of applications before the service review agency of the military department concerned; and

(B) maintain the resources required to meet the timeframes for disposition of applications before the Corrections Boards under section 1557 of title 10, United States Code, not later than October 1, 2022.

(2) DIRECTOR; ASSISTANT DIRECTOR.—The Secretary of each military department shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the results of the study required by this subsection.

SEC. 523. ADVISORY COMMITTEE ON RECORD AND SERVICE REVIEW BOARDS.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a seventeen-member Independent Commission to study the structure and efficiency of the service review boards. The Independent Commission will conduct a study on barriers to entry into the Armed Forces for English learners, including an analysis of the scalability and sustainability of such efforts and programs; and

(b) MANDATE.—The Independent Commission shall consist of the following:

(1) The Secretary of Defense;

(2) Members of the Armed Forces serving on active duty;

(3) Members of the Armed Forces serving on active duty who have experience as members of the Advisory Committee to the Secretary of Defense; and

(4) English Learner Defined.—In this section, the term “English learner” means a person who—

(A) is not a United States citizen;

(B) has a limited proficiency in English;

(C) is not a native speaker of English;

(D) is not a foreign language learner;

(E) is a citizen of a country where English is not the primary language;

(F) is a foreign language learner;

(G) is a person who—

(i) is not a native speaker of English;

(ii) is a citizen of a country where English is not the primary language;

(iii) is a foreign language learner;

(iv) is a person who is not a native speaker of English;

(v) is a citizen of a country where English is not the primary language;

(vi) is a foreign language learner;

(vii) is a person who is not a native speaker of English;

(viii) is a citizen of a country where English is not the primary language;

(ix) is a foreign language learner;

(x) is a person who is not a native speaker of English;

(xi) is a citizen of a country where English is not the primary language;

(xii) is a foreign language learner;

(xiii) is a person who is not a native speaker of English;

(xiv) is a citizen of a country where English is not the primary language;

(xv) is a foreign language learner;

(xvi) is a person who is not a native speaker of English;

(xvii) is a citizen of a country where English is not the primary language;

(xviii) is a foreign language learner;

(xix) is a person who is not a native speaker of English;

(xx) is a citizen of a country where English is not the primary language;

(xxx) is a foreign language learner;

(2) DEADLINE.—Not later than 360 days after the date of the enactment of this Act, the Secretary shall transmit the report required by this subsection to the Congress.

(c) DEADLINE.—The Secretary shall implement the standards contained in this subsection not later than October 1, 2021.

SEC. 524. TIME REQUIREMENTS FOR CERTIFICATION OF HONORABLE SERVICE.

Upon the submission to the Secretary of a military department or a designated commissioned officer serving in the pay grade O-6 or higher by a member of the Armed Forces of a completed United States Citizenship and Immigration Services Form X-429, the Secretary or the Office shall—

(1) in the case of a member of the Armed Forces who has served or is serving honorably on active duty, provide certification that the nature of the member’s service has been honorable by not later than five days from receiving the form; and

(2) in the case of a member of the Armed Forces who has served or is serving honorably in a Reserve Component of the Armed Forces, provide such certification by not later than three weeks from receiving the form; and

(3) in the case of a member of the Armed Forces whose service has been other than honorable, provide to the member notice that a certification of honorable service will not be provided and justification for why such certification will not be provided—

(A) in the case of a member who has served or is serving on active duty, by not later than five days from receiving the form; and

(B) in the case of a member who has served or is serving in a Reserve Component, by not later than three weeks from receiving the form.

SEC. 525. PREVENTION AND REMEDY FOR UNFAIR CLAIMS DECISIONS.

The Secretary of Defense may not take any action to implement the memorandum titled “Military Service Suitability Terminations for Foreign Nationals Who Are Lawful Permanent Residents”, issued by the Secretary and dated October 13, 2017, until the Secretary reports to the congressional defense committees of the Senate and House of Representatives that the Secretary has assessed the viability of different policy options considered in the course of the activities of the Advisory Commission established by section 523 of this Act.

SEC. 526. STRATEGIC PLAN FOR DIVERSITY AND INCLUSION.

(a) PLAN REQUIRED.—The Secretary of Defense shall design and implement a five-year strategic plan for diversity and inclusion in the Department of Defense.

(b) ELEMENTS.—The strategic plan described in this section—

(1) shall be based on the strategic plan established under section 2 of Executive Order 13583 (3 Fed. Reg. 13583 (August 18, 2011));

(2) shall incorporate efforts to promote diversity and inclusion within the Department; and

(3) may not conflict with the objectives of the 2018 National Military Strategy.

(c) DEADLINE.—The Secretary shall implement the strategic plan under this section on January 1, 2020.

SEC. 527. INDEPENDENT STUDY ON BARRIERS TO ENTRY INTO THE ARMED FORCES FOR ENGLISH LEARNERS.

(a) INDEPENDENT STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center under which the center will conduct a study on barriers to entry into the Armed Forces for English learners.

(b) ELEMENTS.—The study under subsection (a) shall—

(1) identify barriers to entry into the Armed Forces for English learners, including—

(A) challenges with military recruiters and language proficiency;

(B) challenges with the assessment of potential recruits, including the construction and development of tests related to the Armed Services Vocational Aptitude Battery;

(C) challenges with dissemination of recruitment information; and

(D) any other challenges that may be identified by the federally funded research and development center in the course of the study;

(2) the effect of such barriers on—

(A) the number of interactions recruiters have with English learners;

(B) the enlistment rate among populations of English learners; and

(C) any other effects that may be identified by the federally funded research and development center in the course of the study;

(3) an analysis of existing efforts and programs to remove barriers to entry into the Armed Forces for English learners, including an analysis of the scalability and sustainability of such efforts and programs; and

(4) additional opportunities to address such barriers, including alternative assessments and Armed Forces Vocational Aptitude Battery preparation programs for English learners.

(c) SUBMITTAL TO DEPARTMENT OF DEFENSE.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees an unaltered copy of the report and any comments of the Secretary with respect to the report.

(e) ENGLISH LEARNER DEFINED.—In this section, the term “English learner” means a person who—

(A) is not a United States citizen;

(B) has a limited proficiency in English;

(C) is not a native speaker of English;

(D) is not a foreign language learner;

(E) is a citizen of a country where English is not the primary language;

(F) is a foreign language learner;

(G) is a person who—

(i) is not a native speaker of English;

(ii) is a citizen of a country where English is not the primary language;

(iii) is a foreign language learner;

(iv) is a person who is not a native speaker of English;

(v) is a citizen of a country where English is not the primary language;

(vi) is a foreign language learner;

(vii) is a person who is not a native speaker of English;

(viii) is a citizen of a country where English is not the primary language;

(ix) is a foreign language learner;

(x) is a person who is not a native speaker of English;

(xi) is a citizen of a country where English is not the primary language;

(xii) is a foreign language learner;

(xiii) is a person who is not a native speaker of English;

(xiv) is a citizen of a country where English is not the primary language;

(xv) is a foreign language learner;

(xvi) is a person who is not a native speaker of English;

(xvii) is a citizen of a country where English is not the primary language;

(xviii) is a foreign language learner;

(xix) is a person who is not a native speaker of English;

(xx) is a citizen of a country where English is not the primary language;

(xxx) is a foreign language learner;

(1) PLAN REQUIRED.—The Secretary of Defense shall design and implement a five-year strategic plan for diversity and inclusion in the Department of Defense.

(2) ELEMENTS.—The strategic plan described in this section—

(1) shall be based on the strategic plan established under section 2 of Executive Order 13583 (3 Fed. Reg. 13583 (August 18, 2011));

(2) shall incorporate efforts to promote diversity and inclusion within the Department; and

(3) may not conflict with the objectives of the 2018 National Military Strategy.

(2) DEADLINE.—The Secretary shall implement the strategic plan under this section on January 1, 2020.
SEC. 529. SENSE OF CONGRESS REGARDING AC-CESSION INTO THE ARMED FORCES.

(a) FINDINGS.—Congress finds the following:

(1) United States Military Entrance Processing Command ("USMEPCOM") operates 65 Military Entrance Processing Stations ("MEPS") dispersed throughout the 50 States and Puerto Rico.

(2) Applicants for accession into the Armed Forces must travel to the closest MEPS to receive physical examinations, which are often driven by military recruiters, and receive lodging at a nearby hotel, paid for by the Armed Forces representing recruits.

(3) In 2015, USMEPCOM reported that 473,000 applicants from the military and other agencies processed through the 65 MEPS, for a total of 931,000 MEPS visits.

(b) REQUIREMENTS.—The Secretary of Veterans Affairs is authorized to process military veterans for a total of 47,000 MEPS visits.

SEC. 530. EXPANSION OF RESPONSIBILITIES OF COMMANDERS FOR VICTIMS OF SEX-UAL ASSAULT COMMITTED BY AN-OTHER MEMBER OF THE ARMED FORCES.

(a) NOTIFICATION OF VICTIMS OF EVENTS IN MILITARY JUSTICE PROCESS.—

(1) NOTIFICATION REQUIRED.—The commander of a member of the Armed Forces who is the alleged victim of sexual assault committed by another member of the Armed Forces shall provide notification to such alleged victim of every key or other material event in the military justice process in connection with the investigation, prosecution, and confinement of such other member for sexual assault.

(b) DOCUMENTATION.—Each commander described in paragraph (1) shall create and maintain appropriate documentation on any notification provided as described in that paragraph.
(2) Status reports required.—Not later than one year after the date of the enactment of this Act, the Secretary of each military department shall issue guidance requiring that any criminal investigations that are assigned to investigate a sex-related offense submit a status report to the direct supervisor of such investigator in the event that the investigation of such offense exceeds 90 days in duration. Each status report shall include—

(A) a detailed explanation of the status of the investigation;

(B) identification of any information that has not yet been obtained but is necessary to complete the investigation; and

(C) identification of any barriers preventing the investigator from accessing such information.

(b) Victim Witness Assistance Program Liason.—Not later than one year after the date of the enactment of this Act, the Secretary of each military department shall increase the number of personnel serving as Victim Witness Assistance Program liaisons to address personnel shortages in the Victim Witness Assistance Program.

SEC. 536. INCREASE IN NUMBER OF DIGITAL FORENSIC EXAMINERS FOR MILITARY CRIMINAL INVESTIGATION ORGANIZATIONS.

(a) In general.—Each Secretary of a military department shall take appropriate actions to increase the number of digital forensic examiners in each military criminal investigation organization (MCIIO) under the jurisdiction of such Secretary by not fewer than 10 from the authorized number of such examiners for such organization as of September 30, 2019.

(b) Military Criminal Investigation Organizations.—For purposes of this section, the military criminal investigation organizations are the following:

(1) The Army Criminal Investigation Command;

(2) The Naval Criminal Investigative Service;

(3) The Air Force Office of Special Investigations;

(4) The Marine Corps Criminal Investigation Division;

(c) Funding.—Funds for additional digital forensic examiners as required by subsection (a) for fiscal year 2020, including for compensation, initial training, and equipment, shall be derived for operation and maintenance.

SEC. 537. 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 effective in providing an effective defense for the accused;

(B) make such military justice system more fair and efficient.

(2) Otherwise assess the feasibility and advisability of defense investigators as an element of such military justice system;

(b) Elements.—

(1) Interview of Victim.—A defense investigator may question a victim under a pilot program only upon a request made through the Special Victims’ Counsel or other counsel if the victim does not have such counsel,

(2) Definition of the Military Justice System.—The Secretary of Defense shall ensure that the personnel and activities of defense investigators under the pilot programs are, to the extent possible, consistent with 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—

(A) a description of each pilot program, including the personnel and activities of defense investigators under such pilot program;

(B) an assessment of the feasibility and advisability of establishing and maintaining defense investigators as an element of the military justice systems of the military departments;

(C) if the assessment under subparagraph (B) is that the establishment and maintenance of defense investigators as an element of the military justice systems of the military departments is feasible and advisable, such recommendations for legislative and administrative action as the Secretary of Defense considers appropriate to establish and maintain defense investigators as an element of the military justice systems;

(D) any other matters the Secretary of Defense considers appropriate.

SEC. 538. PILOT PROGRAM ON PROSECUTION OF SPECIAL VICTIM OFFENSES COMMITTED BY ATTENDEES OF MILITARY SERVICE ACADEMIES.

(a) Pilot Program.—Beginning not later than January 1, 2020, the Secretary of Defense shall carry out a pilot program (referred to in this section as the “Pilot Program”) under which the Secretary shall establish, in accordance with this section, an independent authority to—

(1) review each covered special victim offense; and

(2) determine whether such offense shall be referred to trial by an appropriate court-martial convening authority.

(b) Office of the Chief Prosecutor.—

(1) Establishment.—As part of the Pilot Program, the Secretary shall establish, within the Office of the Secretary of Defense, an Office of the Chief Prosecutor.

(2) Head of Office.—The head of the Office shall be known as the Chief Prosecutor. The Secretary shall appoint as the Chief Prosecutor a commissioned officer in the grade of O-7 or above who—

(A) has significant experience prosecuting sexual assault and other sex offenses;

(B) is outside the chain of command of any cadet or midshipman described in subsection (f)(2).

(c) Responsibilities.—The Chief Prosecutor shall exercise the authorities described in subsection (b) but only with respect to covered special victim offenses.

(d) Special Rule.—Notwithstanding any other provision of law, the military service from which the Chief Prosecutor is appointed is authorized to trial a charge relating to a covered special victim offense by general or special court-martial unless the determination of whether to try any known offenses, including any lesser included offenses.

(4) Effect of Determination and Appeals Process.—

(A) Determination to Proceed to Trial.—Subject to subparagraph (C) determination to try a charge relating to a covered special victim offense by a court-martial under paragraphs (3) and (4), the determination as to the type of court-martial, shall be binding on any convening authority under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) for a trial by court-martial on the charge.

(B) Determination Not to Proceed to Trial.—Subject to subparagraph (C) determination not to proceed to trial on a charge relating to a covered special victim offense by general or special court-martial shall be binding on any convening authority under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) except that such determination shall not operate to terminate the authority of the convening authority—

(i) to proceed to trial by court-martial on charges of collateral misconduct related to the special victim offense; and

(ii) to impose non-judicial punishment in connection with the conduct covered by the charge as authorized by section 15 of such title (article 15 of the Uniform Code of Military Justice).

(C) Appeal.—In a case in which a convening authority and the staff judge advocate advising the convening authority disagree with the determination of the Chief Prosecutor under paragraph (3), the convening authority and staff judge advocate may jointly appeal the determination to the General Counsel of the Department of Defense. The determination of the General Counsel with respect to such appeal shall be binding on the Chief Prosecutor and the convening authority concerned.

(5) Trial by Randomized Jury.—After the Chief Prosecutor makes a determination under paragraph (3) to proceed to trial on a charge relating to a covered special victim offense, the matter shall be tried by a court-martial convened within the Armed Force of which the accused is a member in accordance with the applicable provisions of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) except that, when convening a court-martial that is a general or special court-martial in the event of a covered special victim offense, the accused is a member of an Armed Force of which the accused elects a jury trial, the convening authority shall detail members of the Armed
Forces as members thereof at random unless the obtainability of members of the Armed Forces for such court-martial prevents the convening authority from detailing such members at random. (6) The court-martial or court-martial-convening authority, in determining whether or not to try charges by court-martial shall be free of unlawful or unauthorized influence or coercion.

(d) EFFECT ON OTHER LAW.—This section shall supersede any provision of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that is inconsistent with this section, but only to the extent of the inconsistency.

(2) TERMINATION AND TRANSITION.—

(1) TERMINATION.—The authority of the Secretary to carry out the Pilot Program shall terminate four years after the date on which the Pilot Program is initiated.

(2) TRANSITION.—The Secretary shall take such actions as are necessary to ensure that, on the date on which the Pilot Program terminates under paragraph (1), any matter referred to the Chief Prosecutor under subsection (c)(2), but with respect to which the Chief Prosecutor has not made a determination under subsection (c)(3), is referred to the appropriate convening authority for consideration.

(1) DEFINITIONS.—In this section:

(A) The term ‘‘Armed Force’’ has the meaning given that term in section 101(a)(4) of title 10, United States Code.

(B) The term ‘‘covered special victim offense’’ means a special victim offense—

(A) that has been committed on or after the date of the enactment of this Act by a member of the United States Military Academy or the United States Air Force Academy, without regard to the location at which the offense was committed; or

(B) alleged to have been committed on or after the date of the enactment of this Act by a midshipman of the United States Naval Academy, without regard to the location at which the offense was committed.

(C) The term ‘‘Secretary’’ means the Secretary of Defense.

(D) The term ‘‘special victim offense’’ means any of the following:

(A) An offense under section 917a, 920, 920b, 920c, or 930 of title 10, United States Code (article 117a, 120, 120b, 120c, or 130 of the Uniform Code of Military Justice).

(B) An offense under section 881 of such title (article 81 of the Uniform Code of Military Justice), with respect to cases for which disposition authority is withheld to such authorities by the April 20, 2012, memorandum of the Secretary of Defense, or any successor memorandum, shall include comprehensive training on the exercise by such authorities of such authority with respect to such cases in order to enhance the capabilities of such Authorities in the exercise of such authority and thereby promote confidence and trust in the military justice process with respect to such cases.

(C) 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.

Subtitle E—Other Legal Matters

SEC. 541. STANDARD OF EVIDENCE APPLICABLE TO INVESTIGATIONS AND REVIEWS RELATED TO CONDUCT OF MEMBERS OF THE ARMED FORCES AND PROHIBITED CONDUCT OF MEMBERS OF THE COAST GUARD.

(a) STANDARD OF EVIDENCE.—Section 1034 of title 10, United States Code, is amended—

(1) in subsection (a) by striking ‘‘as defined in subsection (k)’’ and inserting ‘‘as defined in subsection (j)’’;

(2) by redesignating subsections (i) and (j) as subsections (i) and (j), respectively, and

(3) by inserting after subsection (h) the following new subsection:

(k) By a preponderance of the evidence. A finding or enhanced finding made under subsection (i) or (j), or other determination made under any of subsections (c), (d), (g), or (h), may be based on the standards of evidence specified in section 1231(e) of title 12, United States Code.

(b) APPLICABILITY.—The amendments made by subsection (a) shall not apply to members of the Coast Guard.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall not apply to members of the Coast Guard.

SEC. 542. EXPANSION OF SPECIAL VICTIMS’ COUNSEL FOR VICTIMS OF SEX-RELATED OR DOMESTIC VIOLENCE OFFENSES.

(a) IN GENERAL.—Section 1044e of title 10, United States Code, is amended—

(1) in the section heading, by striking ‘‘sex-related’’ and inserting ‘‘sex-related or domestic violence’’;

(2) by striking ‘‘alleged sex-related offense’’ each place it appears and inserting ‘‘alleged sex-related offense or alleged domestic violence offense’’;

(3) in subsection (a)—

(A) in paragraph (1), by striking ‘‘an individual described in paragraph (2)’’ and inserting ‘‘an individual described in paragraph (3)’’;

(B) in paragraph (2), by redesignating paragraph (3) as paragraph (1) and (3) as paragraph (2); and

(C) by inserting after paragraph (1) the following new paragraph (2):

(ii) in subsection (b)(2), by inserting ‘‘or the Family Advocacy Program’’ after ‘‘Victim Witness Assistance Program’’;

(iii) in subsection (d)(2)—

(A) in subparagraph (A)—

(i) by striking ‘‘Special Victims’ Counsel’’ and inserting ‘‘Special Victims’ Counsel and a Special Victims’ Counsel Paralegal’’; and

(ii) by striking ‘‘and’’ and inserting ‘‘a representative of the Family Advocacy Program’’;

(B) in subsection (B), by striking ‘‘Special Victims’ Counsel’’ and inserting ‘‘a representative of the Family Advocacy Program’’;

(C) by adding at the end the following new subparagraphs:

(i) ‘‘DEFINITIONS.—In this section—

‘‘(A) ‘nonprosecutable sex-related offenses’’ means any allegation of—

‘‘(1) a violation of sections 920, 920b, 920c, or 930 of this title (article 120, 120b, 120c, or 130 of the Uniform Code of Military Justice); or

‘‘(2) any attempt to commit such an offense.

‘‘(B) ‘alleged domestic violence offense’’ means any allegation of—

‘‘(1) a violation of section 928b of this title (article 128b of the Uniform Code of Military Justice); or

‘‘(2) any attempt to commit such an offense.

(ii) ‘‘minimum staffing level’’ means—

‘‘(A) not less than two persons; and

‘‘(B) the number Special Victims’ Counsel or Special Victims’ Counsel Paralegals serving in each military department is sufficient to ensure that the average caseload of a Special Victims’ Counsel does not exceed 25 cases at any given time.

(iii) ‘‘report required’’—Not later than December 1, 2022, the Secretary of Defense, in consultation with the Committees concerned, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that includes—

(A) an analysis of the caseloads of Special Victims’ Counsel and Special Victims’ Counsel Paralegals, respectively;

(B) an assessment of the ability of the military departments to fill additional authorized billets for the Special Victims’ Counsel program to meet mission requirements; and

(C) a description of how the training requirements for the Special Victims’ Counsel program have been expanded to meet the needs of victims of alleged domestic violence offenses.’’;
is required to agree to arbitrate an action, complaint, or claim alleging a violation of this chapter as a condition of future or continued employment, advancement in employment, or receipt or retention of military benefits.

SEC. 545. MILITARY ORDERS REQUIRED FOR TERMINATION OF LEASES PURSUANT TO THE SERVICESMEMBERS CIVIL RELIEF ACT.

Section 305(i) of the Servicemembers Civil Relief Act (50 U.S.C. 3935) is amended—

(1) in paragraph (4), by inserting ``(including orders for separation or retirement)'' after ``official military orders''; and

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

``(3) PERMANENT CHANGE OF STATION.—The term 'permanent change of station' includes separation or retirement from military service.''

SEC. 546. CONSULTATION REGARDING VICTIM'S PREFERENCE IN PROSECUTION JURISDICTION.

Section 534(b) of the Carl Levin and Howard P. ``Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 1044 note) is amended—

(1) redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

``(2) RECORD OF CONSULTATION AND VICTIM INFORMATION.—(A) The Secretary of Defense, acting through the Under Secretary of Defense for Personnel and Readiness, shall issue guidance to ensure that the consultation under paragraph (1) is provided to the victim of an alleged sexual-related offense described in such paragraph. Such guidance shall require that the following information about each consultation is recorded and preserved in written or electronic format:

``(i) The time and date of the consultation;

``(ii) The name of the individual who consulted with the victim;

``(iii) The result of the consultation, including—

``(I) whether the victim expressed a preference under paragraph (1); and

``(II) if the victim expressed a preference, whether the victim preferred that the offense be prosecuted by court-martial or in a civilian court.''

SEC. 547. EXTENSION AND EXPANSION OF DEFENSE ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DISCIPLINARY ACTION IN THE ARMED FORCES.


(1) by amending paragraph (2) of subsection (c) to read as follows:

``(2) BASIS FOR PROVISION OF ADVICE.—For purposes of providing advice to the Secretary pursuant to this subsection, the Advisory Committee shall—

``(A) review, on an ongoing basis, cases involving allegations of sexual misconduct described in paragraph (1);

``(B) study the viability of incorporating restorative justice models into the Uniform Code of Military Justice; and

``(C) review Rule for Courts-Martial 1001(c) (as set forth in the Manual for Courts-Martial, 2019 edition, or any successor rule) to determine whether, and to what extent, the interpretation of that rule by military courts—

``(i) limits the ability of sexual assault victims to make statements during presentencing proceedings; and

``(ii) limits the content of such statements;''

and

(2) in subsection (d)(1), by striking ``five years'' and inserting ``ten years''.

SEC. 548. DEFENSE ADVISORY COMMITTEE FOR THE PREVENTION OF SEXUAL MISCONDUCT.

(a) ESTABLISHMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall establish and maintain within the Department of Defense an advisory committee to be known as the 'Defense Advisory Committee for the Prevention of Sexual Conduct' (in this section referred to as the 'Advisory Committee').

(2) DEADLINE FOR ESTABLISHMENT.—The Secretary shall establish the Advisory Committee not later than 180 days after the date of the enactment of this Act.

(b) MEMBERSHIP.

(1) IN GENERAL.—The Advisory Committee shall consist of not more than 20 members, appointed by the Secretary from among individuals who have expertise appropriate for the work of the Advisory Committee. The Advisory Committee shall include at least one individual with each expertise as follows:

``(a) Expertise in the prevention of sexual assault and behaviors on the sexual assault continuum of harm.

``(b) Expertise in the prevention of suicide.

``(c) Expertise in trauma and trauma symptoms.

``(d) Expertise in the change of culture of large organizations.

``(e) Expertise in implementation science.

``(f) Background of individuals.—Individuals appointed to the Advisory Committee may include individuals with expertise in sexual assault prevention efforts of higher education, public health officials, and such other individuals as the Secretary considers appropriate.''

(c) DUTIES.—

(1) IN GENERAL.—The Advisory Committee shall advise the Secretary pursuant to this section.

(A) The prevention of sexual assault (including rape, forcible sodomy, other sexual assault, and other sexual misconduct (including behaviors on the sexual assault continuum of harm)) involving members of the Armed Forces.

(B) The policies, programs, and practices of each military department, each Armed Force, and each military service academy for the prevention of sexual assault as described in subparagraph (A).

(2) BASES FOR PROVIDING ADVICE.—For purposes of providing advice to the Secretary pursuant to this subsection, the Advisory Committee shall, on an ongoing basis, the following:

``(A) Closed cases involving allegations of sexual assault described in paragraph (1);

``(B) Efforts of institutions of higher education to prevent sexual assault among students;

``(C) Any other information or matters that the Advisory Committee or the Secretary considers appropriate.''

(3) COORDINATION OF EFFORTS.—In addition to the reviews required by paragraph (2), for purposes of providing advice to the Secretary the Advisory Committee shall consult and coordinate with the Defense Advisory Committee on Sexual Assault investigation, Prosecution of Sexual Assault in the Armed Forces (DAC-IPAD) on matters of joint interest to the two Advisory Committees.

(d) ANNUAL REPORT.—Not later than March 30 each year, the Advisory Committee shall submit to the Secretary and the Committees on Armed Services of the Senate and the House of Representatives a report on the activities of the Advisory Committee pursuant to this section during the preceding year.

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

``(1) inappropriate actions (such as sexist jokes), sexual harassment, gender discriminating, cyber bullying, and behavior that contributes to a culture that is tolerant of, or increases risk for, sexual assault; and
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(2) maltreatment or ostracism of a victim for a report of sexual misconduct.

(f) TERMINATION.—

(2) INDIVIDUALS.—The individuals specified in paragraph (1) as punishable under section 815 of such title (article 15 of the Uniform Code of Military Justice) for conduct during or before the commission of an offense under section 223 of title 10, United States Code, are the following:

(A) The United States Military Academy.

(B) The United States Naval Academy.

(C) The United States Air Force Academy.

(D) The United States Coast Guard Academy.

(E) The United States Merchant Marine Academy.

SEC. 550b. TRAINING FOR SPECIAL VICTIMS’ COUNSEL ON CRIMINAL JUSTICE MATTERS IN THE STATES OF THE MILITARY INSTALLATIONS TO WHICH ASSIGNED.

(a) TRAINING.—

(1) IN GENERAL.—Except as provided in paragraph (2), the holder 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 paragraph (2).

(2) CRIMINAL JUSTICE MATTERS.—The criminal justice matters in this paragraph, with respect to a State, are the following:

(A) Victim rights.

(B) Prosecution of criminal offenses.

(C) Sentencing for conviction of criminal offenses.

(b) ALLEGED SEX-RELATED OFFENSE DEFENSE.—In this section, the term "alleged sex-related offense" means any allegation of—

(1) violation of section 920, 920b, 920c, or 930 of title 10, United States Code (article 120, 120b, 120c, or 130 of the Uniform Code of Military Justice); or

(2) any attempt to commit an offense specified in a paragraph of section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(c) EXCEPTION.—The requirements of this section do not apply to a Special Victims’ Counsel of the Coast Guard.

Subtitle F—Member Education

SEC. 551. AUTHORITY FOR DETAIL OF CERTAIN ENLISTED MEMBERS OF THE ARMED FORCES TO LAW SCHOOLS.

(a) IN GENERAL.—Chapter 10 of title 10, United States Code, is amended—

(1) by redesignating sections 2004a and 2004b as sections 2004b and 2004c, respectively,

(2) by inserting after section 2004 the following new section:

"§ 2004a. Detail as students at law schools: certain enlisted members

(a) IN GENERAL.—The Secretary of each military department may, under regulations prescribed by the Secretary, detail enlisted members of the armed forces as students at accredited law schools, located in the United States, for a period of training leading to the degree of bachelor of laws or juris doctor. No more than twenty-five officers from each military department may commence such training in any single fiscal year.

(b) ELIGIBILITY FOR DETAIL.—To be eligible for detail under subsection (a), a member must be a citizen of the United States and must—

(1) be in pay grade E-5 or E-6, and

(2) sign an agreement that, unless sooner separated, the member will—

(A) complete the educational course of legal training;

(B) upon completion of the educational course of legal training, agree to serve on active duty for a period of not less than four years nor more than eight years;

(C) accept a commission as a commissioned officer in the armed forces; and

(D) while in the armed forces, serve as a judge advocate or law specialist within the department concerned.

(c) LIMITATION ON NUMBER DETAILABLE.—The aggregate number of enlisted members detailed under this section shall not count toward satisfaction of any period of service required under the contract of enlistment or agreement for enlistment of the member for enlistment in the armed forces.

(d) APPOINTMENT OF ADMISSION AND PROMOTION BOARD.—The Secretary of each military department may appoint a board to make recommendations for the promotion and appointment of members under this section.

(e) PROGRAMS OF EDUCATION REQUIRED.—The programs of education provided under this section shall be in addition to any service obligation incurred by a member under any other provision of law or agreement.

(f) TERMINATION.—

(1) A member who does not successfully complete a course of legal training to which he was ordered to report shall—

(A) be separated from the armed forces; and

(B) after separation from the armed forces, renounce his commission as a commissioned officer in the armed forces; and

(C) after separation from the armed forces, be sentenced for a period of not less than four years nor more than eight years to the status of a final determination on further action after section 223 of title 10, United States Code (the Uniform Code of Military Justice), the commander making such determination shall periodically notify the victim of the status of the final determination on further action on such case, whether non-judicial punishment under section 815 of such title (article 15 of the Uniform Code of Military Justice), other administrative action, or such other actions shall continue not less frequently than monthly until such final determination.

(g) JURISDICTION.—Nothing in this section shall affect the jurisdiction of any court-martial under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), the commander making such determination shall periodically notify the victim of the status of the final determination on further action on such case, whether non-judicial punishment under section 815 of such title (article 15 of the Uniform Code of Military Justice), other administrative action, or such other actions shall continue not less frequently than monthly until such final determination.

(h) REPORT ON CIVILIAN SUPPORT OF SVCs.—Not later than 180 days after the date of the enactment of this Act, each Secretary of a military department shall submit to the Committees on Armed Services of the House of Representatives a report setting forth the assessment of such Secretary of the feasibility and advisability of establishing and maintaining at each installation under the jurisdiction of such Secretary with a Special Victims’ Counsel one or more civilian positions for the purpose of—

(1) providing support to such Special Victims’ Counsel;

(2) ensuring continuity and the preservation of institutional knowledge in transitions between the service of individuals as Special Victims’ Counsel at such installation.

SEC. 550c. NOTICE TO VICTIMS OF ALLEGED SEX-UAL ASSAULT OF PENDENCY OF FURTHER ADMINISTRATIVE ACTION FOLLOWING A DETERMINATION NOT TO REFER TO TRIAL BY COURT-MARTIAL.

Under regulations prescribed by the Secretary of Defense, upon a determination not to refer a case of alleged sexual assault for trial by court-martial under section 815 of title 10, United States Code (the Uniform Code of Military Justice), the commander making such determination shall notify the victim of the status of the final determination on further action on such case, whether non-judicial punishment under section 815 of such title (article 15 of the Uniform Code of Military Justice), other administrative action, or such other actions shall continue not less frequently than monthly until such final determination.

SEC. 550d. TRAINING FOR SPECIAL VICTIMS’ COUNSEL ON CRIMINAL JUSTICE MATTERS IN THE STATES OF THE MILITARY INSTALLATIONS TO WHICH ASSIGNED.

(a) TRAINING.—

(1) IN GENERAL.—Except as provided in paragraph (2), the holder of a Special Victims’ Counsel (including a Victim Legal Counsel of the Navy) to a military installation under the jurisdiction of such installation do not apply to a Special Victims’ Counsel at such installation.

(b) ALLEGED SEX-RELATED OFFENSE DEFENSE.—In this section, the term "alleged sex-related offense" means any allegation of—

(1) violation of section 920, 920b, 920c, or 930 of title 10, United States Code (article 120, 120b, 120c, or 130 of the Uniform Code of Military Justice); or

(2) any attempt to commit an offense specified in a paragraph of section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(c) EXCEPTION.—The requirements of this section do not apply to a Special Victims’ Counsel of the Coast Guard.

Subtitle F—Member Education

SEC. 551. AUTHORITY FOR DETAIL OF CERTAIN ENLISTED MEMBERS OF THE ARMED FORCES TO LAW SCHOOLS.

(a) IN GENERAL.—Chapter 10 of title 10, United States Code, is amended—

(1) by redesignating sections 2004a and 2004b as sections 2004b and 2004c, respectively,
§2015a. Education of members on career readiness and professional development

(a) PROGRAM OF EDUCATION REQUIRED.—The Secretary of Defense shall carry out a program to provide education on career readiness and professional development to members of the armed forces.

(b) ELEMENTS.—The program under this section shall include the following:

(1) Information on the transition plan as described in section 1142(b)(10) of this title.

(2) Information on opportunities available to members to pursue military service for professional development and preparation for a career after military service, including—

(A) professional education, certification, training, and employment assistance (including programs under sections 1143(e), 2007, and 2015 of this title); and

(B) programs and resources available to members in communities in the vicinity of military installations.

(3) Instruction on the use of online and other electronic mechanisms in order to access the education, training, and assistance and resources described in paragraph (2).

(4) Such other information, instruction, and matters as the Secretary shall specify for purposes of this section.

(c) TIMING OF PROVISION OF INFORMATION.—Subparagraphs (a) and (b) of this subsection, and other matters under the program under this section shall be provided to members at the times as follows:

(1) Upon arrival at first duty station.

(2) Upon arrival at any subsequent duty station.

(3) Upon deployment.

(4) Upon promotion.

(5) Upon reenlistment.

(6) At any other point in a military career specified by the Secretary for purposes of this section.

(d) SINGLE PROVISION OF INFORMATION IN A YEAR FOR ALL MEMBERS.—A member who has received information and instruction under the program under this section in connection with an event specified in subsection (c) in a year may elect not to undergo additional receipt of information and instruction under the program in connection with another such event in the year, unless such other event is arrival at a new duty station.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 106 of this title is amended by adding at the end the following new item: “2015a. Education of members on career readiness and professional development.”

(b) REPORT ON IMPLEMENTATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the program of education required by section 2015a of title 10, United States Code (as added by subsection (a)) including the following:

(A) A comprehensive description of the actions taken to implement the program of education.

(B) A comprehensive description of the program and the times at which the program shall be provided.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriateness committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

SEC. 553. DEFENSE LANGUAGE INSTITUTE FOR FOREIGN LANGUAGE CENTER.

(a) AUTHORITY TO AWARD BACHELOR’S DEGREES.—Section 219 of title 10, United States Code, is amended—

(1) by adding subsection (a) to read as follows:

“(a) Subject to subsection (b), the Commandant of the Defense Language Institute may confer—

(1) an Associate of Arts degree in a foreign language upon any graduate of the Foreign Language Center who fulfills the requirements for that degree; or

(2) a Bachelor of Arts degree in a foreign language upon any graduate of the Foreign Language Center who fulfills the requirements for that degree.”;

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 106 of title 10, United States Code, is amended by adding the following new item:

“219. Defense Language Institute Foreign Language Center: degree of Associate or Bachelor of Arts in foreign language.”

SEC. 554. EXPANSION OF DEPARTMENT OF DEFENSE STARBASE PROGRAM.

(a) IN GENERAL.—Section 219b of title 10, United States Code, is amended—

(1) in the section heading, by striking “science, mathematics, and technology” and inserting “science, technology, engineering, art and design, and mathematics”;

(2) in subparagraphs (c) and (d) of subsection (a), by striking “science, technology, engineering, art and design, and mathematics” and inserting “science, technology, engineering, art and design, and mathematics”;

(3) in subparagraph (e) of subsection (a), by striking “mathematics, science, and technology” and inserting “science, technology, engineering, art and design, and mathematics”;

(4) in item (1) of subsection (b), by striking “art, science, and technology” in item (1) of subsection (b) and inserting “art and design, science, and technology”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 116 of title 10, United States Code, is amended by striking the item relating to section 216b and inserting the following new item:

“216b. Defense Language Institute Foreign Language Center: degree of Associate or Bachelor of Arts in foreign language.”

SEC. 555. DEGREE GRANTING AUTHORITY FOR UNITED STATES ARMY ARMAMENT GRADUATE SCHOOL.

(a) IN GENERAL.—Chapter 751 of title 10, United States Code, is amended, by adding at the end the following new chapter:

“§7422. Degree granting authority for United States Army Armament Graduate School.

(a) AUTHORITY.—Under regulations prescribed by the Chairman of the United States Army Armament Graduate School, the Commandant may grant the degree, as determined by the Secretary concerned, who shall approve such regulations.

(b) LIMITATION.—A degree may not be conferred under this section unless—

(1) the degree is granted to a member who was a victim of a sexual assault or other offense under section 219b of title 10, United States Code, of a sexual assault or related offense;

(2) the degree is granted to a member who wishes to transfer to another military service academy submitted by a cadet who was a victim of a sexual assault or other offense under section 219b of title 10, United States Code, of a sexual assault or related offense;

(3) the Secretary concerned determines the selection of the degree granting authority under this section is in order of merit for appointment as a Senior Reserve Officers’ Training Corps cadet under section 2107 of this title.

SEC. 556. CONGRESSIONAL NOMINATIONS FOR SENIOR RESERVE OFFICERS’ TRAINING CORPS SCHOLARSHIPS.

Section 7422 of title 10, United States Code, is amended, by adding at the end the following new section:

“(a) MILITARY ACADEMY.—Section 7461 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(k) Any candidate not nominated under paragraphs (3) through (10) of subsection (a) may be considered by the Secretary of the Army in order of merit for appointment as a Senior Reserve Officers’ Training Corps cadet under section 2107 of this title.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 116 of title 10, United States Code, is amended by struck the item relating to section 2168 and inserting the following new item:

“2168. Defense Language Institute Foreign Language Center of the Institute who fulfills the requirements for that degree; or

2169. Defense Language Institute Foreign Language Center of the Institute who fulfills the requirements for that degree.”.

SEC. 557. CONSIDERATION OF APPLICATION FOR TRANSFER FOR A STUDENT OF A MILITARY SERVICE ACADEMY WHO IS THE VICTIM OF A SEXUAL ASSAULT OR RELATED OFFENSE.

(a) MILITARY ACADEMY.—Section 7461 of title 10, United States Code, is amended by adding at the end the following new section:

“(a) MILITARY ACADEMY.—Section 7461 of title 10, United States Code, is amended by adding at the end the following new section:

“7422. Degree granting authority for United States Army Armament Graduate School.

(a) AUTHORITY.—Under regulations prescribed by the Chairman of the United States Army Armament Graduate School, the Commandant may upon the recommendation of the faculty and provost of the college, confer appropriate degrees upon graduates who meet the degree requirements.

(b) LIMITATION.—A degree may not be conferred under this section unless—

(1) the degree is granted to a member who—

(A) was a victim of a sexual assault or other offense;

(B) to approve such application unless there are exceptional circumstances that require denial of the application.

(2) The Secretary of the Army shall prescribe regulations to carry out this subsection, within guidelines provided by the Secretary of Defense that direct the Superintendent of the Military Academy, in coordination with the Superintendent of the military service academy to which the cadet wishes to transfer, to determine the selection of the degree granting authority under this section not later than 72 hours after the submission of the application; and

(3) The Secretary of the Army shall ensure that all records of any request, determination, or action under this subsection remain confidential.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 116 of title 10, United States Code, is amended by adding at the end the following new item:

“7422. Degree granting authority for United States Army Armament Graduate School.”

(4) The Secretary of the Army shall provide for timely determination and action on an application for consideration of a transfer to another military service academy submitted by a cadet who was a victim of a sexual assault or other offense covered by section 2107, 2107a, or 2107b of this title (article 120, 120a, or 120b of the Uniform Code of Military Justice) so as to reduce the possibility of delay in transfer or reporting the sexual assault or other offense.

(2) The Secretory of the Army shall prescribe regulations to carry out this subsection, within guidelines provided by the Secretary of Defense that direct the Superintendent of the Military Academy, in coordination with the Superintendents of the military service academies to which the cadet wishes to transfer, to determine the selection of the degree granting authority under this section not later than 72 hours after the submission of the application; and

(3) The Secretary of the Army shall ensure that all records of any request, determination, or action under this subsection remain confidential.

(4) A cadet who transfers under this subsection may retain the cadet’s appointment to the Military Academy or may be appointed to
the military service academy to which the cadet transfers without regard to the limitations and requirements set forth in sections 7442, 8454, and 9442 of this title.

(5) A midshipman who transfers under this subsection may retain the cadet’s appointment to the military service academy to which the midshipman wishes to transfer without regard to the limitations and requirements set forth in sections 7442, 8454, and 9442 of this title.

SEC. 558. REDESIGNATION OF THE COMMANDANT OF THE UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY AS THE DIRECTOR AND CHANCELLOR OF SUCH INSTITUTE.

(a) DESIGNATION.—Section 9416(b) of title 10, United States Code, is amended by adding the following new subsection:

(b) SAFE-TO-REPORT POLICY APPLICABLE TO MILITARY SERVICE ACADEMIES.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the military departments, shall prescribe in regulations a safe-to-report policy described in subsection (b) that applies with respect to cadets and midshipmen at military service academies, and to enlisted members of the armed forces other than cadets or midshipmen at military service academies.

(b) SAFE-TO-REPORT POLICY.—The safe-to-report policy described in this subsection is a policy under which a cadet or midshipman at a military service academy who is the alleged victim of sexual assault or sexual abuse may report such sexual assault or sexual abuse to proper authorities without fear of discipline in connection with such sexual assault or sexual abuse.

(c) MINOR COLLATERAL MISCONDUCT.—For purposes of the safe-to-report policy, minor collateral misconduct shall include any of the following:

(1) Improper use or possession of alcohol.

(2) Consensual intimate behavior or fraternization with another cadet or midshipman.

(3) Presence in an off-limits area.

(4) Such misconduct as the Secretary of Defense shall specify in the regulations under subsection (a).

SEC. 560. SAFE-TO-REPORT POLICY APPLICABLE TO MILITARY SERVICE ACADEMIES.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the military departments, shall prescribe in regulations a safe-to-report policy described in subsection (b) that applies with respect to cadets and midshipmen at military service academies, and to enlisted members of the armed forces other than cadets or midshipmen at military service academies.

(b) SAFE-TO-REPORT POLICY.—The safe-to-report policy described in this subsection is a policy under which a cadet or midshipman at a military service academy who is the alleged victim of sexual assault or sexual abuse may report such sexual assault or sexual abuse to proper authorities without fear of discipline in connection with such sexual assault or sexual abuse.

(c) MINOR COLLATERAL MISCONDUCT.—For purposes of the safe-to-report policy, minor collateral misconduct shall include any of the following:

(1) Improper use or possession of alcohol.

(2) Consensual intimate behavior or fraternization with another cadet or midshipman.

(3) Presence in an off-limits area.

(4) Such misconduct as the Secretary of Defense shall specify in the regulations under subsection (a).

SEC. 562. MEDICAL PERSONNEL AT MARINE CORPS RECRUIT DEPOTS.

(a) PROHIBITION.—Subject to paragraph (2), training at the Marine Corps Recruit Depot, Parris Island, South Carolina, may not be segregated based on gender.

(b) DEADLINE.—Not later than eight years after the date of the enactment of this Act.
Subtitle II—Military Family Readiness and Dependents' Education

SEC. 571. AUTHORIZING MEMBERS TO TAKE LEAVE FOR A BIRTH OR ADOPTION IN MORE THAN ONE INCREMENT.

Section 701(i) of title 10, United States Code, is amended by striking paragraph (5).

SEC. 572. DEFERRED DEPLOYMENT FOR MEMBERS OF THE ARMED FORCES.

Section 701 of title 10, United States Code, is amended by adding at the end the following new subsection:—

(1) A member of the armed forces who gives birth while on active duty may not be deployed during the period of 12 months beginning on the date of such birth except—

(1) at the election of such member; and

(2) with the approval of a health care provider employed at a military medical treatment facility.

SEC. 573. AUTHORITY OF THE SECRETARY CONCERNED TO TRANSFER REMAINS OF A COVERED DECEDENT TO NO MORE THAN TWO PLACES SELECTED BY THE PERSON DESIGNATED TO DIRECT DISPOSITION OF THE REMAINS.

(a) AUTHORITY.—Section 1424(a)(8) of title 10, United States Code, is amended to read as follows:

(8)(A) Transportation of the remains, and travel and transportation allowances as specified in regulations prescribed under section 464 of title 10, to the second place under subparagraph (B), selected by the person designated to direct disposition of the remains or, if such a selection is not made, to a national or other cemetery which is selected by the Secretary and in which burial of the decedent is authorized.

(8)(B) The person designated to direct disposition of the remains may select two places under subparagraph (A) if the person designated to direct disposition of the remains or, if such a selection is not made, to the Secretary and in which the burial of the decedent is authorized.

(8)(C) When transportation of the remains includes transportation by aircraft under section 562 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 1442 note), the Secretary concerned shall provide, to the maximum extent practicable, for delivery of the remains by air to a military base, national or other cemetery which is selected by the Secretary and in which the burial of the decedent is authorized.

(b) EFFECTIVE DATE.—The amendment made by this section to section 1424(a)(8) of title 10, United States Code, applies to transportation of funeral remains of a covered decedent on or after the date of the enactment of this Act.

SEC. 574. RECORDS OF SERVICE FOR REMAINS OF A COVERED DECEDENT.

(a) ESTABLISHMENT.—Not later than September 30, 2020, the Secretary of Defense shall establish and implement a standard record of service for members of the reserve components of the Armed Forces, similar to DD Form 214, that summarizes the receipt of service of each such member, including dates of active duty service.

(b) COORDINATION.—In carrying out this section, the Secretary of Defense shall coordinate with the Veterans Affairs Department to make sure that the record established under this section is acceptable as proof of service for former members of the reserve components of the Armed Forces and for benefits under laws administered by the Secretary of Veterans Affairs to receive such benefits.

SEC. 575. ABSENTEE BALLOT TRACKING PROGRAM.

(a) ESTABLISHMENT AND OPERATION OF PROGRAM.—Section 192(h) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(h)) is amended to read as follows:

"(h) ESTABLISHMENT AND OPERATION OF PROGRAM.—The chief State election official, in coordination with local election jurisdictions, shall establish and operate an absentee ballot tracking program described in paragraph (2) for the use of absent uniformed services voter and overseas voters.

"(2) PROGRAM DESCRIBED.—

"(A) INFORMATION ON TRANSMISSION AND RECEIPT OF Absentee BALLOTS.—An absentee ballot tracking program described in this paragraph is required to—

"(i) the State or local election official responsible for the transmission of absentee ballots in an election for Federal office operates procedures to track and confirm the transmission of such ballots and to make information on the transmission of such a ballot available by means of online access using the internet site of the official’s office; and

"(ii) the State or local election official responsible for the receipt of absentee ballots in an election for Federal office operates procedures to track and confirm the receipt of such ballots and (subject to subparagraph (B)) to make information on the receipt of such a ballot available by means of online access using the internet site of the official’s office.

"(B) SPECIFIC INFORMATION ON RECEIPT OF VOTED BALLOTS.—An absentee ballot tracking program required to be made available under clause (ii) of subparagraph (A) with respect to the receipt of a voted absentee ballot in an election for Federal office must provide specific information regarding whether the vote cast on the ballot was counted, and, in the case of a vote which was not counted, the reasons therefor. The appropriate State or local election official shall make the information described in the previous sentence available during the 30-day period that begins on the date on which the results of the election are certified, or during such earlier 30-day period as the official may provide.

"(3) The amendment made by this section to section 192(h) of title 52, United States Code, is amended by substituting "State" for "national or other".
(a) CHIEFS OF THE ARMED FORCES.—The Secretary of Defense shall direct the chiefs of the Armed Forces to meet periodically with survivors of deceased members of the Armed Forces to receive feedback from those survivors regarding issues affecting such survivors. The Chief of the National Guard Bureau shall meet with survivors of deceased members of the National Guard and the Army National Guard. 

(b) UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS.—The Under Secretary of Defense for Personnel and Readiness shall meet periodically with survivors of deceased members of the Armed Forces to discuss policies of the Department regarding military casualties and Gold Star families.

(c) BRIEFING.—Not later than April 1, 2020, the Under Secretary of Defense for Personnel and Readiness shall brief the Committee on Armed Services of the House of Representatives regarding policies established and the results of the meetings under subsection (b).

SEC. 579. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE, VETERANS, TITLED UNIVERSITIES AND DEPENDENTS, AND MEMBERS OF GOLD STAR FAMILIES.

(a) IN GENERAL.—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services to the following:

(1) Members of the National Guard and Reserve in reserve active status.
(2) Veterans of the Armed Forces.
(3) Spouses and other dependents of individuals referred to in paragraphs (1) and (2).
(4) Members of Gold Star Families.

(b) PROGRAM.—The pilot program shall be offered to, and administered by, the adversary general appointed under section 314 of title 32, United States Code, or other officials in the States concerned designated by the Secretary for purposes of the pilot program.

(c) COST-SHARING REQUIREMENT.—As a condition on the provision of funds under this section to a State to support the operation of the pilot program in the State, the State must agree to contribute an amount, derived from non-Federal sources, equal to at least 50 percent of the funds provided by the Secretary to the State under this section.

(d) DIRECT EMPLOYMENT PROGRAM MODEL.—The pilot program shall follow a job placement program that works one-on-one with individuals specified in subsection (a) to cost-effectively provide job placement services, including services such as identifying unemployed and underemployed individuals, job matching services, resume editing, interview preparation, and post-employment follow up. Development of the pilot program should be informed by other employment programs for members of the reserve components and veterans.

(e) TRAINING.—The pilot program should draw on the resources provided to transitioning members of the Armed Forces with civilian training opportunities through the SkillBridge transition training program administered by the Department of Defense.

(f) EVALUATION.—The Secretary shall develop outcome measurements to evaluate the success of the pilot program.

(g) REPORTING REQUIREMENTS.—

(1) REPORT REQUIRED.—Not later than March 1, 2021, the Secretary of Defense shall submit to the committee a report describing the results of the pilot program. The Secretary shall prepare the report in coordination with the Secretary of Veterans Affairs and the Chief of the National Guard Bureau.

(2) ELEMENTS OF REPORT.—A report under paragraph (1) shall include the following:

(A) A description and assessment of the effectiveness and achievements of the pilot program, including the number of members of the reserve components and veterans of the Armed Forces hired and the cost of placement of participating members and veterans.

(B) An assessment of the impact of the pilot program and increased reserve component employment on employment levels of members of the reserve components and on the retention of members of the Armed Forces.

(C) A comparison of the pilot program to other programs conducted by the Department of Defense and Department of Veterans Affairs to provide unemployment and underemployment support services to veterans of the Armed Forces, including the best practices developed through and used in such programs.

(D) Any other matters considered appropriate by the Secretary of Defense.

(h) DURATION OF AUTHORITY.—The authority to carry out the pilot program expires on September 30, 2023, except that the Secretary may, at the Secretary’s discretion, extend the pilot program for not more than two additional fiscal years.

SEC. 580. CONTINUED ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—

Of the amount authorized to be appropriated for fiscal year 2020 in Division D of this Act and available for other than Defense-wide activities as specified in the funding table in Section 4301 of this Act, $40,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163, 20 U.S.C. 7703b).

(b) IMPACT FOR CHILDREN WITH SEVERE DISABILITIES.—Of the amount authorized to be appropriated for fiscal year 2020 in Division D of this Act and available for operation and maintenance for Defense-wide activities as specified in the funding table in Section 4301 of this Act, $10,000,000 shall be available for payments under section 363 of the Fiscal Year 2006 National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–363; 20 U.S.C. 7703a).

(c) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term "local educational agency" means an educational agency eligible to receive funds under section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

Subtitle I—Decorations and Awards

SEC. 581. EXPANSION OF GOLD STAR LAPEL BUT- TON PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE.

(a) ELIGIBILITY OF STEPSTOHL—Subsection (d)(3) of section 1126 of title 10, United States Code, is amended by striking "and half sisters" and inserting "half sisters, stepbrothers, and stepsisters":

(b) FREE REPLACEMENT.—Subsection (c) of such section is amended by striking "at no cost to the recipient" and inserting "at no cost to the next of kin or, at the Secretary’s discretion, at no cost to the Secretary:"

SEC. 582. ESTABLISHMENT OF THE ATOMIC VETERANS SERVICE MEDAL.

(a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall establish a military service medal, to be known as the "Atomic Veterans Service Medal", to honor retired and former members of the Armed Forces who are radiation-exposed veterans who served in the area designated in section 1112(c)(3) of title 38, United States Code.

(b) DISTRIBUTION OF MEDAL.—

(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of-kin of the person.

(c) APPLICATION.—The Secretary shall prepare and make available an application by which radiation-exposed veterans and their next-of-kin may apply to receive the Atomic Veterans Service Medal.

SEC. 583. REVIEW OF WORLD WAR I VETERAN MEDALS.

(a) REVIEW REQUIRED.—Each Secretary concerned shall review the service records of each World War I veteran described in subsection (b) under the jurisdiction of such Secretary who is recommended for such review by the Medal Awards Review Task Force referred to in subsection (c), or another veterans service organization, in order to determine whether such veteran should be awarded the Medal of Honor for valor during World War I.

(b) COVERED WORLD WAR I VETERANS.—The World War I veterans whose service records are to be reviewed under subsection (a) are the following:

(1) Any African American war veteran, Asian American war veteran, Hispanic American war veteran, Jewish American war veteran, or Native American war veteran who was awarded the Distinguished Service Cross or the Navy Cross for an action that occurred between April 6, 1917, and November 11, 1918.

(2) Any African American war veteran, Asian American war veteran, Hispanic American war veteran, Jewish American war veteran, or Native American war veteran who was awarded the Croix de Guerre with Palm (that is, awarded at the Army level or above) by the Government of France for an action that occurred between April 6, 1917, and November 11, 1918.

(3) Any African American war veteran, Asian American war veteran, Hispanic American war veteran, Jewish American war veteran, or Native American war veteran who was recommended for a Medal of Honor for an action that occurred from April 6, 1917, to November 11, 1918, if the Department of Defense possesses or receives records relating to such recommendation.

(c) CONSULTATIONS.—In carrying out the review under subsection (a), each Secretary concerned may consult with the Valor Medals Review Task Force, jointly established by the United States Foundation for the Commemoration of the World Wars with the United States World War One Centennial Commission and the George S. Robb Centre for the Study of the Great War, and with other veteran service organizations that the Secretary determines appropriate, until the conclusion of the review.

(d) RECOMMENDATION BASED ON REVIEW.—If a Secretary concerned determines, in consultation with the review under subsection (a), that the award of the Medal of Honor to a covered World War I veteran is warranted, such Secretary shall submit to the President a recommendation that the President award the Medal of Honor to that veteran.

(e) AUTHORITY TO AWARD MEDAL OF HONOR.—The Medal of Honor may be awarded to a World War I veteran in accordance with a recommendation of a Secretary concerned under subsection (d).

(f) WAIVER OF TIME LIMITATIONS.—An award of the Medal of Honor may be made under subsection (e) without regard to—

(1) section 7274 or 8298 of title 10, United States Code, as applicable; and

(2) any regulation or other administrative regulation that may be in effect at the time.

(g) DEFINITIONS.—

(1) GENERAL.—In this section:

(A) AFRICAN AMERICAN WAR VETERAN.—The term ‘‘African American war veteran’’ means –
any person who served in the United States Armed Forces between April 6, 1917, and November 11, 1918, and who identified himself as of African descent on his military personnel records.

(2) JEWISH AMERICAN WAR VETERAN.—The term “Jewish American war veteran” means any person who served in the United States Armed Forces between April 6, 1917, and November 11, 1918, and who identified himself racially, nationally, or ethnically as originating from a country where Spanish is an official language on his personnel records.

(3) ARRIVAL OF ILLINOIS.—The term “Arrival of Illinois” means the event in which a member of the Armed Forces was present for a specific purpose as defined by the United States Code.

(4) REGULATION OF HABITUAL CRIMINAL.—The term “regulation of habitual criminal” means any action taken by a government entity to control the behavior of a person who has repeatedly engaged in criminal activity.

(5) COVERAGE OF TRANSITION ASSISTANCE PROGRAM.—In this section, the term “coverage of transition assistance programs” means the following:

(a) The Transition Assistance Program.

(b) The programs under section 1143(e) of title 10, United States Code (commonly referred to as “Job Training, Employment, Apprenticeships and Internships (JTEST-AI)” or “Skill Bridge”).

(c) Any program of apprenticeship, on-the-job training, internship, or transition assistance offered (whether by public or private entities) in the vicinity of the military installation concerned in which members of the Armed Forces at the installation are eligible to participate.

(d) Any other program of apprenticeship, on-the-job training, internship, education, or transition assistance specified by the Secretary of Defense for purposes of this section.

S. 596. EXPRESSING SUPPORT FOR THE DESIGNATION OF A “GOLD STAR FAMILIES REMEMBRANCE DAY”.

(a) FINDINGS.—Congress finds the following:

(1) March 2, 2020, marked the 91st anniversary of President Calvin Coolidge signing an Act of Congress that approved and funded the first Gold Star pilgrimage to enable Gold Star families to travel to the gravesites of their loved ones who died during World War I.

(2) The members of the Armed Forces of the United States bear the burden of protecting the freedom of the people of the United States.

(3) The sacrifices of the families of the fallen members of the Armed Forces of the United States should never be forgotten.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) support the designation of a “Gold Star Families Remembrance Day”;

(2) honor and recognize the sacrifices made by the families of members of the Armed Forces of the United States who gave their lives to defend freedom and protect America; and

(3) encourage the people of the United States to observe “Gold Star Families Remembrance Day” by—

(A) performing acts of service and good will in their communities; and

(B) commemorating the lives of those who have made the ultimate sacrifice so that others could continue to enjoy life, liberty, and the pursuit of happiness.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. CLARIFICATION OF CONTINUATION OF PAY DURING HOSPITALIZATION AND REHABILITATION RESULTING FROM WOUNDS, INJURY, OR ILLNESS INCURRED WHILE ON DUTY IN A HOSTILE FIRE AREA OR EXPOSED TO AN EVENT OF HOSTILE FIRE OR OTHER HOSTILE ACTION.

Section 372(b)(1) of title 37, United States Code, is amended to read as follows—

“(1) The date on which the member is returned to the installation shall be the date on which the member is determined fit for duty.”.

SEC. 602. BASIC NEEDS ALLOWANCE FOR LOW-INCOME REGULAR MEMBERS.

(a) IN GENERAL.—Chapter 7 of title 37, United States Code, is amended by inserting after section 420a the following new section:

“§ 420b. Basic needs allowance for low-income regular members

“(a) ALLOWANCE REQUIRED.—(1) Subject to paragraph (2), the Secretary of Defense shall...
pay to each covered member a basic needs allowance in the amount determined for such member under subsection (b).

(2) In the event a household contains two or more individuals entitled to receive the allowance under this section in a given year, only one allowance may be paid for that year to a covered member among such covered members with the 2019 duty station or permanent duty station.

"(b) AMOUNT OF ALLOWANCE FOR A COVERED MEMBER.—(1) The amount of the monthly allowance payable to a covered member under subsection (a) for a year shall be the aggregate amount equal to—

"(A) the aggregate amount equal to

"(i) the Federal poverty guidelines of the Department of Health and Human Services for the location and number of persons in the household of the covered member for such year; and

"(ii) the gross household income of the covered member during the preceding year; and

"(B) divided by 12.

(2) The monthly allowance payable to a covered member for a year shall be payable for each of the 12 months following March of such year.

"(c) NOTICE OF ELIGIBILITY.—(1)(A) Not later than January 1 each year, the Director shall notify, in writing, each individual whom the Director estimates will be a covered member during the following year of the potential entitlement of that individual to the allowance described in subsection (a) for that following year.

(B) The preliminary notice under subparagraph (A) shall include information regarding financial management and assistance programs administered by the Secretary of Defense for which a covered member is eligible.

(2) Not later than February 28 each year, each individual who seeks to receive the allowance for such year (whether or not subject to a notice under subparagraph (1)) shall submit to the Director such information as the Director shall require for purposes of this section in order to determine whether or not such individual is a covered member for such year.

"(d) ELECTION NOT TO RECEIVE ALLOWANCE.—(1) A covered member otherwise entitled to receive the allowance under subsection (a) for a year may, upon determining not to receive the allowance for such year, any election under this subsection shall be effective only for the year for which made. Any election for a year under this subsection shall be irrevocable.

(2) A covered member who does not submit information described in subsection (d)(2) for a year as otherwise required by that subsection shall be deemed to have elected not to receive the allowance for such year.

"(e) DEFINITIONS.—In this section:

(1) the term "covered member" means a regular member of the Army, Navy, Marine Corps, or Air Force;

(A) who has completed initial entry training;

(B) for whom the basic need allowance for the most recent year did not exceed an amount equal to 130 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location and number of persons in the household of the covered member for such year; and

(C) who does not elect under subsection (d) not to receive the allowance for such year.

(2) The term "gross household income" of a covered member for a year for purposes of paragraph (1)(B) does not include any basic allowance for housing paid by the covered member (and any dependents of the covered member in the household of the covered member) during such year under section 403 of this title.

"(f) The Secretary of Defense shall prescribe regulations for the administration of this section. Subject to subsection (e)(2), such regulations shall specify the income to be included in, and excluded from, the gross household income of individuals for purposes of this section.

"(g) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of title 37 of such title is amended by inserting after the item relating to section 402a the following new item:

"(402b. Basic needs allowance for low-income regular members."

SEC. 603. TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING FOR PURPOSES OF DETERMINATION THAT LOCAL CIVILIAN HOUSING COSTS SIGNIFICANTLY EXCEED SUCH ALLOWANCE.

Section 403(b) of title 37, United States Code, is amended by adding at the end the following new paragraph:

"(B)(A) The Secretary of Defense may prescribe a temporary increase in the current rates of basic allowance for housing for a military housing area or a portion thereof in this paragraph.

(B)(1) The Secretary of Defense may prescribe a temporary increase in the current rates of basic allowance for housing for a military housing area or a portion thereof in this paragraph if the Secretary estimates that the actual costs of adequate housing for civilians in that military housing area or portion thereof exceed the current BAH rates by more than 20 percent. Such increase shall be equal to 130 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location and number of persons in the household of the covered member for such year.

(B)(2) On December 31, 2020, the Secretary of Defense shall notify each covered member of the amount of the temporary increase in basic allowance for housing and the date on which the temporary increase took effect. Such covered member may, subject to subparagraph (C), elect not to receive the temporary increase in basic allowance for housing for such year.

(B)(3) A covered member who does not submit information described in subparagraph (B) for a year as otherwise required by that subsection shall be deemed to have elected not to receive the temporary increase in basic allowance for housing for such year if the Secretary estimates that the actual costs of adequate housing for civilians in that military housing area or portion thereof exceed the current BAH rates by more than 20 percent. Such increase shall be equal to 130 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location and number of persons in the household of the covered member for such year.

(C) Effective on the same date in 2022 and any subsequent year that the monthly rates of basic allowance for all members are increased under section 1009 of this title or another provision of law, the Secretary of Defense shall adjust the rate of the partial dislocation allowance under this paragraph by the percentage equal to the average percentage increase in the rates of basic pay.

SEC. 606. INCREASE IN BASIC PAY.

Effective on January 1, 2020, the rates of monthly basic pay for members of the uniformed services are increased by 3.1 percent.

Subtitle B—Bonuses and Special Incentive PAYS

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AUTHORITIES AND SPECIAL PAY AUTHORITIES.

(a) AUTHORIZED RELATING TO RESERVE FORCES.—Section 910(g) of title 37, United States Code, relating to incentive pay for reserve component members experiencing extended and frequent mobilization for active duty service, is amended by striking "December 31, 2019," and inserting "December 31, 2020."

(b) TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking "December 31, 2019," and inserting "December 31, 2020."

(1) Section 2130a(a)(1), relating to nurse officer candidate accession bonuses.

(2) Section 6302(d), relating to repayment of education loans for certain health professionals who serve in the Selective Reserve.

(3) AUTHORITIES RELATING TO NUCLEAR OFFICERS.—Section 333(i) of title 37, United States Code, is amended by striking "December 31, 2019," and inserting "December 31, 2020."

(4) AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking "December 31, 2019," and inserting "December 31, 2020."

(a) Section 333(h), relating to general bonus authority for enlisted members.

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

(c) Section 334(i), relating to special avionics incentive pay and bonus authorities for officers.

(d) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(e) Section 335(g), relating to contracting bonus for cadets and midshipmen enrolled in the Army and Navy Reserve Officers' Training Corps.

(f) Section 331(h), relating to hazardous duty pay.

(g) Section 332(e), relating to special avionics incentive pay or proficiency bonus.

(h) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(i) 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—Family and Survivor Benefits

SEC. 621. PAYMENT OF TRANSITIONAL COM 衝突1
disposal, dishonorable discharge, bad conduct discharge, or forfeiture of all pay and allowances; or
"(C) the date the member’s term of service expires; or

SECTION 622. DEATH GRATUITY FOR BOAT GRADUATES.

(a) IN GENERAL.—Section 1475(a)(4) of title 10, United States Code, is amended by adding "or;";

(b) EFFECTIVE DATE.—The amendment under subsection (a) applies to deaths that occur on or after the date of the enactment of this Act.

SEC. 623. EXPANDING ELIGIBILITY FOR EDUCATION AND TRAINING OPPORTUNITIES FOR SPOUSES OF PROMOTED MEMBERS.

Section 1784(a)(b) of title 10, United States Code, is amended—

(1) by inserting "(1)" before "Assistance"; and

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

"(2) A spouse who is eligible for a program under this section and begins a course of education or training for a degree, license, or credential described in subsection (a) may not become ineligible to complete such course of education or training solely because the member to whom the spouse is married is promoted to a higher grade.".

SEC. 624. OCCUPATIONAL IMPROVEMENTS FOR RELOCATED SPOUSES OF MEMBERS OF THE ARMED FORCES.

(a) IMPROVEMENT OF OCCUPATIONAL LICENSE PORTABILITY FOR MILITARY SPOUSES THROUGH INTERSTATE COMPACTS.—Section 1784 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(b) IMPROVEMENT OF OCCUPATIONAL LICENSE PORTABILITY THROUGH INTERSTATE COMPACTS.—

"(1) a person who is absent from a State because the person is accompanying the person’s spouse who is absent from that State in compliance with military or naval orders shall not, solely by reason of being absent, be regarded as having

"(A) been deemed to have lost a residence or domicile in that State, without regard to wheth

"(B) been deemed to have acquired a residence or domicile in any other State; or

"(C) be deemed to be a resident in or a resident of any other State; and

"(2) the spouse of a servicemember may elect to use the same residence as the servicemember regardless of the domicile of the spouse and the servicemember occurred.,";

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after paragraph 305 the following new item:

"Sec. 707. Guarantee of residency for businesses of servicemembers."

SEC. 625. EXPANSION OF AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE TO CIVILIAN PROVIDERS OF CHILD CARE SERVICES OR YOUTH PROGRAM SERVICES WHO PROVIDE SUCH SERVICES TO SURVIVORS OF MEMBERS OF THE ARMED FORCES WHO DIE IN LINE OF DUTY.

Section 1785(a)(10) of title 10, United States Code, is amended by striking "(C) by adding at the end the fol-

SEC. 626. SPACE-AVAILABLE TRAVEL ON MILITARY AIRCRAFT FOR CHILDREN AND SURVIVING SPOUSES OF MEMBERS WHO DIE IN LINE OF DUTY OR TRAINING DUTY.

Section 2641(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph:

"(6) Children (as described by section 1072(2)(D) or section 1101(b) of this title, as the case may be) and surviving spouses of members of the armed forces who die as a result of hostile action or training duty,"

SEC. 627. CONSIDERATION OF SERVICE ON ACT DUTY TO REDUCE AGE OF ELIGIBILITY FOR MILITARY PAY FOR NON-REGULAR SERVICE.

Section 2271(f)(2)(B)(i) of title 10, United States Code, is amended by striking "under a provision of law referred to in section 101(a)(3)(B) or under section 1203(d)" and inserting "under section 1230(d) or 1230b of this title, or under a provision of law referred to in section 101(a)(3)";

SEC. 628. MODIFICATION TO AUTHORITY TO REIMBURSE FOR STATE LICENSE AND CERTIFICATION COSTS OF A SPEAKER OF A MEMBER ARISING FROM RELOCATION.

Section 478(p) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking "armed forces" and inserting "uniformed services;"

(2) in paragraph (2), by striking "$500" and inserting "$1,000";

(3) in paragraph (3)—

(A) in subparagraph (A), by striking "and";

(B) in subparagraph (B), by striking the period and inserting "; and"; and

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

"(c) an analysis of whether the maximum reimbursement amount under paragraph (2) is suffi-

SEC. 629. IMPROVEMENTS TO CHILD CARE FOR SPOUSES OF MEMBERS OF THE ARMED FORCES.

(a) EXPANSION OF AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE TO CIVILIAN PROVIDERS OF CHILD CARE SERVICES OR YOUTH PROGRAM SERVICES WHO PROVIDE SUCH SERVICES TO SURVIVORS OF MEMBERS OF THE ARMED FORCES WHO DIE IN LINE OF DUTY.—Section 1786(a)(10) of title 10, United States Code, is amended by inserting "survivors of members of the armed forces who die in the line of duty while on active military, naval, or air service (as that term is defined in section 101 of title 38)," after "armed forces";

(b) EXPANSION OF DIRECT HIRING AUTHORITY FOR CHILD CARE PROVIDERS.—Section 520 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 1792 note) is amended—

(1) in the section heading, by striking "FOR DEPARTMENT CHILD DEVELOPMENT CENTERS";

(2) in subsection (a)(1), by striking "Department of Defense child development centers" and inserting "for the Department of Defense"; and

(3) in subsection (e), by striking "in child development centers";

(a) ASSESSMENT OF FINANCIAL ASSISTANCE PROVIDED TO CIVILIAN CHILD CARE PROVIDERS.—

(1) ASSESSMENT.—The Secretary of Defense shall assess the maximum permissible financial assistance provided to eligible civilian providers of child care services or youth programs that furnish such service for members of the armed forces and spouses of members of the armed forces under section 1798 of title 10, United States Code, as amended by subsection (a). Such assessment shall include the following:

(b) WHETHER THE MAXIMUM PERMISSIBLE AMOUNTS DETERMINED PERMITTED BY LAW ARE APPROPRIATE.—The maximum allowable financial assistance should be standardized across the Armed Forces.

(c) REPORT.—Not later than January 1, 2020, the Secretary of Defense shall submit a report to the Committees on Armed Forces of the Senate and the House of Representatives regarding the results of the assessment under paragraph (1) and any actions taken by the Secretary to remedy identified shortfalls in assistance described in that paragraph.

(b) ASSESSMENT OF CHILD CARE CAPACITY ON MILITARY INSTALLATIONS.—

(1) ASSESSMENT.—The Secretary of Defense shall assess the capacity for child care at all military installations to ensure that members of the Armed Forces have meaningful access to child care during tours of duty.

(2) REMEDIAL ACTION.—The Secretary of Defense shall take steps the Secretary determines necessary to alleviate the waiting lists for child care described in paragraph (1).

(c) REPORT.—Not later than June 1, 2020, the Secretary of Defense shall provide a report to the Committee on Armed Forces of the Senate and the House of Representatives regarding—

(1) The assessment under paragraph (1); and

(2) Any additional resources (including additional funding for and child care facilities and workers) the Secretary determines necessary to increase access described in paragraph (1).

(a) ASSESSMENT.—The Secretary of Defense shall review the functions and accessibility of websites of the Department of Defense designed for members of the Armed Forces and the families of such members to access information and services offered by the Department regarding child care, spousal employment, and other family matters.

(b) REPORT.—Not later than March 1, 2020, the Secretary of Defense shall provide a report to the Committee on Armed Forces of the House of Representatives regarding—

(1) The assessment under paragraph (1); and

(2) Any additional resources (including additional funding for and child care facilities and workers) the Secretary determines necessary to increase access described in paragraph (1).
(f) PORTABILITY OF BACKGROUND INVESTIGATIONS FOR CHILD CARE PROVIDERS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that the background investigation and training certification for a child care provider employed by the Department of Defense in a facility in the District of Columbia, the Commonwealth of the Northern Mariana Islands, or the Trust Territories of the Pacific Islands may not be imposed or collected for care related to the prevention of pregnancy provided pursuant to subsection (a) or (b), including for any method of contraception provided, whether provided through a facility of the uniformed services, the TRICARE retail pharmacy program, or the national mail-order pharmacy program.

SEC. 674. MODIFICATION OF ELIGIBILITY FOR MILITARY MEDICAL TREATMENT FACILITIES FOR SEXUAL ASSAULT SURVIVORS.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074g the following new section:

"§ 1074g. Provision of pregnancy prevention assistance at military medical treatment facilities

"(a) INFORMATION AND ASSISTANCE.—The Secretary of Defense shall promptly furnish to sexual assault survivors at each military medical treatment facility the following:

"(1) Information and care and services furnished at each military medical treatment facility the following:

"(A) The term ‘sexual assault survivor’ means any individual who presents at a military medical treatment facility.

(b) AUTHORITY.—The Secretary of Defense may not take any action to consolidate military exchanges and commissaries.

(c) EXPENSE.—The Secretary of Defense may not take any action to consolidate military exchanges and commissaries.

(d) DELAY ON CONSOLIDATION.—The Secretary of Defense may not take any action to consolidate military exchanges and commissaries until the Committees on Armed Services of the Senate and the House of Representatives notify the Secretary that the information provided pursuant to subsection (a) is provided in language that—

"(1) is clear and concise;

"(2) is readily comprehensible; and

"(3) meets such conditions (including conditions regarding the provision of information in languages other than English) that the Comptroller General may prescribe in regulations to carry out this section.

(e) DEFINITIONS.—In this section—

"(1) A ‘surviving child or children’ under section (d)(3).

"(2) A ‘surviving spouse’ includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce or annulment.

"(f) NAVY.—The Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report regarding the review performed under this section. The report shall include evaluations of the following:

"(1) The descriptions and justifications for the assumptions, analytical choices and data used by the Reform Management Group to calculate:

"(A) Pricing.

"(B) Sales assumptions.

"(C) Accuracy of methods employed to measure patron savings levels.

"(g) INCLUSION.—The Secretary of Defense may prescribe in regulations to carry out this section.

"(h) REPORT REQUIRED.—Elements:—Not later than April 1, 2020, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report regarding the review performed under this section.

"(i) Notification.—The Comptroller General of the United States shall conduct a review of the business case analysis performed as part of the defense resale optimization study conducted by the Reform Management Group to determine the feasibility of consolidation of the Defense Resale Entities and dated December 4, 2018.

"(j) INFORMATION.—The Secretary shall ensure that information provided pursuant to subsection (a) is provided in language that—

"(1) is clear and concise;

"(2) is readily comprehensible; and

"(3) meets such conditions (including conditions regarding the provision of information in languages other than English) that the Comptroller General may prescribe in regulations to carry out this section.

"(k) DEFENSE RESALE ENTITIES.——The term ‘Defense Resale Entities’ means any individual who presents at a military medical treatment facility.

"(l) MODIFICATION.—The term ‘sexual assault survivor’ means any individual who presents at a military medical treatment facility and—

"(1) A ‘surviving child or children’ under section (d)(3).

"(2) A ‘surviving spouse’ includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce or annulment.

"(m) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first month that begins after the date of the enactment of this Act.

Title VII—Health Care Provisions

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. CONTRACTS FOR COVERAGE PARITY UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Section 1074(a)(2) of title 10, United States Code, is amended—

"(1) in subsection (a)(2), by inserting "FOR MEMBERS AND FORMER MEMBERS after ‘SERVICES AVAILABLE’;";

"(2) by redesignating subsection (b) as subsection (d); and

"(3) by inserting after subsection (a) the following new subsection:

"(b) RELATED TO PREVENTION OF PREGNANCY.—Female covered beneficiaries shall be entitled to care related to the prevention of pregnancy described by subsection (a)(1).

CBO-09-04.

"(c) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any amount previously refunded to SBP recipients.
(a) TRICARE.—

(1) WELL-BABY CARE.—Section 1077 of title 10, United States Code, is amended by adding at the end the following:—

(i) Beginning January 1, 2020, in furnishing well-baby care under subsection (a)(8), the Secretary shall ensure that the following care is made available:

(A) With respect to a child who lives in housing built before 1978 at any time during the first 24 months of the life of the child, has a military occupational specialty that the Secretary determines poses an elevated risk of lead exposure and lead poisoning, including the care under paragraphs (1), (2), and (3) of subsection (a)(8), the Secretary shall ensure that the following care is made available:

(i) the first screening of the child for the level of lead in the blood of the child at approximately the age of 12 months; and

(ii) the second such screening at approximately the age of 24 months.

(B) With respect to a child not covered by subparagraph (A) whose parent or guardian, at any time during the first 24 months of the life of the child, has a military occupational specialty that the Secretary determines poses an elevated risk of lead exposure and lead poisoning, including the care under paragraph (1), is carried out in accordance with applicable advice from the Centers for Disease Control and Prevention.

(C) With respect to a child covered by paragraph (1), the Secretary shall ensure that the following care is made available:

(i) the first screening of the child for an elevated risk of lead exposure at approximately the age of 12 months; and

(ii) the second such screening at approximately the age of 24 months.

(D) With respect to a child covered by subparagraph (C) whose screening indicates an elevated risk of lead exposure, the testing of the child for the level of lead in the blood of the child.

(2) The Secretary shall ensure that any periodic health assessment, and of such number, the number who were found to have elevated blood lead levels.

(3) E FFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2020.

(b) NOTIFICATION OF HOUSING.—Section 403 of title 37, United States Code, is amended by adding at the end the following new subsection:

(p) RECORDING AND LEDGE-BASED PAINT.—(1) The Secretary concerned shall keep a record of whether the following housing was built before, during, or after 1978:

(A) Quarters of the United States under the jurisdiction of that Secretary concerned.

(B) A housing unit, the [Unit], as defined in subsection (c) of such section, of the United States, or States, or the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(2) Exposed to toxic airborne chemicals or other airborne contaminants, including any information recorded as part of the Open Burn Pit Registry, as defined in subsection (c) of such section, of the United States.

(c) D EPLOYMENT ASSESSMENTS.—Section 1074(b) of title 10, United States Code, is amended by adding at the end the following new subsection:

(C) The Secretary of the Army, the Secretary of Defense, and the Secretary of Veterans Affairs shall jointly enter into a memorandum of understanding providing for the sharing of the Department of Defense with the Department of Veterans Affairs of the results of covered evaluations regarding the exposure by a member of the Armed Forces to toxic airborne chemicals or other airborne contaminants.

(3) F INISHMENTS.—In this section:

(1) 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 1143(a)(5) of title 10, United States Code, as amended by this section; and

(C) a deployment assessment conducted under section 1074(b)(2) of title 10, as amended by this section.

(d) RECORDING OF OCCUPATIONAL AND ENVIRONMENTAL HAZARD EXPOSURE DURING DEPLOYMENT.—

(1) ELEMENTS OF MEDICAL TRACKING SYSTEM.—Subsection (b)(1)(A) of section 1074 of title 10, United States Code, is amended—

(A) in clause (ii), by striking "and" and inserting "; and"; and

(B) in clause (iii), by striking the period at the end and inserting "; and".

(2) RECORDING.—Subsection (c) of such section is amended by adding after "deployment" the following:—

"(iv) accurately record any exposure to occupational and environmental health risks during the period of their deployment and insert such information in the records of the member established by the Secretary of Veterans Affairs under such section 201."
(h) INTEGRATION OF BURN PIT REGISTRY INFORMATION INTO ELECTRONIC HEALTH RECORDS.—

(i) UPDATE TO ELECTRONIC HEALTH RECORDS.—Beginning not later than one year after the date of the enactment of this Act—

(A) the Secretary of Defense shall ensure that the electronic health record maintained by the Secretary of a member of the Armed Forces registered with the burn pit registry is updated with any information contained in such registry; and

(B) the Secretary of Veterans Affairs shall ensure that the electronic health record maintained by such Secretary of a veteran registered with the burn pit registry is updated with any information contained in such registry.

(ii) BURN PIT REGISTRY DEFINED.—In this subsection, the term “burn pit registry” means the registry established under section 201 of the Deployed Burial and Other Veterans’ Improvements Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(c) POSTDEPLOYMENT MEDICAL EXAMINATION AND REASSESSMENTS.—

(i) ADDITIONAL REQUIREMENTS.—Section 1074f of title 10, including paragraphs (a) and (b), is amended by adding at the end the following new subsection:

(ii) beginning 14 days after the date of redeployment from the contingency operation; or

(iii) if the assessment required by subparagraph (C) is performed during the period specified under subparagraph (B), beginning 180 days after the date of redeployment from the contingency operation.

(b) EXCEPTIONS.—Section 1074m(a) of such title, as amended by subsection (a), is further amended by striking paragraph (2) and inserting the following new paragraphs:

(2) A mental health assessment is not required under subparagraph (C) of paragraph (1) if the Secretary determines that—

(A) an insufficient number of personnel are available to perform the assessment during the period under such subparagraph; or

(B) an administrative processing issue exists upon the return of the member to the home unit or duty location that interferes with effective performance of the assessment during such time period.

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

SEC. 708. PROVISION OF BLOOD TESTING FOR MEMBERS OF THE ARMED FORCES EXPOSED TO PFAS.

(a) REQUIREMENT.—Section 1074g of title 10, United States Code, is amended by inserting at the end the following new subsection:

(i) beginning 14 days after the date of redeployment from the contingency operation; or

(ii) if the assessment required by subparagraph (C) is performed during the period specified under subparagraph (B), beginning 180 days after the date of redeployment from the contingency operation.

(b) EXCEPTIONS.—Section 1074m(a) of such title, as amended by subsection (a), is further amended by striking paragraph (2) and inserting the following new paragraphs:

(2) A mental health assessment is not required under subparagraph (C) of paragraph (1) if the Secretary determines that—

(A) an insufficient number of personnel are available to perform the assessment during the period under such subparagraph; or

(B) an administrative processing issue exists upon the return of the member to the home unit or duty location that interferes with effective performance of the assessment during such time period.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to a date of redeployment that is on or after January 1, 2020.

SEC. 706. PROVISION OF BLOOD TESTING FOR MEMBERS OF THE ARMED FORCES EXPOSED TO PFAS.

(a) REQUIREMENT.—Section 1074g of title 10, United States Code, is amended by inserting at the end the following new subsection:

(i) beginning 14 days after the date of redeployment from the contingency operation; or

(ii) if the assessment required by subparagraph (C) is performed during the period specified under subparagraph (B), beginning 180 days after the date of redeployment from the contingency operation.

(b) EXCEPTIONS.—Section 1074m(a) of such title, as amended by subsection (a), is further amended by striking paragraph (2) and inserting the following new paragraphs:

(2) A mental health assessment is not required under subparagraph (C) of paragraph (1) if the Secretary determines that—

(A) an insufficient number of personnel are available to perform the assessment during the period under such subparagraph; or

(B) an administrative processing issue exists upon the return of the member to the home unit or duty location that interferes with effective performance of the assessment during such time period.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act—

(1) in a Periodic Occupational and Environmental Monitoring Summary (or any successor document); and

(2) in a Periodic Environmental Health Readiness System (or any successor system).

(d) ADMINISTRATION.—The Secretary of Defense shall—

(i) in the Periodic Occupational and Environmental Monitoring Summary (or any successor document) and

(ii) on the Defense Occupational and Environmental Health Readiness System (or any successor system).

(2) The Secretary shall ensure that the medical record of a member includes information on the external cause relating to a diagnosis of the member’s health condition or injury, with the usual code (as issued under the International Statistical Classification of Diseases, 10th Revision (or any successor revision)).

(3) The amendments made by this subsection shall take effect 180 days after the date of the enactment of this Act.

(d) REPORT BY COMPTROLLER GENERAL OF THE UNITED STATES.—Within not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees and the Committees on Veterans’ Affairs of the House of Representatives and the Senate a report containing an evaluation of the implementation of this section (and the amendments made by this section) including an assessment of the extent to which the Secretary of Defense and Secretary of Veterans Affairs are in compliance with the applicable requirements of this section (and the amendments made by this section).

SEC. 707. MODIFICATIONS TO POST-DEPLOYMENT MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES Deployed in Support of a Contingency Operation.

(a) REQUIREMENT.—Section 1074m(a)(1) of title 10, United States Code, is amended by striking subparagraphs (C) and (D) and inserting the following new subparagraphs:

(i) beginning 14 days after the date of redeployment from the contingency operation and ending 14 days after such redeployment.

(ii) Subject to subsection (d), not less than once annually—

(iii) if the assessment required by subparagraph (C) is performed during the period specified under subparagraph (B), beginning 180 days after the date of redeployment from the contingency operation.

(b) EXCEPTIONS.—Section 1074m(a) of such title, as amended by subsection (a), is further amended by striking paragraph (2) and inserting the following new paragraphs:

(2) A mental health assessment is not required under subparagraph (C) of paragraph (1) if the Secretary determines that—

(A) an insufficient number of personnel are available to perform the assessment during the period under such subparagraph; or

(B) an administrative processing issue exists upon the return of the member to the home unit or duty location that interferes with effective performance of the assessment during such time period.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to a date of redeployment that is on or after January 1, 2020.

SEC. 710. PROVISION OF BLOOD TESTING FOR MEMBERS OF THE ARMED FORCES EXPOSED TO PFAS.

(a) REQUIREMENT.—Section 1074g of title 10, United States Code, is amended by adding at the end the following new paragraph:

(i) beginning 14 days after the date of redeployment from the contingency operation; or

(ii) if the assessment required by subparagraph (C) is performed during the period specified under subparagraph (B), beginning 180 days after the date of redeployment from the contingency operation.

(b) EXCEPTIONS.—Section 1074m(a) of such title, as amended by subsection (a), is further amended by striking paragraph (2) and inserting the following new paragraphs:

(2) A mental health assessment is not required under subparagraph (C) of paragraph (1) if the Secretary determines that—

(A) an insufficient number of personnel are available to perform the assessment during the period under such subparagraph; or

(B) an administrative processing issue exists upon the return of the member to the home unit or duty location that interferes with effective performance of the assessment during such time period.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

SEC. 711. REQUIREMENTS FOR CERTAIN PRESCRIPTION DRUG LABELS.

(a) REQUIREMENT.—Section 1074g of title 10, United States Code, is amended—

(1) by redesignating paragraphs (h) and (i) as paragraphs (i) and (j), respectively; and

(2) by inserting after paragraph (g) the following new paragraph:

(h) LABELING.—The Secretary of Defense shall ensure that drugs made available through the facilities of the armed forces under the jurisdiction of the Secretary include labels that—

(i) are printed and physically located on or within the package from which the drug is to be dispensed; and

(2) provide adequate directions for the purposes for which the drug is intended.

(b) CONFORMING AMENDMENT.—Section 710 of title 10, United States Code, is amended by striking “‘i(b)’” and inserting “‘i’. “

(c) LEADERSHIP.—The Secretary of Defense shall develop and issue policy requirements for the office of the Director of Health Informatics, at the level of chief health informatics officer or equivalent.

(d) MINIMUM QUALIFICATIONS.—The Department of Veterans Affairs and the Secretary of Defense shall ensure that, at a minimum, the Director and Deputy Director, individually or together, meet the following qualifications:

(i) Significant experience in health informatics, at the level of chief health informatics officer or equivalent.

(ii) Significant experience leading implementation of enterprise-wide technology in a health care setting in the public or private sector.

(iii) Additional experience providing direction, supervision, and control of the Office pursuant to paragraph (3), the Deputy Director of the Office, and the Director.

(a) REQUIREMENT.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall document blast exposure history on the medical record of a member of the Armed Forces to—

(1) assist in determining whether a future illness or injury of the member is service-connected.

(b) ELEMENTS.—A blast exposure history under subsection (a) shall include, at a minimum, the following:

(1) The date of the exposure.
SEC. 715. COMPREHENSIVE POLICY FOR PROVIDING MENTAL HEALTH CARE TO MEMBERS OF THE ARMED FORCES.

(a) POLICY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Personnel and Readiness, shall develop and implement a comprehensive policy for the provision of mental health care to members of the Armed Forces.

(b) ELEMENTS.—The policy under subsection (a) shall address each of the following:

(1) The compliance of health professionals in the military health system engaged in the provision of health care services to members with clinical practice guidelines for—

(A) at high risk for suicide and diagnosed with a psychiatric disorder; or

(B) receiving treatment for opioid use disorder.

(2) The access and availability of mental health care services to members who are victims of sexual assault or domestic violence.

(3) The availability of naloxone reversal capability on military installations.

(4) The provision of referrals of members by civilian health care providers to military medical treatment facilities when such members are—

(A) at high risk for suicide and diagnosed with a psychiatric disorder; or

(B) receiving treatment for opioid use disorder.

(5) The provision of comprehensive behavioral health treatment to members of the reserve components who are accounting for the challenges associated with the deployment pattern of such members and the difficulty such members encounter post-deployment with respect to accessing such treatment in civilian communities.

(c) CONSIDERATION.—In developing the policy under subsection (a), the Secretary of Defense shall take into account the recommendations from the Secretaries of the military departments and the Chairman of the Joint Chiefs of Staff regarding the feasibility of implementation and execution of the guidelines of the policy.

(d) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the policy under subsection (a).

SEC. 716. LIMITATION ON THE REALIGNMENT OR REDUCTION OF MILITARY MEDICAL MANNING END STRENGTH.

(a) LIMITATION PROVIDED BY SUBSECTION (d) OF SECTION 2267 OF TITLE 10, UNITED STATES CODE.—If the Secretary of Defense determines that the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force determines that there are not sufficient funds available to carry out a realignment or reduction of military medical end strength under subsection (a) of section 2267 of title 10, United States Code, the Secretary of Defense shall, subject to the approval of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, as the case may be, carry out such realignment or reduction.

(b) LIMITATION PROVIDED BY SUBSECTION (d) OF SECTION 2268 OF TITLE 10, UNITED STATES CODE.—If the Secretary of Defense determines that the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force determines that there are not sufficient funds available to carry out a realignment or reduction of military medical end strength under subsection (a) of section 2268 of title 10, United States Code, the Secretary of Defense shall, subject to the approval of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, as the case may be, carry out such realignment or reduction.

(c) LIMITATION PROVIDED BY SUBSECTION (d) OF SECTION 2270 OF TITLE 10, UNITED STATES CODE.—If the Secretary of Defense determines that the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force determines that there are not sufficient funds available to carry out a realignment or reduction of military medical end strength under subsection (a) of section 2270 of title 10, United States Code, the Secretary of Defense shall, subject to the approval of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, as the case may be, carry out such realignment or reduction.
(3) The monitoring program shall establish internal procedures, not later than October 1, 2020, to address practices for prescribing medication that are inconsistent with the post-traumatic stress disorder medication guidelines developed by the Department of Defense and the Veterans Health Administration.

Subtitle C—Reports and Other Matters

SEC. 721. ESTABLISHMENT OF MILITARY DENTAL RESEARCH PROGRAM.

(a) IN GENERAL.—Chapter 104 of title 10, United States Code, is amended by inserting after section 2116 the following new section:

"§2116a. Military dental research

"(a) DEFINITIONS.—In this section:

"(1) The term 'military dental research' means research on the furnishing of dental care and services by dentists in the armed forces.

"(2) The term 'TriService Dental Research Program' means the program of military dental research authorized under this section.

(b) PROGRAM AUTHORIZED.—The Secretary of Defense may establish at the University a program of military dental research.

"(c) TRISERVICE RESEARCH GROUP.—The TriService Dental Research Program shall be administered by a TriService Dental Research Group composed of Army, Navy, and Air Force dentists who are involved in military dental research and are designated by the Secretary concerned as members of the group.

"(d) DUTIES OF GROUP.—The TriService Dental Research Group described in subsection (c) shall:

"(1) develop for the Department of Defense recommended guidelines for requesting, receiving, and funding proposed military dental research projects; and

"(2) make available to Army, Navy, and Air Force dentists and officials of the Department of Defense who conduct military dental research—

"(A) information about dental research projects that are being developed or carried out in the Army, Navy, and Air Force; and

"(B) expertise and information beneficial to the encouragement of meaningful dental research.

"(e) RESEARCH TOPICS.—For purposes of this section, military dental research includes research on the following issues:

"(1) Issues regarding how to ensure the readiness of members of the armed forces on active duty and in the reserve components with respect to the furnishing of dental care and services.

"(2) Issues regarding preventive dentistry and disease management, including early detection of needs.

"(3) Issues regarding how to improve the results of dental care and services provided in the armed forces in time of peace.

"(4) Issues regarding how to improve the results of dental care and services provided in the armed forces in time of war.

"(5) Issues regarding minimizing or eliminating emergent dental conditions and dental disease and non-battle injuries in deployed settings.

"(6) Issues regarding how to prevent complications associated with dental-related battle injury.

"(7) Issues regarding how to prevent complications associated with the transportation of dental patients in the military medical evacuation system.

"(8) Issues regarding the use of technological advances, including teledentistry.

"(9) Issues regarding how to prevent and ameliorate the physical distress in receiving dental care and services.

"(10) Issues regarding how to improve methods of training dental personnel, including dental assistants and dental extenders.

"(11) Wellness issues relating to dental care and services.

"(12) Case management issues relating to dental care and services.

"(13) Issues regarding the use of alternate dental care delivery systems, including the employment of interprofessional practice models incorporating multiple health professions.

"(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 104 of title 10, United States Code, is amended by inserting after the item relating to section 2116 the following new item:

"2116a. Military dental research."

SEC. 722. PILOT PROGRAM ON CRYOPRESERVATION AND STORAGE.

(a) PILOT PROGRAM.—The Secretary of Defense shall establish a pilot program to provide not more than 1,000 members of the Armed Forces serving on active duty with the opportunity to cryopreserve and store their gametes prior to deployment to a combat zone.

"(b) PERIOD.—

"(1) IN GENERAL.—The Secretary shall provide for the cryopreservation and storage of gametes of a participating member of the Armed Forces under subsection (a), at no cost to the member, in a facility of the Department of Defense or at a private entity pursuant to a contract under subsection (d) until the date that is one year after the retirement, separation, or release of the member from active duty.

"(2) CONTINUED CRYOPRESERVATION AND STORAGE.—At the end of the one-year period specified in paragraph (1), the Secretary shall authorize an individual whose gametes were cryopreserved and stored in a facility of the Department as described in that paragraph to select, including pursuant to an advance medical directive or military testamentary instrument completed under subsection (c), one of the following options:

"(A) To authorize the Secretary to dispose of the gametes of the individual not earlier than the date that is 90 days after the end of the one-year period specified in paragraph (1) with respect to the individual.

"(B) To transfer the gametes to a private cryopreservation and storage facility selected by the individual.

"(C) To authorize the Secretary to dispose of the gametes of the individual not earlier than the date that is 90 days after the end of the one-year period specified in paragraph (1) with respect to the individual.

"(C) ADVANCE MEDICAL DIRECTIVE AND MILITARY Testamentary INSTRUMENT.—A member of the Armed Forces who elects to cryopreserve and store their gametes under this section shall complete an advance medical directive described in section 1044d(b) of title 10, United States Code, and a military testamentary instrument described in subsection (f) of that section, that explicitly specifies the use of their cryopreserved and stored gametes if such member dies or otherwise loses the capacity to consent to the use of their cryopreserved gametes.

"(D) AGREEMENT.—To carry out this section, the Secretary may enter into agreements with private entities that provide cryopreservation and storage services for gametes.

SEC. 723. ENCOURAGEMENT OF PARTICIPATION IN WOMEN'S HEALTH TRANSITION TRAINING PILOT PROGRAM.

(a) PILOT PROGRAM AUTHORIZED.—The Chief of the National Guard Bureau may carry out a pilot program to expand suicide prevention and intervention efforts at the community level through the use of a new mobile application that provides the capability for a member of the National Guard to receive prompt support, including access to a behavioral health professional, on a smartphone, tablet computer, or other handheld mobile device.

(b) ELEMENTS.—The pilot program shall include, subject to such conditions as the Secretary may prescribe—

"(1) the use by members of the National Guard of an existing mobile application that provides the capability described in subsection (a); or

"(2) the development and use of a new mobile application that provides such capability.

"(c) ELIGIBILITY AND PARTICIPATION REQUIREMENTS.—The Chief of the National Guard Bureau shall establish requirements with respect to eligibility and participation in the pilot program.

"(d) ASSESSMENT PRIOR TO PILOT PROGRAM COMMENCEMENT.—Prior to commencement of the pilot program, the Chief of the National Guard Bureau shall—

"(1) conduct an assessment of existing prevention and intervention efforts of the National Guard in each State that include the use of mobile applications that provide the capability described in subsection (a) to determine best practices for providing immediate and localized care through the use of such mobile applications; and

"(2) determine the feasibility of expanding existing programs on a national scale.

"(e) RESPONSIBILITIES OF ENTITIES PARTICIPATING IN PILOT PROGRAM.—Each entity that participates in the pilot program—

"(1) share best practices with other entities participating in the program; and

"(2) annually assess outcomes with respect to members of the National Guard.

"(f) TERM.—The pilot program shall terminate on the date that is three years after the date on which the pilot program commenced.

"(g) REPORT.—If the Chief of the National Guard Bureau commences the pilot program authorized under subsection (a), not later

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than 180 days after the date of the commence ment of such program, the Chief shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the pilot program and such other matters as the Chief considers appro priate.

(2) Final Report.

(A) In General.—Not later than 180 days after the termination of the pilot program, the Chief of the National Guard Bureau shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on such pilot program.

(B) Matters Included.—The report under subsection (a) shall include the following:

(i) A description of the pilot program, including any partnerships entered into by the Chief of the National Guard Bureau under the program.

(ii) An assessment of the effectiveness of the pilot program.

(iii) A description of costs associated with the implementation of the pilot program.

(iv) The estimated costs of making the pilot program permanent.

(v) A recommendation as to whether the pilot program should be extended or made permanent.

(vi) Such other recommendations for legislative or administrative action as the Chief of the National Guard Bureau considers appropriate.

(b) Matters Included.—In this section, the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

SEC. 725. REPORTS ON SUICIDE AMONG MEMBERS OF THE ARMED FORCES.

(a) Reports.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter through January 31, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on suicide among members of the Armed Forces during the year preceding the date of the report.

(b) Matters Included.—Each report under subsection (a) shall include the following with respect to the year covered by the report:

(1) The number of suicides, attempted suicides, and occurrences of suicidal ideation involving a member of the Armed Forces, including the reserve components thereof, listed by Armed Forces component.

(2) The number of suicides, attempted suicides, or suicidal ideation identified under paragraph (1) that occurred during each of the following periods:

(A) The first 180 days of the member serving in the Armed Forces.

(B) The period in which the member is deployed in support of a contingency operation.

(3) With respect to the number of suicides, attempted suicides, or suicidal ideation identified under paragraph (2)(A), the initial recruit training location of the member.

(4) The number of suicides involving a dependent of a member.

(5) Description of any research collaborations and data sharing by the Department of Defense with the Department of Veterans Affairs, other departments or agencies of the Federal Government, academic institutions, or non-governmental organizations.

(6) Identification of a research agenda for the Department of Defense to improve the evidence base on suicide prevention treatment and risk communication.


(A) metrics identifying effective treatment modalities for members of the Armed Forces who are at risk for suicide (including any clinical interventions involving early identification and treatment of such members);

(B) metrics for the rate of integration of mental health screenings and suicide risk and prevention for members during the delivery of primary care for suicide prevention and resilience programs and preventative behavioral health programs of the Department of Defense (including those of the military departments and the Armed Forces); and

(C) metrics relating to the effectiveness of suicide prevention and resilience programs and preventative behavioral health programs of the Department of Defense (including those of the military departments and the Armed Forces);

and

(D) metrics evaluating the training standards for behavioral health care providers to ensure that such providers have received training on clinical best practices and evidence-based treatments.

SEC. 726. STUDY ON MILITARY-CIVILIAN INTEGRATED HEALTH DELIVERY SYSTEMS.

(a) Study.—The Secretary of Defense shall conduct a study on the use of local integrated military-civilian integrated health delivery systems pursuant to section 766 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–228; 10 U.S.C. 1096 note). The study shall examine the following:

(1) Geographic locations where military medical treatment facilities operate in collaboration with local civil health care networks, including Fort Drum, New York, Joint Base McGuire-Dix-Lakehurst, New Jersey, Joint Base Lewis-McChord, Washington, Fort Leonard Wood, Missouri, Elmendorf Air Force Base, Alaska, Fort Sill, Oklahoma, Tripler Army Medical Center, Hawaii, the National Capital Region, and similar locations.

(2) Health care activities that promote valuebased care, measurable health outcomes, patient safety, timeliness of referrals, and transparent communication with members.

(3) Locations where health care providers of the Department of Defense may be able to attain critical wartime readiness skills in a local integrated military-civilian integrated health delivery system.

(4) The cost of providing care under an integrated military-civilian integrated health delivery system as compared to health care provided by a managed care support contractor.

(b) Submission.—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 House of Representatives and the Senate a report on the results of the study under subsection (a).

(c) Definitions.—In this section:

(1) The term "covered beneficiaries" has the meaning given in term in section 1072 of title 10, United States Code.

(2) The term "National Capital Region" has the meaning given in term in section 2674 of title 10, United States Code.

SEC. 727. STUDY ON MANAGEMENT AT MILITARY MEDICAL TREATMENT FACILITIES.

(a) Study.—The Secretary of Defense shall conduct a study on the effectiveness of case management practices at military medical treatment facilities. The study shall include the following:

(1) A standardized definition of case management.

(2) An evaluation of case management practices and improvements at military medical treatment facilities before and during the transition of the administration of military medical treatment facilities to the Defense Health Agency pursuant to section 1072c of title 10, United States Code.

(3) A discussion of the metrics involved with determining the effectiveness of case management and the cost of case management.

(4) An assessment of case management best practices in the private sector, including with respect to—

(A) the intervals at which patients should be contacted;

(B) the role of the case manager in coordination;

(C) the approximate number of patients managed by a case manager; and

(D) any other best practices relating to case management that would improve the experience of care within the military health system.

(5) The results of a discussion with covered beneficiaries (as defined in section 1072 of title 10, United States Code) on a public forum on case management in military medical treatment facilities administered by the Defense Health Agency.

(b) 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 House of Representatives and the Senate a report on the results of the study under subsection (a).

SEC. 728. STUDY ON INFERTILITY AMONG MEMBERS OF THE ARMED FORCES.

(a) Study.—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 House of Representatives and the Senate a study on the incidence of infertility among members of the Armed Forces, including the reserve components thereof.

(b) Matters Included.—The study shall include the following:

(1) The number of members of the Armed Forces serving as of the date of the study who are diagnosed with common causes of infertility, such as poly cystic ovary syndrome, pelvic inflammatory disease, uterine fibroids, endometriosis, sexually transmitted disease, lice, and disorders, and male factors.

(2) The number of members serving as of the date of the study whose infertility has no known cause.

(3) The incidence of miscarriage among women members, listed by Armed Force and military occupation.

(4) A comparison of the rates of infertility and miscarriage in the Armed Forces to such rates in the civilian population, as reported by the Centers for Disease Control and Prevention.

(5) Demographic information of the members described in paragraphs (1), (2), and (3), including with respect to race, ethnicity, sex, age, military occupation, and possible exposures during military service to hazardous elements such as chemical and biologic agents.

(6) An assessment of the ease or delay for members in obtaining treatment for infertility, including in vitro fertilization, including—

(A) the wait times at each military medical treatment facility that has community partnership to provide in vitro fertilization; and

(B) the number of members described in paragraph (1) who are candidates for in vitro fertilization or other infertility treatments but cannot obtain such treatments because of the location at which the member is stationed or the duties of the member; and

(C) a discussion of the reasons members cease seeking such treatments through the military health system.

(7) Criteria used by the Secretary to determine service connection for infertility, including whether screenings for levels of toxins are undertaken when the cause of infertility cannot be determined.

(8) The policy of the Department of Defense, as of the date of the study, for ensuring geographic stability during treatment of women members undergoing in vitro fertilization for either service-connected or non-service-connected infertility.

SEC. 729. ALLOWING CLAIMS AGAINST THE UNITED STATES FOR INJURY AND DEATH OF MEMBERS OF THE ARMED FORCES CAUSED BY IMPROPER MEDICAL CARE.

(a) In General.—Chapter 71 of title 28, United States Code, is amended by adding at the end the following:
§2681. Claims against the United States for injury and death of members of the Armed Forces of the United States

"(a) A claim may be brought against the United States under this chapter for damages relating to the personal injury or death of a member of the Armed Forces of the United States arising out of a negligent or wrongful act or omission in the performance of medical, dental, or health care functions (including clinical studies and investigations) that is provided at a covered medical treatment facility by a person acting within the scope of the office or function of that person by or at the direction of the Government of the United States.

"(b) A claim under this section shall not be barred by the amount of any benefit received under subchapter II (relating to Servicemembers’ Group Life Insurance) of chapter 19 of title 38.

"(c) Notwithstanding section 2401, a claim brought under this section shall have a three-year statute of limitations beginning on the date the claimant discovered or by reasonable diligence should have discovered the injury and the cause of the injury.

"(d) For purposes of claims brought under this section—

"(1) subsections (i) and (k) of section 2680 do not apply; and

"(2) in the case of an act or omission occurring outside the United States, the law of the place where the act or omission occurred shall be deemed to be the law of the State of domicile of the claimant.

"(e) In this section, the term ‘covered medical treatment facility’ means the facilities described in subsections (b), (c), and (d) of section 1073d of title 10, regardless of whether the facility is located in or outside the United States. The term does not include battalion aid stations or other medical treatment locations deployed in a time of armed conflict.

"(f) Not later than two years after the date of the enactment of this section, and every two years thereafter, the Secretary of Defense shall submit to Congress a report on the number of claims filed under this section."

(b) CLERICAL AMENDMENT.—The table of sections for chapter 171 of title 28, United States Code, is amended by adding at the end the following:

"§261. Claims against the United States for injury and death of members of the Armed Forces of the United States."

(c) EFFECTIVE DATE.—This Act and the amendments made by this Act shall apply to—

"(1) a claim filed on or after the date of the enactment of this Act; and

"(2) a claim that—

"(A) is pending on the date of the enactment of this Act; and

"(B) arises from an incident occurring not more than two years before the claim was filed.

(d) TITLE OF CONSTRUCTION.—Nothing in this Act or the amendments made by this Act shall be construed to limit the application of the administrative process and procedures of chapter 171 of title 28, United States Code, to claims permitted under section 2681 of such chapter, as amended by this section.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

SEC. 801. ESTABLISHMENT OF ACQUISITION PATHWAY FOR SOFTWARE APPLICATIONS AND SOFTWARE UPGRADES.

(a) GUIDANCE REQUIRED.—Not later than March 1, 2020, the Secretary of Defense shall establish or establish and update the use of acquisition pathways described in subsection (b) for the rapid acquisition of software applications and software upgrades that are intended to be fielded within one year. A contract awarded under this section—

"(1) shall be in an amount equal to or less than $50,000; and

"(2) may be entered into for a period of not more than two years.

(b) SOFTWARE ACQUISITION PATHWAYS.—The guidance required by subsection (a) shall provide for the use of the following two acquisition pathways:

"(1) APPLICATIONS.—The applications pathway shall provide for the use of rapid development and implementation of software applications to be used with commercially available hardware.

"(2) UPGRADES.—The upgrades pathway shall provide for the rapid development and insertion of software upgrades for embedded weapon systems or another hardware system solely used by the Department of Defense.

(c) GENERAL REQUIREMENTS.—The guidance required by subsection (a) shall provide for—

"(1) the use of proven technologies and solutions to continuously engineer, update, and deliver capabilities in software; and

"(2) a streamlined and coordinated requirement, acquisition, and development process that results in the rapid fielding of software applications and software upgrades.

(d) EXPEDITED PROCESS.—

"(1) In general.—An acquisition conducted under the guidance required by subsection (a) shall not be subject to the Joint Capabilities Integration and Development System (JCID) of the Department of Defense and Department of Defense Directive 5000.01, except to the extent specifically provided in such guidance.

"(2) REQUIREMENTS PROCESS.—The guidance required by subsection (a) shall provide that the requirements for acquisition of software applications and software upgrades—

"(A) are developed, refined, and prioritized on an iterative basis through continuous participation and collaboration by users, testers, and requirements authorities,

"(B) include an identification of the need for, and users of, the software to be acquired and a rationale for how the software will support increased efficiency of the Department of Defense;

"(C) are stated in the form of a summary-level list of vulnerabilities in existing software systems and desired features or capabilities of the software to be acquired; and

"(D) consider issues related to lifecycle costs, systems interoperability, and logistics support if the developer of the software to be acquired stops providing support for the software.

(e) EXECUTION OF RAPID ACQUISITIONS.—The Secretary shall ensure that—

"(1) an acquisition conducted under the guidance required by subsection (a) is supported by an entity capable of regularly testing the software to be acquired and that such entity is authorized to buy storage, bandwidth, and computing capability as necessary;

"(B) the Department of Defense can collect and analyze the testing data described in subparagraph (A) to make decisions regarding software acquisition and oversight;

"(C) the Director of Operational Test and Evaluation and the project manager appointed under paragraph (5) design test cases to ensure that the entity described in subparagraph (A) can test the software to be acquired to ensure such software meets the requirements of the contract;

"(D) the project manager appointed under paragraph (5) closely monitors the progress of the development of the software; and

"(E) an independent cost estimate is conducted that considers—

"(i) the iterative process of the development of the software to be acquired; and

"(ii) the long-term value of the software to be acquired by the Department of Defense, based on the value of individual lines of source code of the software;

"(F) the performance of fielded versions of the software to be acquired are demonstrated and evaluated in an operational environment; and

"(G) performance metrics of the software to be acquired, such as measured delivery capabilities of the software (including speed of recovery from outages and cybersecurity vulnerabilities), and assessments and estimations of the size and complexity of such software, are automatically generated on a continuous basis and made available to the Department of Defense and the congressional defense committees.

(f) ADMINISTRATION OF SOFTWARE ACQUISITION PATHWAYS.—The guidance required by subsection (a) may provide for the use of any of the following streamlined procedures:

"(1) The service acquisition executive of the military department concerned shall appoint a project manager for each acquisition of software applications and software upgrades, as determined by the service acquisition executive. Such project manager shall be appointed from among civilians, employees or members of the Armed Forces who have significant and relevant experience in current software processes.

"(2) Each project manager shall report with respect to such acquisition direction directly and without intervening review or approval, to the service acquisition executive of the military department concerned.

"(3) The service acquisition executive of the military department concerned shall evaluate the job performance of such manager on an annual basis. In conducting an evaluation under this paragraph, a service acquisition executive shall consider the extent to which the manager has achieved the objectives of the acquisition for which the manager is responsible, including technology, timelines, and cost objectives.

"(4) The project manager shall be authorized staff positions for a technical staff, including software engineers, to enable the project manager to manage the acquisition without the technical assistance of another organizational unit of an agency to the maximum extent practicable.

"(5) The project manager shall be authorized, in coordination with the users and testers of the software to be acquired, to make trades among lifecycle costs, requirements, and schedules to meet the goals of the acquisition.

"(6) The service acquisition executive or the Under Secretary of Defense for Acquisition and Sustainment, as applicable, shall serve as the decision authority for the acquisition.

"(7) The project manager of a defense streamlining acquisition shall have the authority to expediently seek a waiver from Congress from any statutory or regulatory requirement that the project manager determines adds little or no value to the management of the acquisition.

"(e) CONTRACT TERMS.—

"(1) In general.—A contract entered into pursuant to the guidance required by subsection (a) shall—

"(A) may be awarded within a 90-day period after solicitation on the basis of—

"(i) statements of qualifications, and past performance data submitted by offerors; and

"(ii) discussions with two or more qualified offerors without regard to price;

"(B) may be a time-and-materials contract;

"(C) shall be treated as a contract for the acquisition of commercial services (as defined in section 103a of title 41, United States Code, as in effect on January 1, 2020);

"(D) each project manager shall report with respect to the software to be acquired to ensure such software meets the requirements of the contract;

"(E) shall identify the individuals to perform the work of the contract, and such individuals shall be required under the written consent of the contracting officer; and

"(F) may allow for a contractor performing the work of the contract to use the existing software in consultation with the user community and incorporate user feedback to—

"(i) define and prioritize software requirements; and

"(ii) design and implement new software applications and software upgrades.
(2) OPTIONS.—A contract entered into pursuant to the guidance required by subsection (a) may contain an option to extend the contract once, for a period not to exceed one year, to complete the development of one or more specified software applications and software upgrades identified during the period of the initial contract. Such an option may not be in an amount greater than $9,000,000.

(A) if the option is a time-and-materials contract, it shall be treated as a contract for the acquisition of commercial services (as defined in section 103 of title 41, United States Code); and

(B) if the option is a fixed-price contract, it shall be treated as a contract for the acquisition of commercial products (as defined in section 103 of title 41, United States Code).

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be deemed to prevent the use of other methods of acquisition to procure software applications and upgrades.

(g) CONFORMING AMENDMENT.—Section 2430(a)(2) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking "or" at the end;

(2) in subparagraph (B), by striking the period at the end and inserting "; or"; and

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

"(C) if the option is a fixed-price contract, it shall be treated as a contract for the acquisition of commercial products (as defined in section 103 of title 41, United States Code)."

SEC. 802. SOFTWARE DEVELOPMENT AND SOFTWARE ACQUISITION TRAINING AND MANAGEMENT PROGRAMS.

(a) ESTABLISHMENT OF SOFTWARE DEVELOPMENT AND SOFTWARE ACQUISITION TRAINING AND MANAGEMENT PROGRAMS.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment and in consultation with the Under Secretary of Defense for Research and Engineering and the Chief Information Officer of the Department of Defense, shall establish software development and software acquisition training and management programs for all software acquisition professionals, software developers, and other appropriate individuals, as determined by the Secretary of Defense, to earn a certification in software development or acquisition.

(2) PROGRAM CONTENTS.—The programs established under paragraph (1) shall—

(A) include the use of specialized training programs for chief information officers of the military departments and the Defense Agencies, service acquisition executives, program executive officers, and program managers to include training in software development and experience in—

(i) continuous software development; and

(ii) acquisition pathways available to acquire software;

(B) ensure program managers for major defense acquisition programs, defense business systems, and other software programs of the Department of Defense—

(i) have demonstrated competency in current software processes;

(ii) have the skills to lead a workforce that can quickly meet challenges, use software tools that prioritize continuous or frequent upgrades as such tools become available, take up opportunities for new innovations, and plan software activities in short iterations to learn from risks of software testing; and

(iii) have the experience and training to delegate technical oversight and execution decisions; and

(C) include continuing education courses and experiential training to help individuals maintain skills learned through the programs;

(b) REPORTS.—

(1) REPORTS REQUIRED.—The Secretary shall submit to the congressional defense committees—

(A) not later than 90 days after the date of the enactment of this Act, an initial report; and

(B) not later than one year after the date of the enactment of this Act, a final report;

(2) CONTENTS.—Each report required under paragraph (1) shall include—

(A) a description of the software development and software acquisition training and management programs established under subsection (a)(1); and

(B) a description of the requirements for certification, including the requirements for competencies in current software processes;

(c) DEFINITIONS.—In this section:

"(1) PROGRAM EXECUTIVE OFFICER.—Program Manager.—The terms "program executive officer" and "program manager" have the meanings given those terms, respectively, in section 1737 of title 10, United States Code.

"(2) SERVICE ACQUISITION EXECUTIVE.—The terms "military department", "Defense Agency", and "service acquisition executive" have the meanings given those terms, respectively, in section 191 of title 10, United States Code.

"(3) MAJOR DEFENSE ACQUISITION PROGRAM.—The term "major defense acquisition program" has the meaning given in section 2420 of title 10, United States Code.

SEC. 803. MODIFICATIONS TO COST OR PRICING DATA FOR SOLE SOURCE CONTRACTS.

(a) BELOW-THRESHOLD DEFENSE CONTRACTS.—Section 2308a(b)(4) of title 10, United States Code, is amended by striking the period at the end and inserting "; or"; and

(b) DATA OTHER THAN CERTIFIED COST OR PRICING DATA FOR SOLE SOURCE CONTRACTS.—

(1) IN GENERAL.—Section 2306a(b)(4)(D) of title 10, United States Code, is amended by striking ""(D) If the head of contracting activity determines, based on market research, that a commercial item will be solely procured by the Department of Defense, the offeror of such commercial product shall provide cost or pricing data to the contracting officer pursuant to subsection (a)."

"(2) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall reissue the Defense Acquisition Regulation to require an offeror for a sole source contract, subcontract, or modification of a sole source contract or subcontract, to submit to the contracting officer the number of, and justification for, any request for cost or pricing data under section 2306a(d) of title 10, United States Code, for purposes of determining the reasonableness of the price of the contract, subcontract, or modification of the contract or subcontract.

(2) PENALTY.—With respect to an offeror that fails to comply with the requirements established under paragraph (1), the Secretary may—

(A) suspend or debar such offeror; or

(B) include a notation on such offeror in the system used by the Federal Government to monitor or record contractor past performance.

(c) GUIDELINES AND RESOURCES.—

"(1) IN GENERAL.—The Secretary shall develop guidelines and resources on the acquisition or licensing of intellectual property, including—

"(A) a list of federal rules and regulations regarding intellectual property that are in effect on January 1, 2020; and

"(B) an identification of definitions, key terms, examples, and case studies that resolve ambiguities in the differences between—

(i) detailed manufacturing and process data;

(ii) form, fit, and function data; and

(iii) data required for operations, maintenance, installation, and training.

"(2) CONSULTATION.—In developing the guidelines and resources described in paragraph (1), the Secretary shall regularly consult with appropriate stakeholders, including large and small businesses, traditional and non-traditional contractors (including subcontractors), and other appropriate federal agencies.

SEC. 804. MODIFICATIONS TO COST OR PRICING DATA ON BELOW-THRESHOLD CONTRACTS.

(a) BELOW-THRESHOLD CIVILIAN CONTRACTS.—Section 3504 of title 41, United States Code, is amended—

(1) in paragraph (1), by striking "head of the procuring activity" each place it appears and inserting "contracting officer";

(2) in paragraph (2), by striking "or (2)"; and

(3) by striking paragraph (3).

(b) BELOW-THRESHOLD DEFENSE CONTRACTS.—Section 2306a(c) of title 10, United States Code, is amended—

(1) by striking "head of the procuring activity" each place it appears and inserting "contracting officer";

(2) in paragraph (2), by striking "or (B)"; and

(3) by striking paragraph (3).

SEC. 805. COMPTROLLER GENERAL REPORT ON PRICE reasonableness.

Not later than March 31, 2021, the Comptroller General of the United States shall submit to the congressional defense committees, the Committee on Oversight and Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the efforts of the Secretary of Defense to secure data relating to the price reasonableness of offers from offerors. The report shall include a review of—

"(1) the number of, and justification for, any waiver of requirements for submission of certified cost or pricing data for sole source contracts for spare parts issued during fiscal years 2015 through 2019 pursuant to section 2306a(b)(1)(C) of title 10, United States Code;

"(2) the number of, and waiver criteria used for, any exception to the requirements for submission of certified cost or pricing data for sole source contracts issued during fiscal years 2015 through 2019 pursuant to section 2306a(b)(1)(B) of title 10, United States Code;

"(3) the number of contracts awarded for which a request for cost or pricing data, including data other than action data, was determined price reasonableness was denied by an offeror at the time of award;

"(4) actions taken by the Secretary if an offeror refuses to provide the cost or pricing data described in paragraph (2), including—

(A) whether the contracting officer included a notation in the system used by the Federal Government to monitor or record contractor past performance regarding the refusal of an offeror to provide such data;
(B) any strategies developed by the Secretary to acquire the good that was the subject of a contract for which the offeror refused to provide such data in the future without the need for such a waiver.

SEC. 806. REQUIREMENT THAT CERTAIN SHIP COMPONENTS BE MANUFACTURED IN THE UNITED STATES AND COVERED FOREIGN SOURCES.

(a) ADDITIONAL PROCUREMENT LIMITATION.—

Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(6) COMPONENTS FOR AUXILIARY SHIPS.—Subject to subsection (k), the following components:

"(A) auxiliary equipment, including pumps, for all shipboard services;

"(B) Propulsion system components, including engines, reduction gears, and propellers;

"(C) Shipboard cranes;

"(D) Spreaders for shipboard cranes.",

(b) IMPLEMENTATION.—Such section is further amended by adding at the end the following new subsection:

"(k) IMPLEMENTATION OF AUXILIARY SHIP COMPONENT LIMITATION.—Subsection (a)(6) applies only with respect to contracts awarded by the Secretary of Defense for the construction department for new construction of an auxiliary ship after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020 using funds available for National Defense Seafall Fund programs or Shipbuilding and Conversion, Navy.

For purposes of this subsection, the term 'auxiliary ship' does not include an icebreaker.''.

SEC. 807. ACQUISITION AND DISPOSAL OF CERTAIN RARE EARTH MATERIALS.

(a) GUIDANCE ON STREAMLINED ACQUISITION OF COVERED RARE EARTH MATERIALS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Under Secretary of Defense (Comptroller), the Vice Chairman of the Joint Chiefs of Staff, and the appropriate Under Secretary of State designated by the Secretary of State shall establish guidance to—

(A) enable the acquisition of items containing rare earth materials; and

(B) establish a secure supply chain for rare earth materials from sources within the United States and covered foreign sources.

(2) CONTENTS.—The guidance required by paragraph (1) shall—

(A) enable the acquisition of items containing rare earth materials mined, refined, processed, melted, or sintered in the United States and include—

(i) a determination of when best value contracting methods should be used to ensure the viability of a rare earth material supplier;

(ii) a guide to the applicability of relevant statutes, including sections 253b and 253c of title 10, United States Code, and other statutory or regulatory restrictions to defense contracts and subcontracts;

(iii) information on current sources within the United States and covered foreign sources of rare earth materials along with commonly used common names and reverse common names;

(iv) directives on budgeting and expending funds for the qualification and certification of suppliers of rare earth materials within the United States to meet national security needs; and

(v) exceptions to the Joint Capabilities Integration and Development System Manual and Department of Defense Directive 5000.1.

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment, in consultation with the appropriate Under Secretary of State designated by the Secretary of State, shall submit to the congressional defense committees, the Committee on Foreign Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on—

(A) the guidance required by paragraph (1); and

(B) the efforts of the Secretary of Defense to create and maintain secure supply chain for rare earth materials mined, refined, processed, melted, or sintered in the United States and covered foreign sources.

(4) DEFINITIONS.—In this subsection:

"(A) COVERED FOREIGN SOURCE.—The term ‘covered foreign source’ means a source located in a foreign country that is not an adversary of the United States, as determined by the Secretary of Defense.

"(B) RARE EARTH MATERIAL.—The term ‘rare earth material’ means a concentrate, oxide, carbonate, fluoride, metal, alloy, magnet, or finished product whose chemical, magnetic, or clear properties are largely defined by the presence of—

(i) yttrium;

(ii) scandium; or

(iii) any lanthanide series element.

"(C) AUTHORITY TO DISPOSE OF AND ACQUIRE MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.—

(1) DISPOSAL AUTHORITY.—Pursuant to section 5(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d(b)), the National Defense Stockpile Manager shall dispose of 1,000,000 pounds of rare earth metals contained in the National Defense Stockpile (in addition to any amount previously authorized for disposal).

"(2) ACQUISITION AUTHORITY.—

"(A) AUTHORITY.—Using funds available in the National Defense Stockpile Transaction Fund, the National Defense Stockpile Manager may acquire the following materials determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States:

(i) Aerospace-grade rare earths.

(ii) Electrolytic manganese metal.

(iii) Pitch-based carbon fiber.

(iv) Rare earth cerium compounds.

(v) Rare earth lanthanum compounds.

"(B) AMOUNT OF AUTHORITY.—The National Defense Stockpile Manager may use up to $144,200,000 in the National Defense Stockpile Transaction Fund for acquisition of the materials specified in subsection (b).

"(C) FISCAL YEAR LIMITATION.—The authority under subsection (b) is available for purchases during fiscal year 2020.

"(D) NATIONAL DEFENSE STOCKPILE SALES.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that tantalum should be designated as a strategic and critical material under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.), required to meet the defense, industrial, and essential civilian needs of the United States.

(2) NATIONAL DEFENSE STOCKPILE SALES OF TANTALUM.—Section 2533c(d)(1) of title 10, United States Code, is amended—

(A) in subparagraph (C), by striking "and" and adding at the end the following new subparagraph:

"(E) tantalum.",

(B) in paragraph (D), by striking the period at the end and inserting "; and"; and

(C) in subsection (d), by striking the period at the end and inserting the following new subparagraph:

"(E) tantalum.",

(3) PROHIBITION ON SALES OF MATERIALS.—

Section 2533c(a)(2) of title 10, United States Code, is amended by striking "covered" before "material".

SEC. 808. PROHIBITION ON ACQUISITION OF TANTALUM FROM NON-ALLIED FOREIGN NATIONS.

Subsection (d)(1) of section 2533c of title 10, United States Code, is amended—

(1) in subparagraph (C), by striking "and" at the end;

(2) in subparagraph (D), by striking the period at the end and inserting "; and"; and

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

"(E) tantalum.".

SEC. 809. APPLICATION OF MISCELLANEOUS TECHNOLOGY BASE POLICIES AND PROGRAMS TO THE COLUMBIA-CLASS SUBMARINE.

Notwithstanding subchapter V of chapter 148 of title 10, United States Code (except for sections 2534, 253a, and 253b of such title), for a period of one year beginning on the date of the enactment of this Act, the milestone decision authority (as defined in section 2366a of title 10, United States Code) for the Columbia-class submarine program shall expand the milestone decision authority to include, on a case-by-case basis, the development of strategic and critical materials contained in the National Defense Stockpile (in addition to any amount previously authorized for disposal).

SEC. 810. APPLICATION OF LIMITATION ON PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS TO THE FFG(X) FRIGATE PROGRAM.

Notwithstanding any other provision of law, any amounts authorized to carry out the FFG(X) Frigate Program may be used to award a new contract that provides for the acquisition of the following components regardless of whether those components are manufactured in the United States:

(1) Auxiliary equipment (including pumps) for shipboard services.

(2) Propulsion equipment (including engines, reduction gears, and propellers).

(3) Shipboard cranes.

(4) Spreaders for shipboard cranes.

SEC. 811. CONSIDERATION OF PRICE IN PROCUREMENT OF THE FFG(X) FRIGATE.

In evaluating proposals for a contract to procure a FFG(X) frigate, the Secretary of the Navy shall ensure price is a critical evaluation factor set forth in the request for proposal (solicitation number N0002419RS300) for the procurement of the frigate.

SEC. 812. REPEAL OF CONTINUATION OF DATA RIGHTS DURING CHALLENGES.


(b) RESTORATION OF AMENDED PROVISION.—

Subsection (i) of section 2521 of title 10, United States Code, is amended to read as follows:

"(i) RIGHTS AND LIABILITY UPON FINAL DISPOSITION.—(1) If, upon final disposition, the contracting officer's challenge to the use or release restriction is sustained—

"(A) the restriction shall be cancelled; and

"(B) if the asserted restriction is found not to be substantially justified, the contractor or sub- contractor asserting the restriction shall be liable to the United States for payment of the cost to the United States of reviewing the asserted restriction and the fees and other expenses (as defined in section 2412(d)(2)(A) of title 28) incurred by the United States in challenging the asserted restriction, unless special circumstances would make such payment unjust.

"(2) If, upon final disposition, the contracting officer's challenge to the use or release restriction is not sustained—

"(A) the United States shall continue to be bound by the restriction; and

"(B) the United States shall be liable for payment to the party asserting the restriction for fees and other expenses (as defined in section 2412(d)(2)(A) of title 28) incurred by the party asserting the restriction in defending the asserted restriction the challenge by the United States is found not to be made in good faith.

SEC. 813. REPEAL OF AUTHORITY TO WAIVE ACQUISITION LAWS TO ACQUIRE VITAL NATIONAL SECURITY CAPABILITIES.

Section 906 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) is repealed.

SEC. 814. REPEAL OF PROVISIONS RELATED TO COST OVERRUNS AND COST UNDERRUNS.

(a) IN GENERAL.—Section 828 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2340 note) is repealed.
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(h) CONFORMING AMENDMENT.—Section 825 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1466) is amended—
(1) by striking subsection (b); and
(2) by striking “(a) IN GENERAL—”.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 821. MODIFICATIONS TO THE MIDDLE TIER OF ACQUISITION PROGRAMS.

(a) ACCESS TO TECHNICAL DATA, RECORDS, AND INFORMATION.—Section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2302 note) is amended by adding at the end the following new subsection:

“(e) ACCESS TO TECHNICAL DATA, RECORDS, AND INFORMATION.—The Secretary of Defense shall develop a process to provide the Director of Operational Test and Evaluation, the Director of Cost Assessment and Program Evaluation, and the Under Secretary of Defense for Research and Engineering access to all technical data, records, and information necessary to evaluate the technological maturity, operational effectiveness, and operational suitability of products and technologies proposed to be acquired under the guidance required by subsection (b).”

(b) DOLLAR THRESHOLD FOR ACQUISITION PROGRAMS.—Subsection (a) of such section is amended—
(1) by striking “Not later than” and inserting the following:

“(1) IN GENERAL.—Not later than;”;
(2) in paragraph (1), as so designated, by striking “acquisition programs that are intended to be completed in a period of two to five years.”; and
(3) by adding at the end the following new paragraph:

“(2) WAIVER.—The Secretary of Defense may waive the requirements of subparagraph (A) of paragraph (1) if the head of an agency determines that the waiver is necessary to meet an urgent national security need.

SEC. 822. BRIEFING RELATING TO THE “MIDDLE TIER” OF ACQUISITION PROGRAMS.

(a) IN GENERAL.—Not later than December 1, 2019, the Secretary of Defense shall provide a briefing to the congressional defense committees on lessons learned and best practices identified through the use of the “middle tier” of acquisition programs described under section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2302 note). The briefing shall be accompanied by a written analysis—
(1) identifying which lessons learned can be applied to—
(A) “middle tier” acquisition programs; and
(B) any major defense acquisition program (as defined under section 2430 of title 10, United States Code);
(2) determining the extent to which covered risk should be a factor in determining which acquisition authority to use, including—
(A) an acquisition pathway as described under subsection (b) of section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2302 note);
(B) the authority described under section 2371b of title 10, United States Code;
(C) acquisition authority relating to urgent operational needs;
(D) traditional acquisition process; or
(E) any other acquisition authority, as determined by the Secretary;
(3) describing whether any requirements applicable to major defense acquisition programs should be applicable to “middle tier” acquisition programs under such section; and
(4) recommending policies or revisions (as applicable) to law or regulation, and including available data to support such recommendations.

(b) COVERED RISK DEFINED.—In this section, the term “covered risk” shall have the meaning given by the Secretary of Defense, and shall include a consideration of cost, schedule, performance, risk, and any other factor the Secretary of Defense determines to be a factor in determining which acquisition authority to make such a waiver.”.

SEC. 823. RATES FOR PROGRESS PAYMENTS OR PERFORMANCE-BASED PAYMENTS.

(a) CONSISTENCY IN ESTABLISHMENT OF RATES FOR PROGRESS PAYMENTS OR PERFORMANCE-BASED PAYMENTS.—Section 2307(a) of title 10, United States Code, is amended by inserting the following new paragraph:

“(c) NOTICE OF REVISION TO RATES FOR PROGRESS PAYMENTS OR PERFORMANCE-BASED PAYMENTS.—

(1) TO CONGRESS.—The Secretary of Defense may not issue rules to revise the rate for progress payments or the rate for performance-based payments that is lower than the rate for progress payments or a rate for performance-based payments, as applicable, established by another head of an agency.”.

(b) PAYMENT AUTHORITY.—Section 2307(a)(1) of title 10, United States Code, is amended in the matter preceding subparagraph (A) by striking “The head of an agency” and inserting “The head of an agency may”.}

SEC. 824. ADDITIONAL REQUIREMENTS FOR NONCOMMERCIAL COMPUTER SOFTWARE.

Section 2322a of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) RIGHTS TO NONCOMMERCIAL COMPUTER SOFTWARE.—As part of any negotiation for the acquisition of noncommercial computer software, the Secretary of Defense may not require a contractor to sell or otherwise relinquish to the Federal Government any rights to noncommercial computer software developed exclusively at private expense, except for rights related to—

(1) corrections or changes to such software or related materials for such software furnished to the contractor by the Department of Defense;
(2) such software or related materials for such software that is otherwise publicly available or that has been released or disclosed by the contractor or subcontractor without restrictions on further use, release, or disclosure, other than a release or disclosure resulting from the sale, transfer, or other assignment of interest in such software or related materials to another party;
(3) such software or related materials for such software in connection with a contract with the Federal Government or as a result of such a negotiation; or
(4) such software or related materials for such software produced by the Department of Defense under a contract or subcontract that includes—

(1) restrictions in such software, limited rights in such software, or limited rights in technical data, or government purpose rights, where such restricted rights, limited rights, or government purpose rights have expired;

(2) government purpose rights, where the contractor’s exclusive right to use such software expired; or

(d) CONSIDERATION OF SPECIALLY NEGOTIATED LICENSES.—The Secretary of Defense shall ensure, to the maximum extent practicable, negotiate and enter into a contract with a contractor for a specially negotiated license for noncommercial computer software or related materials for such software necessary to support the product support strategy of a major weapon system or subsystem of a major weapon system.”.

SEC. 825. RESPONSIBILITY FOR DATA ANALYSIS AND REQUIREMENTS VALIDATION FOR SERVICES CONTRACTS.

Section 3239 of title 10, United States Code, is amended—
(1) in subsection (a), by inserting “, acting through the Under Secretary of Defense (Comptroller) and Director of Cost Assessment and Program Evaluation,” after “Secretary of Defense”;
(2) in subsection (b), in the matter preceding paragraph (1), by inserting “through the Under Secretary of Defense (Comptroller) and Director of Cost Assessment and Program Evaluation,” after “Secretary of Defense”; and
(3) describing whether any requirements applicable to law or regulation, and including available data to support such requirements by the Department of Defense, including use by the Defense Agencies.

SEC. 826. ANNUAL REPORTS ON AUTHORITY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

(a) IN GENERAL.—Section 3271b of title 10, United States Code, is amended by adding at the end the following new subsection:

“(i) DATA COLLECTION AND USE.—(1) The service acquisition executive of each military department shall collect data on the use of the authority under this section by the applicable military department, and the Under Secretary of Defense for Research and Engineering and the Under Secretary of Defense for Acquisition and Sustainment shall collect data on all other use of such authority by the Department of Defense, including use by the Defense Agencies.

(2) The Under Secretary of Defense for Acquisition and Sustainment shall—

(A) maintain a database of information collected under this section, which shall be made accessible to any official designated by the Secretary of Defense; and

(B) analyze such information to update policy and guidance related to the use of the authority under this section.

(2) REPORT.—Not later than March 1, 2020, the Secretary of Defense shall submit to the congressional defense committees a report covering the preceding fiscal year on the use of the authority under this section. Each report shall summarize the data collected under subsection (i) on the nature and extent of each such use of the authority, including a description—

(A) of the participants to an agreement entered into pursuant to the authority of subsection (a) or a follow-on contract or transaction entered into pursuant to the authority of subsection (f); and

(B) of the quantity of prototype projects to be produced pursuant to such an agreement, follow-on contract, or transaction,

shall include the amount of funds made pursuant to each such agreement, follow-on contract, or transaction,

including case examples, of the successes and challenges with using the authority of subsection (i) or (f).
SEC. 827. COMPETITION REQUIREMENTS FOR PURCHASES FROM FEDERAL PRISON INDUSTRIES.—

(a) COMPETITION REQUIREMENTS FOR PURCHASES FROM FEDERAL PRISON INDUSTRIES.—Subsections (a) and (b) of section 2410n of title 10, United States Code, are amended to read as follows:

 ``(b) COMPETITION REQUIREMENT.—If the Secretary determines that a Federal Prison Industries product listed in the latest edition of the Federal Prison Industries catalog published under section 4124(d) of title 18, the Secretary of Defense shall conduct market research to determine whether such product—

 ``(1) is comparable to products available from the private sector; and
 ``(2) best meets the needs of the Department of Defense in terms of price, quality, and time of delivery.

 ``(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 60 days after the date of the enactment of this Act.

 SEC. 828. ENHANCED POST-AWARD DEBRIEFING RIGHTS.—

Section 818(a)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1463; 10 U.S.C. 2305 note) is amended by striking subsection (d) and redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

SEC. 829. STANDARDIZING DATA COLLECTION AND REPORTING ON USE OF SOURCE SELECTION PROCEDURES BY FEDERAL AGENCIES.—

(a) REPEAL OF GOVERNMENT ACCOUNTABILITY OFFICE REPORTING REQUIREMENTS ON USE OF LOWEST PRICE TECHNICALLY ACCEPTABLE SOURCE SELECTION CRITERIA.—


(b) OTHER AGENCIES.—Section 880 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1910; 10 U.S.C. 2301 note) is amended by striking subsection (d) and redesignating subsection (e) as subsection (d).

SEC. 830. MODIFICATION OF JUSTIFICATION AND APPROVAL REQUIREMENT FOR CERTAIN DEPARTMENT OF DEFENSE CONTRACTS.—

(a) MODIFICATION OF JUSTIFICATION AND APPROVAL REQUIREMENT.—Section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2405)—

 ``(1) no justification and approval is required under such section for a sole-source contract awarded by the Department of Defense in a covered procurement for an amount not exceeding $100,000,000; and
 ``(2) for purposes of subsections (a)(2) and (c)(3)(A) of such section, the official appropriate designated to approve the justification for a contract awarded by the Department of Defense in a covered procurement exceeding $100,000,000 is the official designated in section 2304(a)(1)(B)(ii) of title 10, United States Code.

(b) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to implement the authority under subsection (a).

(c) COMPTROLLER GENERAL REVIEW.—

(1) DATA TRACKING AND COLLECTION.—The Department of Defense shall track the use of the authority under paragraph (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 C—Provisions Relating to Acquisition Workforce

SEC. 841. DEFENSE ACQUISITION WORKFORCE CERTIFICATION AND EDUCATION REQUIREMENTS.—

(a) PROFESSIONAL CERTIFICATION REQUIREMENTS.—

(1) PROFESSIONAL CERTIFICATION REQUIRED FOR ALL ACQUISITION WORKFORCE PERSONNEL.—Section 1701a of title 10, United States Code, is amended—

 ``(A) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and
 ``(B) by inserting after subsection (d) the following new subsection:

 ``(c) PROFESSIONAL CERTIFICATION.—(1) IN GENERAL.—The Secretary of Defense shall implement a certification program to provide for professional certification requirements for all members of the acquisition workforce. Except as provided in paragraph (2), the certification requirement for any career field of the acquisition workforce shall be based on nationally or internationally recognized standards developed by a third-party entity.

 ``(2) REQUIREMENTS FOR SECRETARY.—If the Secretary determines that, for a particular acquisition workforce career field, the third-party entity described in paragraph (1) does not meet the needs of the Department, the Secretary shall establish the certification requirements for that career field that conforms with nationally or internationally recognized standards. The Secretary shall determine the best approach to implement such requirements for that career field, including implementation through entities outside the Department of Defense and may be designed and implemented without regard to section 1746 of this title.

 ``(3) CERTIFICATION RENEWAL.—(Parak 3 of subsection (a) of that title is amended by striking the second and third paragraphs.

 ``(4) PARTICIPATION IN PROFESSIONAL ASSOCIATIONS.—Section 1701a(b) of such title is amended by striking the second and third paragraphs.

 ``(5) A report required under this subsection shall be submitted to the congressional defense committees on the use of the authority provided pursuant to subsection (a) through the end of fiscal year 2021.

(b) ELIMINATION OF STATUTORY REQUIREMENT FOR CONVERSION TO PROFESSIONAL CERTIFICATION.—

(1) QUALIFICATION REQUIREMENTS FOR CONTRACTING OFFICERS.—Section 1724 of title 10, United States Code, is amended—

 ``(A) in subsection (a)(2)—
 ``(i) by striking ‘‘(A)’’ after ‘‘(3)’’; and
 ``(ii) by striking ‘‘, and’’; and
 ``(B) in subsection (b), by striking ‘‘requirement’’ in the first sentences of paragraphs (1) and (2) and inserting ‘‘requirement’’;
 ``(C) in subsection (c)—
 ``(1) in paragraph (1)—
 ``(I) by striking ‘‘requirements in subparagraphs (A) and (B) of section (a)(3)’’ and inserting ‘‘requirements in subparagraph (A)’’; and
 ``(II) in subparagraph (C), by striking ‘‘requirement’’ and inserting ‘‘requirement’’; and
 ``(2) in paragraph (2), by striking ‘‘shall have been awarded’’ and all that follows through ‘‘shall have been awarded’’;
 ``(B) by striking ‘‘, or’’ and inserting a period; and
 ``(C) by striking subparagraph (B); and
 ``(D) in subsection (f), by striking ‘‘, including—’’ and all that follows and inserting a period.

(b) ELIMINATION OF STATUTORY REQUIREMENT FOR CONVERSION TO PROFESSIONAL CERTIFICATION.—

(1) STANDING CRITERIA.—Section 1725 of title 10, United States Code, is amended—

 ``(A) in subsection (b)(1)—
 ``(i) by striking ‘‘Such requirements,’’ and all that follows through ‘‘the person—’’; and
 ``(ii) by striking subparagraph (B); and
 ``(B) in subsection (c), by striking ‘‘requirement that the person—’’; and
 ``(C) in subsection (d), by striking the second and third paragraphs.

(c) DEFENSE ACQUISITION UNIVERSITY CURRICULUM DEVELOPMENT.—Section 1746(c) of title 10, United States Code, is amended by inserting ‘‘, and with commercial providers of training,’’ after ‘‘military departments’’.

(d) CAREER PATHS.—

(1) CAREER PATH REQUIRED FOR EACH ACQUISITION WORKFORCE CAREER FIELD.—Paragraph 4(a) of section 1701a(b) of title 10, United States Code, is amended to read as follows:

 ``(4) develop and implement a career path, as described in section 1722(a) of this title, for each career field designated by the Secretary under section 1721(a) of this title as an acquisition workforce career field.

(2) CONFORMING AMENDMENTS.—Section 1722(a) of such title is amended—

 ``(A) by striking ‘‘appropriate career paths’’ and inserting ‘‘an appropriate career path’’; and
 ``(B) by striking ‘‘are identified’’ and inserting ‘‘is identified for each acquisition workforce career field’’.

(3) DEADLINE FOR IMPLEMENTATION OF CAREER PATHS.—The Secretary of Defense shall carry
out the requirements of paragraph (4) of section 1701(a) of title 10, United States Code (as amended by paragraph (1)), not later than the end of the two-year period beginning on the date of the enactment of this Act.

(c) Career Fields.—

(1) Designation of Acquisition Workforce Career Fields.—Section 1721(a) of such title is amended by striking the critical acquisition-related career field, as added by paragraph (1), not later than the end of the two-year period beginning on the date of the enactment of this Act.

(2) Clerical Amendments.—(A) The heading of such chapter is amended to read as follows: “II. Acquisition Positions and Acquisition Workforce Career Fields”.

(B) The item relating to such section in the table of sections at the beginning of subchapter II of chapter 87 of such title is amended to read as follows:

“1721. Designation of acquisition positions and acquisition workforce career fields”.

(3) The heading of such subchapter II of chapter 87 of such title is amended to read as follows: “SUBCHAPTER II—ACQUISITION POSITIONS AND ACQUISITION WORKFORCE CAREER FIELDS”.

(B) The item relating to such subchapter in the table of sections at the beginning of such chapter is amended to read as follows: “1721. Designation of acquisition positions and acquisition workforce career fields.”

(4) Key Work Experiences.—

(a) Development of Key Work Experiences for Members of the Acquisition Workforce Career Field.—Section 1722b of such title is amended by adding at the end the following new subsection:

“(a) Key Work Experiences.—In carrying out subsection (b)(2), the Secretary shall ensure that key work experiences, in the form of multidiscipline training, are developed for each acquisition workforce career field.”.

(b) Key Work Experiences.—In carrying out subsection (b)(2), the Secretary shall ensure that key work experiences, in the form of multidiscipline training, are developed for each acquisition workforce career field as required by subsection (c) of section 1722b of title 10, United States Code, as added by paragraph (1). The plan shall include specification of the percentage of the acquisition workforce, or funds available for administration of the acquisition workforce on an annual basis, that the Secretary will dedicate towards developing such key work experiences.

(c) Applicability of Career Path Requirements to All Members of Acquisition Workforce Career Field.—Section 1723 of such title is amended by striking “the critical acquisition-related”.

(d) Competency Development.—

(1) In General.—(A) Subchapter V of chapter 87 of such title is amended by adding at the end the following new section:

“§1765. Competency development

“(a) In General.—For each acquisition workforce career field, the Secretary of Defense shall establish, for the civilian personnel in that career field, defined proficiency standards and technical and nontechnical competencies which shall be used in personnel qualification assessments.

“(b) Nontotations.—Any action taken by the Secretary under this section, or to implement this section, shall not be subject to the requirements of chapter 71 of title 5.”.

(B) The table of sections at the beginning of such subchapter II is amended by adding at the end the following new sentence: “1765. Competency development.”.

(2) Deadline for Implementation.—The Secretary of Defense shall carry out the requirements of section 1765 of title 10, United States Code (as added by paragraph (1)), not later than the end of the two-year period beginning on the date of the enactment of this Act.

(i) Termination of Defense Acquisition Corps.—

(1) The Acquisition Corps for the Department of Defense referred to in section 1731(a) of title 10, United States Code, is terminated.

(2) Section 1733 of title 10, United States Code, is amended—

(A) by striking section (a); and

(B) by redesignating subsection (b) as subsection (a).

(3) Subsection (b) of section 1731 of such title is transferred to the end of section 1733 of such title, as amended by paragraph (2), and amended—

(A) by striking “ACQUISITION CORPS” in the heading and inserting “THE ACQUISITION WORKFORCE”;

(B) by striking “selected for the Acquisition Corps” and inserting “in the acquisition workforce”.

(4) Subsection (e) of section 1732 of such title is transferred to the end of section 1733 of such title, as amended by paragraphs (2) and (3), redesignated as subsection (c), and amended—

(A) by striking “in the Acquisition Corps” in paragraphs (1) and (2) and inserting “in critical acquisition positions”; and

(B) by striking “serving in the Corps” in paragraph (2) and inserting “employment”.

(5) Sections 1731 and 1732 of such title are repealed.

(6) (A) Section 1733 of such title, as amended by paragraphs (2), (4), and (4), is redesignated as section 1731.

(B) The table of sections at the beginning of subchapter III of chapter 87 of such title is amended by striking the items relating to sections 1731, 1732, and 1733 and inserting the following new item:

“1731. Critical acquisition positions.”.

(7) (A) The heading of subchapter III of chapter 87 of such title is amended as follows: “SUBCHAPTER III—CRITICAL ACQUISITION POSITIONS”.

(B) The item relating to such subchapter in the table of sections at the beginning of such chapter is amended to read as follows:

“1731. Critical acquisition positions.”.

(8) Section 1723(a)(2) of such title is amended by striking “section 1733 of this title” and inserting “section 1731 of this title”.

(9) Section 1734 of such title is amended—

(A) in subsection (a)(1), by striking “Defense Acquisition Corps” and inserting “acquisition workforce”; and

(B) in subsection (d)(2), by striking “of the Defense Acquisition Corps” and inserting “in the acquisition workforce serving in critical acquisition positions”.

(10) Section 1737 of such title is amended—

(A) by striking “of the Acquisition Corps” in subsections (e)(1) and (h) and inserting “of the acquisition workforce”;

(B) in subsection (g)(1) and (i) by striking “of the Acquisition Corps” in the first sentence and inserting “of the acquisition workforce”;

(ii) by striking “of the Corps” and inserting “of the acquisition workforce”;

(iii) by striking “of the Acquisition Corps” in the second sentence and inserting “of the acquisition workforce in critical acquisition positions”.

(11) Section 1737 of such title is amended—

(A) in subsection (a)(1), by striking “of the Acquisition Corps” and inserting “of the acquisition workforce”;

(B) in subsection (b), by striking “of the Corps” and inserting “of the acquisition workforce”.

(12) Section 1742(a)(1) of such title is amended by striking “of the Acquisition Corps” and inserting “in critical acquisition positions in the Department of Defense”.

(13) Section 2228(a)(4) of such title is amended by striking “under section 1733(b)(1)(C) of this title” and inserting “under section 1731 of this title”.

(14) Section 8016(b)(5)(B) of such title is amended by striking “under section 1733(b)(1)(C) of this title” and inserting “under section 1731 of this title”.

(15) Section 8016(b)(4)(B) of such title is amended by striking “under section 1733 of this title” and inserting “under section 1731 of this title”.

(16) Section 9016(b)(4)(B) of such title is amended by striking “under section 1733 of this title” and inserting “under section 1731 of this title”.

(17) Paragraph (1) of section 317 of title 37, United States Code, is amended to read as follows:

“(1) is a member of the acquisition workforce selected to serve in, or serving in, a critical acquisition position designated under section 1731 of title 10”.

(i) Designation of Foreign Military Sales Acquisition Positions for Foreign Military Sales.—Section 1721(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(13) Foreign military sales.

SEC. 842. PUBLIC-PRIVATE EXCHANGE PROGRAM FOR THE ACQUISITION WORKFORCE.

(a) Public-Private Exchange Program for the Acquisition Workforce.—

(1) In General.—Subchapter IV of chapter 87 of title 10, United States Code, is amended by adding at the end the following new section:

“§1749. Public-private exchange program for the acquisition workforce.

(1) Assignment Authority.—(A) The Secretary may, by rule, establish a program to be known as the ‘Public-Private Exchange Program for the Acquisition Workforce’ to temporarily assign a member of the acquisition workforce to a private-sector organization or an employee of a private-sector organization to the Department of Defense, pursuant to an agreement between the Secretary, the private-sector organization, and the individual to be temporarily assigned to serve in a critical acquisition position under this section, in order to provide the Secretary with an opportunity to determine whether the individual is qualified to serve in a critical acquisition position.

(B) Members of the armed forces serving in any of pay grades O-3 through O-6.

(2) Public-private exchange program for the acquisition workforce.

(A) The terms and conditions of a temporary assignment under this section shall include the following:

(i) The terms and conditions of a temporary assignment under this section shall include the following:

(ii) A member of the acquisition workforce selected to serve in, or serving in, a critical acquisition position designated under section 1731 of title 10.

(iii) The Public-Private Exchange Program for the Acquisition Workforce known as the ‘Public-Private Exchange Program for the Acquisition Workforce’.

(B) The Secretary may, by rule, establish a program to be known as the ‘Public-Private Exchange Program for the Acquisition Workforce’ to temporarily assign a member of the acquisition workforce to a private-sector organization or an employee of a private-sector organization to the Department of Defense, pursuant to an agreement between the Secretary, the private-sector organization, and the individual to be temporarily assigned to serve in a critical acquisition position under this section, in order to provide the Secretary with an opportunity to determine whether the individual is qualified to serve in a critical acquisition position.

(3) Members of the armed forces serving in any of pay grades O-3 through O-6.

(4) A private-sector organization shall not be considered to have a conflict of interest with the Department of Defense solely because of participation in the program established under this section.

(5) AGREEMENTS.—(A) An agreement entered into under this section shall include the following:

(B) A term that defines the conditions of a temporary assignment.

(6) The case of an agreement for the temporary assignment of a member of the acquisition workforce, a requirement that the member of the acquisition workforce, upon completion of the temporary assignment, will—

(A) return to the armed forces to serve in the armed forces for a period equal to twice the
length of the temporary assignment (in addition to any other period of obligated service); or

(ii) if a civilian, serve in the Department of Defense, or elsewhere in the civil service if approved by the Secretary of Defense, for a period equal to twice the length of the temporary assignment.

(3) The Secretary may waive, in whole or in part, any of the conditions described in paragraphs (1) and (2) based on a determination that the collection would be against equity and good conscience and not in the best interests of the United States.

(4) The account may not be used for any purpose that would account for a violation of fraud, misrepresentation, fault, or lack of good faith on the part of the individual who is liable for the debt.

(5) DURATION.—An assignment under this section may, at any time and for any reason, be terminated by the Department of Defense.

(6) TEMPORARILY ASSIGNED.—In the case of an individual who is assigned to a nonpublic sector organization for a period in excess of two years, but not more than four years, the Secretary may extend the period for a period of not more than two years, but not more than four years, if the Secretary determines that such assignment is necessary to meet critical mission or program requirements.

(7) A member of the acquisition workforce shall not be assigned under this section for more than a total of four years inclusive of all such assignments.

(e) STATUS OF INDIVIDUALS ASSIGNED TO PRIVATE-SECTOR ORGANIZATIONS.—(1) A member of the acquisition workforce who is assigned to a private-sector organization under this section shall be considered, during the period of assignment, to be on detail to a regular duty or work assignment as applicable, in the Department for all purposes.

(2) In the case of a civilian member of the acquisition workforce, the written agreement established under subsection (d)(1) shall—

(A) address the specific terms and conditions related to the civilian member’s continued status as a Federal employee; and

(B) in the case of an assignment of nine months or longer, shall provide that, if the civilian member successfully completes the assignment according to the provisions of this Act as determined by the Secretary of Defense, the civilian member shall be eligible for consideration for placement in a new position under programs of the Department of Defense providing priority placement to certain employees.

(3) With respect to an assignment of a member of the acquisition workforce under this section, the Secretary—

(A) in the case of a civilian member of the acquisition workforce, provide for the performance, during the member’s absence, of the normal duties and functions of that member by making a temporary appointment under general civil service authorities for such appointments;

(B) shall ensure that the normal duties and functions of the civilian member of the acquisition workforce described in subparagraph (A) can be reasonably performed by other personnel of the Department of Defense without the permanent transfer or permanent reassignment of other personnel of the Department of Defense, including members of the armed forces;

(C) shall ensure that the normal duties and functions of the acquisition workforce member are not, as a result of and during the course of such temporary assignment, performed or augmented by contractor personnel in violation of the provisions of section 2461 of this title; and

(D) shall certify that the temporary assignment of the civilian member will not have an adverse or negative impact on mission attainment, warfighter support, or organizational capabilities associated with the assignment.

(f) TERMS AND CONDITIONS FOR PRIVATE-SECTOR EMPLOYEES.—An employee of a private-sector organization who is assigned to a Department of Defense organization under this section—

(1) shall continue to receive pay and benefits from the private-sector organization from which such employee is assigned and shall not receive pay or benefits from the Department of Defense, except as provided in paragraph (2);

(2) shall be deemed an officer of the Department of Defense for the purposes of—

(A) chapters 72 and 81 of title 5;

(B) sections 201, 205, 207, 208, 209, 606, 607, 641, 653, 1100a, 1107, and 408a of title 18;

(C) sections 1343, 1344, and 1349b of title 31;

(D) the Federal Tort Claims Act and any other Federal tort statute;

(E) the Ethics in Government Act of 1978; and

(F) chapter 21 of title 38;

(3) shall not have access to any trade secrets or to any other nonpublic information which is of commercial value to the private-sector organization from which such employee is assigned;

(4) may perform work that is considered inherently governmental in nature only when requested in writing by the Secretary of Defense; and

(5) may not be used to circumvent the provisions of section 2461 of this title nor to circumvent any limitation or restriction on the size of the Department's workforce.

(g) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO THE FEDERAL GOVERNMENT.—A private-sector organization may not charge the Federal Government, as direct or indirect costs under a Federal contract, the costs of pay or benefits paid by the organization to an employee assigned to a Department of Defense organization under this section for the period of the assignment.

(h) CONSIDERATION OF TRAINING NEEDS FOR MEMBERS OF THE ACQUISITION WORKFORCE.—In carrying out this section, the Secretary of Defense shall take into consideration how assignments under this section might best be used to help meet the needs of the Department of Defense with respect to the training of members of the acquisition workforce.

(i) FUNDING; USE OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.—Funds for the expenses for the program established under this section shall be provided from amounts in the Department of Defense Acquisition Workforce Development Fund. Expenses for the program include—

(1) notwithstanding section 1705(e)(3) of this title, the base salary of a civilian member of the acquisition workforce or a private-sector organization under this section, during the period of that assignment;

(2) expenses related to assignment under this section of a member of the acquisition workforce away from the member’s regular duty station, including expenses for travel, per diem, and lodging that are incurred in that capacity;

(3) expenses for the administration of the program.

(j) CLERICAL AMENDMENT.—The table of sections at the beginning of this subchapter is amended by adding at the end the following new item:

“2409a. Incentives and consideration for qualified training programs.”

SEC. 844. CERTIFICATION BY PROSPECTIVE MILITARY CONSTRUCTION CONTRACTORS OF GOOD FAITH EFFORT TO UTILIZE QUALIFIED APPRENTICES.

(a) REQUIREMENTS.—In addition to the requirements of chapter 169 of title 10, United States Code, as amended by section 7179 of the National Defense Authorization Act for Fiscal Year 2016, a contractor shall certify, by the end of the fiscal year preceding the year in which the construction contract is awarded, that the contractor has utilized qualified apprentices in accordance with this section.

(b) USE OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.—Section 1705(e)(1) of such Act is amended by adding at the end the following new subparagraph:

“(f) Amounts in the Fund shall be used to pay the expenses of the Public-Private Exchange Program for the Acquisition Workforce under section 1749 of this title.”

(c) ACQUISITION WORKFORCE EMPLOYEES EXCLUDED FROM PUBLIC-PRIVATE TALENT EXCHANGE.—

(1) IN GENERAL.—Section 1749a of this title is amended by adding at the end the following new subsection:

“(b) ACQUISITION WORKFORCE EMPLOYEES.—An employee of the Department of Defense who is eligible for the Public-Private Exchange Program for the Acquisition Workforce under section 1749 of this title is not eligible for an assignment under this section.”

(2) APPLICABILITY.—Subsection (i) of section 1749a of title 10, United States Code, as added by paragraph (1), shall not apply to an employee of the Department of Defense who entered into an agreement under that section before the date of the enactment of this Act.

SEC. 845. INCENTIVES AND CONSIDERATION FOR QUALIFIED TRAINING PROGRAMS.

(a) IN GENERAL.—(1) Chapter 141 of title 10, United States Code, is amended by inserting after section 2409 the following new section:

“2409a. Incentives and consideration for qualified training programs.

“(a) INCENTIVES.—The Secretary of Defense shall develop workforce development investment incentives for a contractor that implements a qualified training program to develop the workforce of the contractor in a manner consistent with the needs of the Department of Defense.

“(b) CONSIDERATION OF QUALIFIED TRAINING PROGRAMS.—The Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to require that the system used by the Federal Government to monitor or record contractor past performance includes an analysis of the availability, quality, and effectiveness of a qualified training program of an offeror as part of the past performance rating of such offeror.

“(c) QUALIFIED TRAINING PROGRAM DEFINED.—The term ‘qualified training program’ means—

“(1) a program eligible to receive funds under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.);

“(2) a program eligible to receive funds under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2991 et seq.);

“(3) a program registered under the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); and

“(4) any other program determined to be a qualified training program for purposes of this section, and that meets the workforce needs of the Department of Defense, as determined by the Secretary of Defense.

“(d) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after section 2409 the following new item:

“2409a. Incentives and consideration for qualified training programs.”

SEC. 846. CERTIFICATION BY PROSPECTIVE MILITARY CONSTRUCTION CONTRACTORS OF GOOD FAITH EFFORT TO UTILIZE QUALIFIED APPRENTICES.
contractor on a military construction project to certify to the Secretary that, if awarded a contract for the project, the prospective contractor will make a good faith effort to meet or exceed the apprenticeship employment goal on such project.

(2) If a prospective contractor fails to certify as required by paragraph (1), the Secretary may not determine such prospective contractor to be a responsible contractor.

(b) APPRENTICESHIP EMPLOYMENT GOAL.—

(1) IN GENERAL.—In this section, the term ‘apprenticeship goal’ means the utilization of qualified apprentices as not less than 20 percent of the total workforce employed in an apprenticeable occupation (as determined by the Secretary of Labor).

(2) UTILIZATION OF APPRENTICES.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct a comprehensive assessment of—

(A) the Office of Apprenticeship of the Employment Training Administration of the Department of Labor pursuant to the Act of August 16, 1937 (popularly known as the ‘National Apprenticeship Act’; 29 U.S.C. 50 et seq.);

(B) a State apprenticeship agency recognized by such Office of Apprenticeship pursuant to such Act;

(C) the Department of Defense pursuant to the Act of August 16, 1937, and the Apprenticeship Employment Administration of the Department, and for inspection, testing, and authentication of covered equipment and services that covered contractor obtained from an alternate supplier;

(D) establish qualification requirements, consistent with the requirements of section 2319 of title 10, United States Code, pursuant to which the Secretary may identify suppliers that have appropriate policies and procedures in place to detect and avoid suspect covered equipment and services; and

(E) authorize covered contractors to identify and use suppliers that meet qualification requirements, provided that—

(i) the standards and processes for identifying such suppliers comply with established industry standards; and

(ii) the selection of such suppliers is subject to review, audit, and approval by appropriate Department of Defense officials.

(E) IMPROVEMENT OF CONTRACTOR SYSTEMS FOR DETECTION AND AVOIDANCE OF SUSPECT COVERED EQUIPMENT AND SERVICES.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall require that any covered contractor who has failed to detect and avoid suspect covered equipment and services by covered contractors.

(2) CONTRACTOR RESPONSIBILITIES.—The revised regulations issued pursuant to paragraph (1) shall provide that—

(A) covered contractors who supply covered equipment or services are responsible for detecting and avoiding the acquisition of suspect covered equipment or services; and

(B) a covered contractor has provided suspect covered equipment and services; and

(3) systems of covered contractors to ensure that covered contractors implement policies to detect and avoid suspect covered equipment and services.

(2) REQUIREMENTS FOR SUPPLIERS.—The revised regulations issued pursuant to paragraph (1) shall—

(A) require that covered contractors obtain covered equipment or services—

(i) from the original manufacturers of the equipment or their authorized dealers, or from the contractors that are responsible for the covered equipment or services that were provided to the covered contractor by the original manufacturer or its authorized dealers; and

(ii) for nonprocurement programs and activities of covered contractors to address supply chain risks relating to acquisitions for the Department of Defense, including acquisitions involving other federal agencies.

(3) REQUIREMENTS TO ADDRESS A SUSPECTED VIOLATION OF THE REQUIREMENTS FOR SUPPLIERS.—The revised regulations issued pursuant to paragraph (1) shall—

(A) require that covered contractors obtain covered equipment or services—

(i) from the original manufacturers of the equipment or their authorized dealers, or from the contractors that are responsible for the covered equipment or services that were provided to the covered contractor by the original manufacturer or its authorized dealers; and

(ii) for nonprocurement programs and activities of covered contractors to address supply chain risks relating to acquisitions for the Department of Defense, including acquisitions involving other federal agencies.

SEC. 851. SUPPLY CHAIN SECURITY OF CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT.

(a) ASSESSMENT.—The Secretary of Defense, in consultation with the Federal Acquisition Security Council (established under section 132 of title 41, United States Code) and the Director of the Office of Management and Budget, shall conduct a comprehensive assessment of—

(1) Defense policies relating to covered equipment and services;

(2) covered equipment and services acquired or to be acquired for the Department; and

(b) PURPOSE.—The assessment described in subsection (a) shall—

(1) an identification of instances in which the Federal Acquisition Security Council has identified supply chain risks (as defined in section 4713(k) of title 41, United States Code) that are specific to the defense industrial base and other threat assessments related to the procurement of covered articles (as defined in such section); and

(2) findings and recommendations for guidance on the process of debarment and suspension (including debarment and suspension for procurement programs and activities) of covered contractors to address supply chain risks relating to acquisitions for the Department of Defense, including acquisitions involving other federal agencies.

(3) an identification of steps that could be taken to address situations identified under paragraphs (1) and (2) through the Interagency Suspension and Debarment Committee established under Executive Order 12549 (51 Fed. Reg. 6370).

(c) ACTIONS FOLLOWING ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall—

(1) issue or revise guidance to ensure that any entity within the Department of Defense that procures covered equipment and services implements a risk-based approach with respect to such a procurement that addresses—

(A) requirements for training personnel;

(B) the process for making sourcing decisions;

(C) with respect to a procurement of telecommunications equipment or video surveillance equipment, assurances relating to the traceability system used by such contractor;

(D) the process for reporting suspect covered equipment and services; and

(E) corrective actions for the acquisition of suspect covered equipment and services (including actions to recover costs as described in subsection (d)(2));

(2) issue or revise guidance to ensure that remedial actions, including debarment or suspension, are taken with respect to a covered contractor who has failed to detect and avoid suspect covered equipment and services; and

(d) REGULATIONS.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall implement a program to enhance the detection and avoidance of suspect covered equipment and services.

(2) REQUIREMENTS.—(A) Any covered contractor has an operational need for covered equipment and services; and

(B) a covered contractor has provided suspect covered equipment and services; and

(3) systems of covered contractors to ensure that a Department of Defense employee provide a written report to the appropriate Government authorities and the Government-Industry Data Exchange Program (program designated by the Secretary) not later than 60 days after such an employee becomes aware, or has reason to suspect that—

(A) any end item, component, part, or material contained in supplies purchased by or for the Department contains suspect covered equipment and services; and

(B) a covered contractor has provided suspect covered equipment and services; and

(4) establish a process for analyzing, assessing, and authenticating suspect covered equipment and services that are submitted in accordance with paragraph (3).

(2) REQUIREMENTS.—The revised regulations issued pursuant to paragraph (1) shall—

(A) covered contractors who supply covered equipment or services are responsible for detecting and avoiding the acquisition of suspect covered equipment or services; and

(B) require that covered contractors obtain covered equipment and services by covered contractors.

(3) REQUIREMENTS.—The program implemented pursuant to paragraph (1) shall—

(A) require covered contractors to establish policies and procedures to eliminate suspect covered equipment and services from the defense supply chain, which policies and procedures shall address—

(i) the training of personnel; and

(ii) with respect to a procurement of telecommunications equipment or video surveillance equipment, the inspection and testing of related communications equipment or video surveillance equipment, the inspection and testing of related communications equipment or video surveillance equipment, which policies and procedures shall be consistent with the requirements of subparagraph (C) or (D);

(B) establish requirements for notification of the Department, and for inspection, testing, and authentication of covered equipment and services that covered contractor obtained from an alternate supplier; and

(C) establish qualification requirements, consistent with the requirements of section 2319 of title 10, United States Code, pursuant to which the Secretary may identify suppliers that have appropriate policies and procedures in place to detect and avoid suspect covered equipment and services; and

(D) authorize covered contractors to identify and use suppliers that meet qualification requirements, provided that—

(i) the standards and processes for identifying such suppliers comply with established industry standards; and

(ii) the selection of such suppliers is subject to review, audit, and approval by appropriate Department of Defense officials.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Secretary from entering into a contract with a covered contractor for the operation or procurement of telecommunications equipment, telecommunications infrastructure, video surveillance equipment, and video surveillance services manufactured or controlled by an entity for which the principal place of business of such entity is located in any foreign country with which the United States conducts foreign relations, that does not include telecommunications equipment or video surveillance equipment (other than optical transmission components) that cannot route or redirect user data traffic or permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(3) EXECUTIVE AGENCY.—The term ‘‘executive agency’’ has the meaning given in section 313 of title 44, United States Code.

(Sec. 853. Revised Authorities to Defend Against Foreign-Made Unmanned Aircraft Systems)

(a) Prohibition on Agency Operation or Procurement.—Before making a milestone decision with respect to a major defense acquisition program (as defined under section 2302 of title 10, United States Code) by an executive agency or by a department of the United States, the chief of the Armed Forces concerned or the Vice Chief of the Joint Chiefs of Staff shall issue a written assessment to the Secretary of Defense and the Administrator of the Government Accountability Office to determine whether the operation or procurement is required in the national interest of the United States.

(1) IN GENERAL.—Before making a milestone decision with respect to a major defense acquisition program (as defined under section 2302 of title 10, United States Code) by an executive agency or by a department of the United States, the chief of the Armed Forces concerned or the Vice Chief of the Joint Chiefs of Staff and the head of the Defense Acquisition Board shall issue a written assessment to the Secretary of Defense and the Administrator of the Government Accountability Office to determine whether the operation or procurement is required in the national interest of the United States.
(d) Definitions.—In this section:
(1) COVERED FOREIGN COUNTRY.—The term “covered foreign country” means a country labeled as a strategic competitor in the “Summary of the 2018 National Defense Strategy of the United States of America: Sharpening the American Military’s Competitive Edge” issued by the Department of Defense pursuant to section 111 of title 10, United States Code.
(2) COVERED UNMANNED AIRCRAFT SYSTEM.—The term “covered unmanned aircraft system” means an unmanned aircraft system and any related component.

SEC. 855. SUPPLY CHAIN RISK MITIGATION POLICIES TO BE IMPLEMENTED THRU DETERMINATION REQUIREMENTS GENERATION PROCESS.

(a) PROCESS FOR ENHANCED SUPPLY CHAIN SCRUTINY.—Section 807(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1456; 10 U.S.C. 2302 note) is amended—

(i) by redesignating paragraphs (5) through (9) paragraphs (6) through (10), respectively; and

(ii) by inserting after paragraph (4) the following new paragraph:

“(5) TECHNICAL AMENDMENT.—Subsection (a) of such section is amended by striking ‘‘Not later than’’ and all that follows through ‘‘the Secretary’’ and inserting ‘‘The Secretary’’.

(c) EFFECTIVE DATE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall review the process established under section 807 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2302 note) to carry out the requirements of this section.

Subtitle E—Provisions Relating to the Acquisition System

SEC. 856. MODIFICATIONS TO THE DEFENSE ACQUISITION SYSTEM.

(a) GUIDANCE, REPORTS, AND LIMITATION ON THE AVAILABILITY OF FUNDS RELATING TO COVERED DEFENSE BUSINESS SYSTEMS.—

(1) AMENDMENTS TO GUIDANCE FOR COVERED DEFENSE BUSINESS SYSTEMS.—Section 2222(d) of title 10, United States Code, is amended—

(A) by striking the introductory text of subsection (c)(1) and inserting “subsection (c)(1);”;

(B) by striking subsection (c)(2) and inserting “(c)”; and

(C) by adding at the end the following new paragraphs:

“(7) Policy to ensure a covered defense business system is in compliance with the Department’s auditability requirements.

(8) Policy to ensure approvals required for the development of a covered defense business system.”;

(2) REPORTS.—

(A) GUIDANCE.—The Secretary of Defense shall submit to the congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code) a report—

(i) not later than December 31, 2019, that includes the guidance required under paragraph 1 of section 2222(c) of title 10, United States Code; and

(ii) not later than March 31, 2020, that includes the guidance required under paragraph 2 of such section.

(B) INFORMATION TECHNOLOGY ENTERPRISE ARCHITECTURE.—Not later than December 31, 2019, the Chief Information Officer of the Department of Defense shall submit to the congressional defense committees the information technology enterprise architecture developed under section 2222(c) of title 10, United States Code, which shall include the plan for improving the information technology and computing infrastructure described in such section and a schedule for implementing the plan.

(C) DEFENSE BUSINESS ENTERPRISE ARCHITECTURE.—Not later than March 31, 2020, the Chief Management Officer of the Department of Defense and the Chief Information Officer of the Department of Defense shall jointly submit to the congressional defense committees a plan and schedule for implementing the defense business enterprise architecture developed under subsection (e) of section 2222 of title 10, United States Code, into the information technology enterprise architecture developed under paragraph (1)(A) of such subsection.

(3) LIMITATION.—

(A) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Department of Defense, not more than 75 percent may be obligated or expended for the Office of the Deputy Chief Management Officer, the Office of the Under Secretary of Defense for Acquisition and Sustainment, the Office of the Chief Information Officer, and the Office of the Chief Management Officer after March 31, 2020, until the date on which the Secretary of Defense submits the report required under subsection (b)(1)(A).

(B) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Department of Defense, not more than 75 percent may be obligated or expended for the Office of the Deputy Chief Management Officer, the Office of the Under Secretary of Defense for Acquisition and Sustainment, the Office of the Chief Information Officer, and the Office of the Chief Management Officer after December 31, 2019, until the date on which the Secretary of Defense submits the report required under subsection (b)(1)(B).

(C) Not later than March 31, 2020, the Secretary of Defense shall submit the report required under subsection (b)(1)(B).

(D) Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Department of Defense, not more than 75 percent may be obligated or expended for the Office of the Secretary of Defense after December 31, 2019, until the date on which the Secretary of Defense submits the report required under subsection (b)(2).

(E) The report shall include—

(i) a description of the major defense acquisition programs selected pursuant to subsection (b);

(ii) a description of the specific activities in subsection (d) that were performed with respect to each major defense acquisition program selected pursuant to subsection (b);

(iii) an assessment of the effectiveness of such activities;

(iv) an assessment of improvements to acquisition or sustainment activities related to the pilot program; and

(v) an assessment of cost savings from the activities related to the pilot program, including any new or improved techniques or procedures for managing uncertainties and support phase of a major defense acquisition program selected pursuant to subsection (b).

(F) The report shall be submitted to each major defense acquisition program selected pursuant to subsection (b) at least 60 days before the date on which the Secretary of Defense submits the report required under subsection (b).

(4) ACTIVITIES.—The pilot program established under this section shall include the following:

(A) Assessment of commercial valuation techniques for intellectual property rights for use by the Department of Defense.

(B) Assessment of feasibility of oversight by the Secretary of Defense to standardize practices and procedures.

(C) Assessment of contracting mechanisms to increase the speed of delivery of intellectual property to the Armed Forces or to reduce sustenance costs.

(D) Assessment of acquisition planning necessary to ensure procurement of intellectual property deliverables and intellectual property rights for use by the Government-planned sustenance activities.

(E) Engagement with private-sector entities to—

(i) support the development of strategies and program requirements to aid in acquisition and transition planning for intellectual property;

(ii) support the development and implementation of intellectual property strategy as part of life-cycle sustainment plans and valuation techniques for the costs of intellectual property rights; and

(iii) propose and implement alternative and innovative methods of intellectual property valuation, prioritization, and evaluation techniques for intellectual property classes.

(F) Recommendations to the program manager for a major defense acquisition program selected pursuant to subsection (d) that were performed with respect to any major defense acquisition program selected pursuant to subsection (b).

(5) TERMINATION.—The Chief Management Officer, the Chief Information Officer, and the Office of the Secretary of Defense shall submit a report to each major defense acquisition program selected pursuant to subsection (b) on the pilot program established under this section.

(b) PILOT PROGRAM ON DATA RIGHTS AS AN EVALUATION FACTOR.—

(1) PILOT PROGRAM.—Not later than February 1, 2020, the Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, the Chief Information Officer, and the Chief Management Officer, shall establish a pilot program to carry out a pilot program to assess mechanisms to evaluate intellectual data deliverables, associated license rights, and commercially available intellectual property valuation analysis and techniques in major defense acquisition programs (as defined in section 2430 of title 10, United States Code) selected pursuant to subsection (b) to ensure—

(A) the development of cost-effective intellectual property strategies; and

(B) assessment and management of the value and costs of intellectual property during acquisition and sustainment activities throughout the life cycle of a major defense system for each selected major defense acquisition program.

(2) SELECTION OF MAJOR DEFENSE ACQUISITION PROGRAMS.—For each major defense acquisition program for a major defense acquisition program selected pursuant to subsection (b), the Office of the Secretary of Defense shall select one major defense acquisition program for which such Secretary has responsibility to include in the pilot program established under subsection (a).

(3) PILOT PROGRAM ON DATA RIGHTS AS AN EVALUATION FACTOR.—At Milestone A and Milestone B for a major defense acquisition program selected pursuant to subsection (b), the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended for the Office of the Chief Management Officer, the Office of the Under Secretary of Defense for Acquisition and Sustainment, the Office of the Chief Information Officer, and the Office of the Chief Management Officer after February 1, 2021, and annually thereafter until the termination date of the pilot program, the Secretary of Defense shall submit to the congressional defense committees a report on the pilot program established under subsection (a). The report shall include—

(A) a description of the major defense acquisition programs selected pursuant to subsection (b);

(B) a description of the specific activities in subsection (d) that were performed with respect to each major defense acquisition program selected pursuant to subsection (b);

(C) an assessment of the effectiveness of such activities;

(D) an assessment of improvements to acquisition or sustainment activities related to the pilot program; and

(E) an assessment of cost savings from the activities related to the pilot program, including any new or improved techniques or procedures for managing uncertainties and support phase of a major defense acquisition program selected pursuant to subsection (b).

(c) REPORT AND LIMITATION ON AVAILABILITY OF FUNDS RELATING TO MODULAR OPEN SYSTEM APPROACH FOR MAJOR DEFENSE ACQUISITION PROGRAMS.—

(1) STUDY GUIDANCE FOR ANALYSIS OF ALTERNATIVES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.—

(A) REPORT.—Not later than December 31, 2019, the Department of Defense, through the Director of Cost Assessment and Performance Evaluation, shall submit to the congressional defense committees a report that includes the conclusions of a study required under section 2460(b) of title 10, United States Code.

(B) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Department of Defense, not more than 75 percent may be obligated or expended for the Office of the Director of Cost Assessment and Performance Evaluation after December 31, 2019, until the date on which the Secretary of Defense submits the report required under paragraph (1).

July 10, 2019
(2) Policy relating to availability of major system interfaces and support for modular open system approach.—

(A) In General.—Section 2446c of title 10, United States Code, is amended—

(i) in the matter preceding paragraph (1), by striking “shall”— and inserting “develop policy on the support for the acquisition for modular open system approaches. This policy shall”—; and

(ii) in subsection (a)(1), as so designated, by striking “coordinate” and inserting “ensure coordination”.

(B) Report.—Not later than December 31, 2019, the Secretary of each military department shall submit to the congressional defense committees a report that includes the policy required under section 2446c of title 10, United States Code, as amended by paragraph (1).

(C) Reporting.—Beginning on January 1, 2020, if any report required under paragraph (2) has not been submitted to the congressional defense committees, not more than 75 percent of the funds specified in paragraph (4) may be obligated or expended until the date on which all of the reports required under paragraph (2) have been submitted.

(D) FundsSpent.—The funds specified in this paragraph are funds made available for fiscal year 2020 for the Department of Defense for any of the Offices of the Secretaries of the military departments that remain unobligated as of January 1, 2020.

(D) Report on intellectual property policy and the cadre of intellectual property experts.—

(1) in general.—Section 802(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1450) is amended by adding at the end the following new subsection:

(c) the following new subsection:

(2) limitation.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Department of Defense for any of the Offices of the Secretaries of the military departments that remain unobligated as of January 1, 2020.

(D) Report on the support for the acquisition for modular open system approaches. This policy shall— (i) in the matter preceding paragraph (1), by striking “shall”— and inserting “develop policy on the support for the acquisition for modular open system approaches. This policy shall”—; and

(ii) in subsection (a)(1), as so designated, by striking “coordinate” and inserting “ensure coordination”.

(B) Report.—Not later than December 31, 2019, the Secretary of each military department shall submit to the congressional defense committees a report that includes the policy required under section 2446c of title 10, United States Code, as amended by paragraph (1).

(C) Reporting.—Beginning on January 1, 2020, if any report required under paragraph (2) has not been submitted to the congressional defense committees, not more than 75 percent of the funds specified in paragraph (4) may be obligated or expended until the date on which all of the reports required under paragraph (2) have been submitted.

(D) FundsSpent.—The funds specified in this paragraph are funds made available for fiscal year 2020 for the Department of Defense for any of the Offices of the Secretaries of the military departments that remain unobligated as of January 1, 2020.

(D) Report on intellectual property policy and the cadre of intellectual property experts.—

(1) in general.—Section 802(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1450) is amended by adding at the end the following new subsection:

(c) the following new subsection:

(2) limitation.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Department of Defense for any of the Offices of the Secretaries of the military departments that remain unobligated as of January 1, 2020.

(D) Report on the support for the acquisition for modular open system approaches. This policy shall— (i) in the matter preceding paragraph (1), by striking “shall”— and inserting “develop policy on the support for the acquisition for modular open system approaches. This policy shall”—; and

(ii) in subsection (a)(1), as so designated, by striking “coordinate” and inserting “ensure coordination”.

(B) Report.—Not later than December 31, 2019, the Secretary of each military department shall submit to the congressional defense committees a report that includes the policy required under section 2446c of title 10, United States Code, as amended by paragraph (1).

(C) Reporting.—Beginning on January 1, 2020, if any report required under paragraph (2) has not been submitted to the congressional defense committees, not more than 75 percent of the funds specified in paragraph (4) may be obligated or expended until the date on which all of the reports required under paragraph (2) have been submitted.

(D) FundsSpent.—The funds specified in this paragraph are funds made available for fiscal year 2020 for the Department of Defense for any of the Offices of the Secretaries of the military departments that remain unobligated as of January 1, 2020.

(D) Report on intellectual property policy and the cadre of intellectual property experts.—

(1) in general.—Section 802(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1450) is amended by adding at the end the following new subsection:

(c) the following new subsection:

(2) limitation.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Department of Defense for any of the Offices of the Secretaries of the military departments that remain unobligated as of January 1, 2020.

(D) Report on the support for the acquisition for modular open system approaches. This policy shall— (i) in the matter preceding paragraph (1), by striking “shall”— and inserting “develop policy on the support for the acquisition for modular open system approaches. This policy shall”—; and

(ii) in subsection (a)(1), as so designated, by striking “coordinate” and inserting “ensure coordination”.

(B) Report.—Not later than December 31, 2019, the Secretary of each military department shall submit to the congressional defense committees a report that includes the policy required under section 2446c of title 10, United States Code, as amended by paragraph (1).

(C) Reporting.—Beginning on January 1, 2020, if any report required under paragraph (2) has not been submitted to the congressional defense committees, not more than 75 percent of the funds specified in paragraph (4) may be obligated or expended until the date on which all of the reports required under paragraph (2) have been submitted.

(D) FundsSpent.—The funds specified in this paragraph are funds made available for fiscal year 2020 for the Department of Defense for any of the Offices of the Secretaries of the military departments that remain unobligated as of January 1, 2020.

(D) Report on intellectual property policy and the cadre of intellectual property experts.—

(1) in general.—Section 802(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1450) is amended by adding at the end the following new subsection:

(c) the following new subsection:

(2) limitation.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Department of Defense for any of the Offices of the Secretaries of the military departments that remain unobligated as of January 1, 2020.

(D) Report on the support for the acquisition for modular open system approaches. This policy shall— (i) in the matter preceding paragraph (1), by striking “shall”— and inserting “develop policy on the support for the acquisition for modular open system approaches. This policy shall”—; and

(ii) in subsection (a)(1), as so designated, by striking “coordinate” and inserting “ensure coordination”.

(B) Report.—Not later than December 31, 2019, the Secretary of each military department shall submit to the congressional defense committees a report that includes the policy required under section 2446c of title 10, United States Code, as amended by paragraph (1).

(C) Reporting.—Beginning on January 1, 2020, if any report required under paragraph (2) has not been submitted to the congressional defense committees, not more than 75 percent of the funds specified in paragraph (4) may be obligated or expended until the date on which all of the reports required under paragraph (2) have been submitted.

(D) FundsSpent.—The funds specified in this paragraph are funds made available for fiscal year 2020 for the Department of Defense for any of the Offices of the Secretaries of the military departments that remain unobligated as of January 1, 2020.

(D) Report on intellectual property policy and the cadre of intellectual property experts.—

(1) in general.—Section 802(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1450) is amended by adding at the end the following new subsection:

(c) the following new subsection:

(2) limitation.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Department of Defense for any of the Offices of the Secretaries of the military departments that remain unobligated as of January 1, 2020.

(D) Report on the support for the acquisition for modular open system approaches. This policy shall— (i) in the matter preceding paragraph (1), by striking “shall”— and inserting “develop policy on the support for the acquisition for modular open system approaches. This policy shall”—; and

(ii) in subsection (a)(1), as so designated, by striking “coordinate” and inserting “ensure coordination”.

(B) Report.—Not later than December 31, 2019, the Secretary of each military department shall submit to the congressional defense committees a report that includes the policy required under section 2446c of title 10, United States Code, as amended by paragraph (1).

(C) Reporting.—Beginning on January 1, 2020, if any report required under paragraph (2) has not been submitted to the congressional defense committees, not more than 75 percent of the funds specified in paragraph (4) may be obligated or expended until the date on which all of the reports required under paragraph (2) have been submitted.

(D) FundsSpent.—The funds specified in this paragraph are funds made available for fiscal year 2020 for the Department of Defense for any of the Offices of the Secretaries of the military departments that remain unobligated as of January 1, 2020.
II. Acquisition Positions And Acquisition Workforce career fields.

(ii) The item relating to such section in the table of sections at the beginning of subsection II of chapter 87 of such title is amended to read as follows:

§1721. Designation of acquisition positions and acquisition workforce career fields.

(ii) The table of sections at the beginning of such subsection II is amended by adding at the end the following new item:

§1765. Competency development.

(a) In general.—For each acquisition workforce career field, the Secretary of Defense shall establish, for the civilian personnel in that career field, defined proficiency standards and technical and nontechnical competencies required by section 1765 of title 10, United States Code, as amended by paragraph (1), to be made by the Secretary not later than the end of the 180-day period beginning on the date of enactment of this Act.

(b) Deadline for implementation.—The Secretary of Defense shall submit to the congressional defense committees a plan identifying the specific workforce career field as required by subsection (a).

(c) Plan for implementation of key work experiences.—Not later than one year after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan identifying the specific actions the Department of Defense has taken, and is planning to take, to develop and establish key work experiences for each acquisition workforce career field as required by subsection (b).

(ii) The Secretary shall ensure that key work experiences, in the form of multi-discipline training, are developed for each acquisition workforce career field.

(iii) The item relating to such subsection in the table of sections at the beginning of such chapter is amended to read as follows:

§1725. Critical acquisition positions.

(ii) The item relating to such subsection in the table of sections at the beginning of such chapter is amended to read as follows:

§1728. Establishment.

(ii) The item relating to such subsection in the table of sections at the beginning of such chapter is amended to read as follows:

§1120n. Establishment.

(ii) The item relating to such subsection in the table of sections at the beginning of such chapter is amended to read as follows:

§1120p. Model authorities.

(ii) The item relating to such subsection in the table of sections at the beginning of such chapter is amended to read as follows:

§1120q. Definitions.

(ii) The item relating to such subsection in the table of sections at the beginning of such chapter is amended to read as follows:

§1120r. Program elements.

(ii) The item relating to such subsection in the table of sections at the beginning of such chapter is amended to read as follows:

§1120s. Program requirements.

(ii) The item relating to such subsection in the table of sections at the beginning of such chapter is amended to read as follows:

§1120t. Program requirements.

(ii) The item relating to such subsection in the table of sections at the beginning of such chapter is amended to read as follows:


(51) Section 875 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2320; 10 U.S.C. 2305 note) is amended—

(A) in subsection (b)(2), by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’;

(B) in subsection (c), by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’;

(C) in subsection (d), by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’; and

(D) in subsection (e) through (I), by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’. 

(52) Section 888(b)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2322; 10 U.S.C. 2306 note) is amended by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’.

(53) Section 829(b)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2320; 10 U.S.C. 2306 note) is amended by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’.

(54) Section 2326(b)(1) of title 10, United States Code, is amended by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’.

(55) Section 2311(c) of title 10, United States Code, is amended—

(A) in subsection (1), by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’; and

(B) in paragraph (2)(B), by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’.


(57) Section 2326(b)(2) of title 10, United States Code, is amended by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’.

(58) Section 2330 of title 10, United States Code, is amended by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’. 

(A) in subsection (a)(1), by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’;

(B) in subsection (a)(2), by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’;

(C) in subsection (b)(1), by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’; and

(D) in subsection (b)(2), by striking ‘‘Under Secretary of Defense for Acquisition, Technology, and Logistics’’ and inserting ‘‘Under Secretary of Defense for Acquisition and Sustainment’’. 

(H5408)

CONGRESSIONAL RECORD — HOUSE

July 10, 2019
(59) Section 882 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 942; 10 U.S.C. 2330 note) is amended to include the following paragraph:


(71) Section 2399(b)(3) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(72) Section 2414(a)(1) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(73) Section 2414(b) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(74) Section 812(e) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 908; 10 U.S.C. 2430 note) is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".


(76) Section 811(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1208; 10 U.S.C. 2430 note) amended—

(A) in paragraph (1), by striking "the service acquisition executive" and inserting "the service acquisition executive, in the case of a major defense acquisition program of the military department, or the Under Secretary of Defense for Acquisition and Sustainment, in the case of a Defense-wide or Defense Agency major defense acquisition program;";

(B) in paragraph (2), by striking "service acquisition executive" and inserting "the service acquisition executive, in the case of a major defense acquisition program of the military department, or the Under Secretary of Defense for Acquisition and Sustainment, in the case of a Defense-wide or Defense Agency major defense acquisition program;"; and

(77) Section 812(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1208; 10 U.S.C. 2430 note) is amended by striking "the service acquisition executive" and inserting "the service acquisition executive, in the case of a major defense acquisition program of the military department, or the Under Secretary of Defense for Acquisition and Sustainment, in the case of a Defense-wide or Defense Agency major defense acquisition program;".


(A) in subsection (b), by striking paragraph (2) and inserting the following new paragraphs:

(2) REQUIRED MEMBERS—Each Configuration Steering Board under this section shall include a representative of the following:

(A) The Chief of Staff of the Armed Forces.;

(B) The Comptroller of the military department concerned.

(C) The military deputy to the service acquisition executive, in the case of a major defense acquisition program of the military department, or the Under Secretary of Defense for Acquisition and Sustainment, in the case of a Defense-wide or Defense Agency major defense acquisition program; and

(D) The program executive officer for the major defense acquisition program concerned.

(2) ADDITIONAL MEMBERS—In addition to the members required in paragraph (2), when the milestone decision authority for a major defense acquisition program is the Under Secretary of Defense for Acquisition and Sustainment, each Configuration Steering Board under this section shall also include a representative of the following:

(A) The Under Secretary of Defense for Acquisition and Sustainment;

(B) Other military representatives of the Office of the Secretary of Defense and the military department concerned, as appropriate.;

(b) in paragraph (2), by striking "the service acquisition executive" and inserting "the service acquisition executive, in the case of a major defense acquisition program of the military department, or the Under Secretary of Defense for Acquisition and Sustainment, in the case of a Defense-wide or Defense Agency major defense acquisition program;".


(83) Section 2435 of title 10, United States Code, is amended by striking—

(A) in subsection (b), by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(B) in paragraph (2), by striking "the service acquisition executive" and inserting "service acquisition executive, in the case of a major defense acquisition program of the military department, or the Under Secretary of Defense for Acquisition and Sustainment, in the case of a Defense-wide or Defense Agency major defense acquisition program;".

(C) in subsection (e)(2), by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics," and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(84) Section 2435(b) of title 10, United States Code, is amended—

(A) in paragraph (1), by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment"; and

(B) in paragraph (2), by striking "service acquisition executive, in the case of a major defense acquisition program of the military department, or the Under Secretary of Defense for Acquisition and Sustainment, in the case of a Defense-wide or Defense Agency major defense acquisition program;".

(85) Section 2435(b) of title 10, United States Code, is amended in the last sentence of paragraph (1) by striking "by an independent organization selected from the service acquisition executive" and inserting "by an independent organization selected from the service acquisition executive after conducted".

(86) Section 2501(b) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(87) Section 2501(b) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(88) Section 2501(b) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(89) Section 2501(b) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(90) Section 2501(b) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(91) Section 2501(b) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(92) Section 2501(b) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(93) Section 2501(b) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(94) Section 2501(b) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(95) Section 2501(b) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(96) Section 2501(b) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".
Secretary of Defense for Research and Engineering".

(89) Section 2533(b)(2)(A) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(90) Section 2546 of title 10, United States Code, is amended—

(A) in the heading of subsection (a), by striking "UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS" and inserting "UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT";

(B) in subsection (a), by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment"; and

(C) in subsection (b), by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(91) Section 2548 of title 10, United States Code, is amended—

(A) in subsection (a), by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment"; and

(B) in subsection (b), by striking "Office of the Assistant Secretary of Defense for Research and Engineering" and inserting "Office of the Secretary of Defense for Research and Engineering"; and

(C) in paragraph (3), by striking "Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Office of the Under Secretary of Defense for Acquisition and Sustainment".

(92) Section 2902(b) of title 10, United States Code, is amended—

(A) in paragraph (1), by striking "Office of the Assistant Secretary of Defense for Research and Engineering" and inserting "Office of the Secretary of Defense for Research and Engineering"; and

(B) in paragraph (3), by striking "Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Office of the Under Secretary of Defense for Acquisition and Sustainment".

(93) Section 3824(d) of the National Defense Authorization Act for Fiscal Year 2013 (Public law 112–239; 126 Stat. 2154; 10 U.S.C. 2911 note) is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(94) Section 3836(a)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public law 112–81; 125 Stat. 1598; 10 U.S.C. 2911 note) is amended by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "the Under Secretary of Defense for Acquisition and Sustainment".

(95) Section 2926(e)(5)(D) of title 10, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(96) Section 836(a)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1598; 10 U.S.C. 2767 note) is amended by striking "the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Assistant Secretary of Defense for Research, Installations, and Environment, and the Assistant Secretary of Defense for Energy, Installations, and Environment" and inserting "the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Research and Engineering, the Assistant Secretary of Defense for Energy, Installations, and Environment, the Assistant Secretary of Defense for Research, and the Assistant Secretary of Defense for Environmental Security".

(97) Section 7103(d)(7)(M)(v) of title 22, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(98) Section 11319(d)(4) of title 40, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(99) Section 11319(b)(2)(A)(i) of title 41, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".


(101) Section 1311(b)(3) of title 41, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(102) Section 809(a)(3) of title 50, United States Code, is amended by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(103) Section 1211 of title 50, United States Code, is amended—

(A) in subsection (f)(1), by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment"; and

(B) in subsection (g)(2), by striking "Under Secretary of Defense for Acquisition, Technology, and Logistics" and inserting "Under Secretary of Defense for Acquisition and Sustainment".

(104) Section 2911 of title 10, United States Code, is amended—

(A) in subsection (a)(1), by striking "THE NATIONAL SECURITY STRATEGY" and inserting "THE NATIONAL SECURITY STRATEGY FOR NATIONAL TECHNOLOGY AND INDUSTRIAL BASE".

(1) NATIONAL SECURITY STRATEGY FOR NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—

Section 2501(a) of title 10, United States Code, is amended by inserting after the first sentence the following new sentence: "The Secretary shall submit such strategy to Congress not later than 180 days after the date of submission of the national security strategy report required under Section 108 of the National Security Act of 1947 (50 U.S.C. 3043)."

(2) ANNUAL REPORT TO CONGRESS.—Section 2504(b)(3) of title 10, United States Code, is amended—

(A) in the matter preceding subparagraph (A), by inserting "executive order or" after "pursuant to";

(B) by amending subparagraph (A) to read as follows:

"(A) prioritized list of gaps or vulnerabilities in the national technology and industrial base, including—

(i) a description of mitigation strategies necessary to address such gaps or vulnerabilities;

(ii) the identification of the individual responsible for addressing such gaps or vulnerabilities;

(iii) a proposed timeline for action to address gaps or vulnerabilities;"

(l) ESTABLISHMENT OF CENTER FOR ACQUISITION INNOVATION.—

(1) ESTABLISHMENT OF CENTER FOR ACQUISITION INNOVATION.—

(A) IN GENERAL.—Chapter 97 of title 10, United States Code, is amended by inserting after section 1746 the following new section:

§1746a. Center for Acquisition Innovation

(1) ESTABLISHMENT.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall establish and maintain a Center for Acquisition Innovation (hereinafter referred to as the ‘Center’) at the Naval Postgraduate School. The Center shall be used as an academic entity specializing in innovation relating to the defense acquisition system.

(2) MISSION.—(1) The mission of the Center is to provide policymakers in the Department of Defense, Congress, and throughout the Government, academic analyses and policy alternatives for the improvement of the defense acquisition system. The Center shall accomplish that mission by a variety of means intended to widely disseminate the research findings of the Center.

(c) IMPLEMENTATION REVIEW OF SECTION 809 PANEL RECOMMENDATIONS AND CENTER POLICY ALTERNATIVES.—(1) The Center shall, on an ongoing basis, review implementation of the recommendations of the Section 809 Panel and policy alternatives provided by the Center. As part of such review, the Secretary shall—

(A) for recommendations or policy alternatives for the enactment of legislation, identify whether (or to what extent) the recommendations or policy alternatives have been adopted by being enacted into law; and

(B) for recommendations or policy alternatives for the issuance of regulations, identify whether (or to what extent) the recommendations or policy alternatives have been adopted through issuance of new agency or Government-wide regulations; and

(C) for recommendations or policy alternatives for the issuance of presidential directives in the executive branch, identify whether (or to what extent) the recommendations or policy alternatives have been adopted through issuance of an appropriate implementing directive or other form of guidance.

(2) In this subsection, the term ‘Section 809 Panel’ means the panel established by the Secretary of Defense pursuant to section 809 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–92), as amended by section 863(d) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–232) and sections 803(c) and 883 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–91).

(3) Data available for the Center for any fiscal year from the Defense Acquisition Workforce and Development Fund not less than the amount of $3,000,000 (in fiscal year 2019 constant dollars), in addition to any other amount available for that fiscal year for the Naval Postgraduate School.

(A) ANNUAL REPORT.—(1) Not later than September 30 of each year, the Secretary shall submit to the Committee on Armed Services of the Senate and the House of Representatives, a report describing the activities of the Center during the previous year and providing the findings, analysis, and policy alternatives of the Center relating to the defense acquisition system.

(2) Each such report shall be submitted in accordance with paragraph (1) without further review within the executive branch.

(3) Each report under paragraph (1) shall include the following:

(A) Results of academic research and analysis;

(B) Results of the implementation reviews conducted pursuant to subsection (d).

(C) Policy alternatives for such legislative and executive branch action as the Center considers warranted.

(D) Specific implementation language for any statutory changes recommended.

DEFINITION.—In this section, the term ‘defense acquisition system’ has the meaning given that term in section 2545(2) of this title."
“2410t. Consideration of subcontracting to minority institutions.”

**SEC. 872. SIZE STANDARD CALCULATIONS FOR CERTAIN SMALL BUSINESS CON-TRACTORS.—**

**(a) CLARIFYING AMENDMENT TO THE SMALL BUSINESS RUNWAY EXTENSION ACT OF 2018.—**

Section 3(a)(2)(C) of the Small Business Act (15 U.S.C. 632(a)(2)(C)) is amended by inserting “(including the Administration when acting pursuant to subparagraph (A))” after “no Federal department or agency”.

**(b) FINALIZATION OF SMALL BUSINESS RUNWAY EXTENSION ACT OF 2018 RULES.—**

The Administrator of the Small Business Administration shall finalize the Small Business Runway Extension Act of 2018 (Public Law 115–324) not later than December 17, 2019.

**(c) AMENDMENT TO SIZE STANDARDS FOR CERTAIN SMALL BUSINESS CON-TRACTORS PROVIDING SERVICES.—**

Section 3(a)(2)(C)(i)(II) of the Small Business Act (15 U.S.C. 632(a)(2)(C)(i)(II)) is amended by striking “not less than 3 years” and inserting “3 years”.

**(d) TRANSITION PLAN FOR THE SMALL BUSINESS RUNWAY EXTENSION ACT OF 2018.—**

**(A) IN GENERAL.—** The transition plan described under paragraph (1) shall include a requirement that, during the period beginning on December 17, 2018, and ending on the date that is 6 months after the date on which the Administrator issues final rules implementing the Small Business Runway Extension Act of 2018 (Public Law 115–324), allow the use of a 3-year calculation for a size standard to be applied to a business concern if the use of such 3-year calculation allows such concern to be considered a small business concern under section 3(a)(1) of the Small Business Act (15 U.S.C. 632(a)(1)).

**(B) 3-YEAR CALCULATION DEFINED.—** In this subsection, the term “3-year calculation” means—

(i) with respect to a business concern providing services described under clause (ii) of such section, a determination of the size of such concern on the basis of the annual average gross receipts of such concern over a period of 3 years; and

(ii) with respect to a business concern described under subparagraph (A) of such section, a determination of the size of such concern on the basis of data over a period of 3 years.

**(e) REQUIREMENT TO UPDATE SAM.—** Not later than 90 days after the date on which the Administrator issues final rules implementing the Small Business Runway Extension Act of 2018 (Public Law 115–324), as amended by section 3(a)(1) of the Small Business Act (15 U.S.C. 632(a)(1)), the Administrator shall update the FAR to assist business concerns and Federal agencies with compliance with the requirements of the Small Business Runway Extension Act of 2018 (Public Law 115–324).

**(f) MAINTENANCE OF RECORDS WITH RESPECT TO SUBCONTRACTING.—**

**(A) TRANSFER AND MAINTENANCE OF RECORDS.—** Following termination of the Section 809 Panel, the records of the panel shall be transferred and maintained by the Defense Technical Information Center. Such transfer shall be accomplished not later than August 1, 2020.

**(B) STATUS OF RECORDS.—** Working papers, records of interviews, and any other draft work products generated for any purpose by the Section 809 Panel, the records of the panel shall be transferred and maintained by the Defense Technical Information Center. Such transfer shall be accomplished not later than August 1, 2020.

**(C) DETERMINATION.—** In this section, the term “Section 809 Panel” means the panel established by the Secretary of Defense pursuant to section 809 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), as amended by section 863(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) and sections 803(c) and 883 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

**Subtitle F—Industrial Base Matters**

**SEC. 871. CONSIDERATION OF SUBCONTRACTING TO MINORITY INSTITUTIONS.—**

**(a) IN GENERAL.—** Chapter 14 of title 10, United States Code, is amended by adding at the end the following new section:

“§2140t. Consideration of subcontracting to minority institutions

“(a) CONSIDERATION OF SUBCONTRACTING TO MINORITY INSTITUTIONS.—The Secretary of Defense shall—

(A) revise the Department of Defense Supplement to the Federal Acquisition Regulation to require that the system used by the Federal Government to monitor or record contractor past performance for a contract or contract award—

(i) with respect to a student educational institution includes incentives for the award of a sub-grant or subcontract to minority institutions;

(ii) with respect to a minority institution includes incentives for the award of a sub-grant or subcontract to minority institutions.

(B) MINORITY INSTITUTION DEFINED.—In this section, the term “minority institution” means an institution of higher education that—

(i) is a part B institution (as that term is defined in section 322(c) of the Higher Education Act of 1965 (20 U.S.C. 1001))

(ii) enrolls not less than 50 percent of the total student enrollment consists of students from ethnic groups that are underrepresented in the fields of science and engineering.”.

**(b) CLERICAL AMENDMENT.—** The table of sections at the beginning of such chapter is amended by adding at the end the following new item:
Section 8(a)(6) of the Small Business Act (15 U.S.C. 637(d)(6)) is amended—

(1) by redesignating subparagraphs (G) and (H) as subparagraphs (H) and (I), respectively, and inserting after subparagraph (G) the following new subparagraph:

(2) by inserting after subparagraph (F) the following new subparagraph:

SEC. 874. INCLUSION OF BEST IN CLASS DESIGNATIONS IN ANNUAL REPORT ON PURCHASES FOR BUSINESS GOALS.

Section 15(h) of the Small Business Act (15 U.S.C. 644(h)) is amended by adding at the end the following new paragraph:

SEC. 875. SMALL BUSINESS ADMINISTRATION CYBERSECURITY REPORTS.

Section 10 of the Small Business Act (15 U.S.C. 638) is amended by inserting after subsection (a) the following:

SEC. 876. CYBER COUNSELING CERTIFICATION PROGRAM FOR LEAD SMALL BUSINESS DEVELOPMENT CENTERS.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following:

SEC. 877. EXEMPTION OF CERTAIN CONTRACTS FROM THE PERIODIC INFLATION ADJUSTMENT OF SMALL BUSINESS-RELATED DOLLAR THRESHOLD.

Subparagraph (B) of section 1908(b)(2) of title 41, United States Code, is amended by inserting "after section 214" after "214," after summary of information about the cybersecurity risk or incident, including how the cybersecurity risk or incident occurred; and

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect the reporting requirements of the Administrator under chapter 35 of title 41, United States Code, in particular the requirement to notify the Federal information security incident center under section 3554(b)(7)(C)(ii) of such title, or any other provision of law.

(4) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means:

(i) the Committee on Small Business and Entrepreneurship of the Senate; and

(ii) the Committee on Small Business of the House of Representatives.

(B) CYBERSECURITY RISK; INCIDENT.—The terms ‘cybersecurity risk’ and ‘incident’ have the meanings given such terms, respectively, under section 2209(a) of the Homeland Security Act of 2002.

SEC. 878. IMPROVEMENTS TO CERTAIN DEFENSE INNOVATION PROGRAMS.

(a) ALIGNMENT OF THE SMALL BUSINESS INNOVATION RESEARCH PROGRAM WITH THE NATIONAL DEFENSE SCIENCE AND TECHNOLOGY STRATEGY TO DETERMINE RESEARCH TOPICS.—


(2) USE OF NATIONAL DEFENSE SCIENCE AND TECHNOLOGY STRATEGY TO DETERMINE RESEARCH TOPICS.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(A) in subsection (g)(3)(B), by striking ‘‘, and all that follows through ‘‘that authority’’ and inserting ‘‘in the National Defense Science and Technology Strategy established under section 218 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1679); and

(B) in subsection (o)(3)(B), by striking ‘‘, in accordance with section 2522 of title 10, United States Code’’ and inserting ‘‘in the National Defense Science and Technology Strategy established under section 218 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1679); and

(b) PILOT PROGRAM FOR DOMESTIC INVESTMENT UNDER THE SBIR PROGRAM.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator of the Small Business Administration should promulgate regulations to carry out the requirements under section 9(dd) of the Small Business Act (15 U.S.C. 638(d)) that—

(A) permit small business concerns that are majority-owned by multiple venture capital operating companies, hedge funds, or private equity firms to participate in the SBIR program in accordance with such section;

(B) provide specific information regarding eligibility, participation, and affiliation rules to such small business concerns.

(c) Preserve and maintain the integrity of the SBIR program as a program for small business concerns in the United States, prohibiting large entities or foreign-owned entities from participating in the SBIR program.

(b) PILOT PROGRAM FOR DOMESTIC INVESTMENT UNDER THE SBIR PROGRAM.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator of the Small Business Administration should promulgate regulations to carry out the requirements under section 9(dd) of the Small Business Act (15 U.S.C. 638(d)) that—

(A) permit small business concerns that are majority-owned by multiple venture capital operating companies, hedge funds, or private equity firms to participate in the SBIR program in accordance with such section;

(B) provide specific information regarding eligibility, participation, and affiliation rules to such small business concerns.

(c) Preserve and maintain the integrity of the SBIR program as a program for small business concerns in the United States, prohibiting large entities or foreign-owned entities from participating in the SBIR program.
(B) LIMITATION.—The Secretary of Defense may award not more than 10 percent of the funds allocated for the SBIR program of the Department of Defense under section 9(f) of the Small Business Act (15 U.S.C. 638(f)) to small business concerns that are owned in majority part by multiple venture capital operating companies, hedge funds, or private equity firms through carry out small business concerns that are open to all eligible small business concerns.

(E) TERMINATION.—The Domestic Innovation Pilot Program established under this subsection shall terminate on September 30, 2022. (B) SMALL BUSINESS ACT DEFINITIONS.—The terms ‘‘small business concern’’, ‘‘venture capital operating company’’, ‘‘hedge fund’’, and ‘‘private equity firm’’ have the meanings given to those terms, respectively, in section 3 of the Small Business Act (15 U.S.C. 632).

(c) CYBERSECURITY TECHNICAL ASSISTANCE FOR SMALL BUSINESS PROGRAMS.—

(C) REPORT.—Not later than October 1, 2020, the Under Secretary of Defense for Research and Engineering shall submit to the congressional defense committees a report that includes—

(i) an organizational plan for the Detachments;

(ii) the estimated costs of establishing the Detachments;

(iii) a timeline specifying when each Detachment will attain initial operational capability and full operational capability.

(b) CONSULTATION.—In preparing the report required under subparagraph (A), the Under Secretary of Defense for Research and Engineering shall consult with the Defense Innovation Unit and the head of each military service.

(1) EMBARKMENT.—The Secretary of Defense shall establish a Pilot Program for Development of Technology-Enhanced Capabilities with Partnered Intermediaries.

(I) the technology portfolios of the Defense Innovation Unit; and

(3) modification to department of defense SBIR expenditures.—Section 9(f) of the Small Business Act (15 U.S.C. 638(f)) is amended—

(A) in paragraph (1), by inserting ‘‘as provided in paragraph (5) after ‘thereafter’’; and

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

(5) REQUIRED EXPENDITURE AMOUNTS FOR THE DEPARTMENT OF DEFENSE.—With respect to fiscal year 2020 and each fiscal year thereafter, paragraph (1)(I) shall apply to the Department of Defense with ‘4.0 percent’ substituted for ‘3.2 percent’.

SEC. 579. PILOT PROGRAM FOR DEVELOPMENT OF TECHNOLOGY-ENHANCED CAPABILITIES WITH PARTNERED INTERMEDIARIES.

(a) ESTABLISHMENT.—The Secretary of Defense may authorize the Commander of the United States Special Operations Command to use not more than 5 percent of the funds required to be expended by the Department of Defense under section 9(1) of the Small Business Act (15 U.S.C. 638(f)) for a pilot program to increase participation by small business concerns in the development of technology-enhanced capabilities for special operations forces.

(b) USE OF PARTNERED INTERMEDIARIES.—

(1) AUTHORIZATION.—The Commander of the United States Special Operations Command may modify an existing agreement with a partner-

ed intermediary to assist the Commander in carrying out the pilot program under this section, including with respect to the award of Small Business Innovation Research Program contracts, Small Business Technology Transfer Program contracts, and other contracts and agreements to small business concerns.

(2) USE OF FUNDS.—None of the funds referred to in subsection (a) shall be used to pay a partner intermediary’s administrative costs associated with the pilot program.

(c) REPORT.—Not later than October 1, 2020, and October 1, 2021, the Commander of the United States Special Operations Command shall submit to the congressional defense committees, the Committee on Small Business of the
House of Representatives, and the Committee on Small Business and Entrepreneurship of the Senate a report describing any agreement with a partnership intermediary entered into pursuant to this section; (2) in each such agreement, the amount of funds obligated, an identification of the recipient of such funds, and a description of the use of such funds.

(d) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on September 30, 2021.

SEC. 880. AUTHORIZED OFFICIAL TO CARRY OUT THE "MAINTE- NANCE, DEFENSE WIDE FOR THE OFFICE OF THE SECRETARY OF DEFENSE".—The term "Secretary of Defense" shall be construed to include the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Secretary of Homeland Security, the Secretary of Defense, and any other person holding the office of Secretary of Defense.

SEC. 881. PERMANENT AUTHORIZATION AND PRO- VISION OF DEPARTMENT OF DEFENSE REPORTS.—The Department of Defense shall—

(1) establish performance goals consistent with the stated purpose of the Mentor-Protege Program and any program 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 in implementing the performance goals and metrics, on periodic reviews of the procedures used to approve mentor-protege agreements.

(c) MODIFICATION OF DISADVANTAGED SMALL BUSINESS CONCERN DEFINITION.—Subsection (2)(B) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note) is amended by striking "has less than half the size standard corresponding to its primary North American Industry Classification System code" and inserting "is not more than the size standard corresponding to its primary North American Industry Classification System code".

(d) TERMINATION.—The authority to carry out 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) is amended—

(1) in the section heading for subsection (a), by striking "PILOT"; and

(2) by striking "pilot" each place it appears.

(e) INDEPENDENT REPORT ON PROGRAM EFFECTIVENESS.—


(2) CONGRESSIONAL DEFENSE COMMITTEES DIREC- TIVE.—In this subsection, the term "congressional defense committees" has the meaning given that term in section 101(a)(16) of title 10, United States Code.

Subtitle G—Other Matters

SEC. 891. REQUIREMENT TO USE MODELS OF COMMERCIAL E-COMMERCE PORTAL PROGRAM.—The Secretary of Defense shall—

(a) USE COMMERCIAL E-COMMERCE PORTAL REPORTS.—(1) USE REPORTS.—The Secretary of Defense shall—

(1) submit to the congressional defense committees at the start of each fiscal year, a report on the activities carried out in the procurement of defense equipment and the use of the procurement base, including the use of the three models described in subsection (b), to the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of Homeland Security, respectively.

(b) REPORTS.—Beginning 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 an annual report on the percentage of items procured in accordance with a major defense acquisition program that are manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States.

(2) DATABASE.—The Secretary of Defense shall establish a database for information related to items described in the report required under subsection (a) that can be used for continuous data analysis to inform acquisition decisions related to major defense acquisition programs.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 2436 the following new item:

(2) 2436a. Major defense acquisition programs: report and database on items manufactured in the United States.

SEC. 892. REQUIREMENTS RELATING TO ALI- BERTA'S ACCOUNTS.—Not later than November 15, 2021, the Secretary of Defense shall—

(a) APPLICABILITY OF TERMINATION OF RE- PORT SUBMITTAL.—The Secretary of Defense shall—

(1) exclude from the report required under section 2436 the following new subsection:

(2) submit to the congressional defense committees a report on the progress in meeting the goals of the Mentor-Protege Program and the outcome-based metrics to measure the progress of the Mentor-Protege Program.

(b) DATABASE.—The Secretary of Defense shall establish a database for information related to items described in the report required under subsection (a) that can be used for continuous data analysis to inform acquisition decisions related to major defense acquisition programs.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 2436 the following new item:

(2) 2436a. Major defense acquisition programs: report and database on items manufactured in the United States.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 2436 the following new item:

(2) 2436a. Major defense acquisition programs: report and database on items manufactured in the United States.

(a) INAPPLICABILITY OF TERMINATION OF RE- PORT SUBMITTAL.—The Secretary of Defense shall—

(1) INCLUDE REPORTS.—The Secretary of Defense shall—

(1) submit to the congressional defense committees a report on the progress in meeting the goals of the Mentor-Protege Program and the outcome-based metrics to measure the progress of the Mentor-Protege Program.

(b) DATABASE.—The Secretary of Defense shall establish a database for information related to items described in the report required under subsection (a) that can be used for continuous data analysis to inform acquisition decisions related to major defense acquisition programs.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 2436 the following new item:

(2) 2436a. Major defense acquisition programs: report and database on items manufactured in the United States.

(a) INAPPLICABILITY OF TERMINATION OF RE- PORT SUBMITTAL.—The Secretary of Defense shall—

(1) INCLUDE REPORTS.—The Secretary of Defense shall—

(1) submit to the congressional defense committees a report on the progress in meeting the goals of the Mentor-Protege Program and the outcome-based metrics to measure the progress of the Mentor-Protege Program.

(b) DATABASE.—The Secretary of Defense shall establish a database for information related to items described in the report required under subsection (a) that can be used for continuous data analysis to inform acquisition decisions related to major defense acquisition programs.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 2436 the following new item:

(2) 2436a. Major defense acquisition programs: report and database on items manufactured in the United States.

(a) INAPPLICABILITY OF TERMINATION OF RE- PORT SUBMITTAL.—The Secretary of Defense shall—

(1) INCLUDE REPORTS.—The Secretary of Defense shall—

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(1) INCLUDE REPORTS.—The Secretary of Defense shall—

(1) submit to the congressional defense committees a report on the progress in meeting the goals of the Mentor-Protege Program and the outcome-based metrics to measure the progress of the Mentor-Protege Program.

(b) DATABASE.—The Secretary of Defense shall establish a database for information related to items described in the report required under subsection (a) that can be used for continuous data analysis to inform acquisition decisions related to major defense acquisition programs.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 2436 the following new item:

(2) 2436a. Major defense acquisition programs: report and database on items manufactured in the United States.

(a) INAPPLICABILITY OF TERMINATION OF RE- PORT SUBMITTAL.—The Secretary of Defense shall—

(1) INCLUDE REPORTS.—The Secretary of Defense shall—

(1) submit to the congressional defense committees a report on the progress in meeting the goals of the Mentor-Protege Program and the outcome-based metrics to measure the progress of the Mentor-Protege Program.

(b) DATABASE.—The Secretary of Defense shall establish a database for information related to items described in the report required under subsection (a) that can be used for continuous data analysis to inform acquisition decisions related to major defense acquisition programs.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 2436 the following new item:

(2) 2436a. Major defense acquisition programs: report and database on items manufactured in the United States.
subsection (c)(1), the Secretary of Defense, in coordination with the Director of Operational Test and Evaluation, shall develop policies on the selection of cybersecurity tests, methods to conduct such tests, cybersecurity test results, and methods to associate cybersecurity tests with a component part of a system or a version of the software tested.

SEC. 894. CONTRACTOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH PROGRAMS.

(a) IN GENERAL.—Section 862 of National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–181; 125 Stat. 1521; 10 U.S.C. note prec. 2191) is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking “Under Secretary of Defense for Acquisition, Technology, and Logistics” and inserting “Under Secretary of Defense for Research and Engineering”;

(B) by striking “that Department of Defense contractors” and inserting “encourage Department of Defense contractors to”; and

(2) by amending subsection (b) to read as follows:

(b) ALLOWABLE COST.—The cost of participating in any activity described in subsection (a) to a Department of Defense contractor shall be deemed to be an allowable cost under a contract between the contractor and the Department of Defense.

(bh) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall issue such rules or guidelines as necessary to implement the amendments made by this section.

SEC. 895. EXTENSION OF SUNSET RELATING TO FEDERAL DATA CENTER CONSOLIDATION INITIATIVE.


SEC. 896. REQUIREMENTS RELATING TO CERTAIN RAIL ROLLING STOCK PROCUREMENTS AND OPERATIONS.

(a) LIMITATION ON CERTAIN RAIL ROLLING STOCK PROCUREMENTS.—Section 5323 of title 49, United States Code, is amended by adding at the end the following:

“(u) LIMITATION ON CERTAIN RAIL ROLLING STOCK PROCUREMENTS.—

“(1) IN GENERAL.—Except as provided in paragraph (3), as a condition of financial assistance made available in a fiscal year under section 5337, a recipient that operates rail fixed guideway public transportation systems under proposed procurements; and

“(2) by amending subsection (b) to read as follows:

“(b) CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.—Section 5323 of title 49, United States Code, as amended by subsection (a), is amended by adding at the end the following:

“(c) CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.—

“(1) CERTIFICATION.—As a condition of financial assistance made available under this subsection, a recipient that operates rail fixed guideway public transportation systems under proposed procurements; and

“(2) COMPLIANCE.—For the process required under paragraph (1), a recipient of assistance under this subsection shall—

“(A) utilize the approach described by the voluntary standards and best practices developed under section 2(c)(15) of the National Institute of Standards and Technology Act of 1953 (15 U.S.C. 272(c)(15)), as applicable.

“(B) identify hardware and software that the recipient determines should undergo third-party testing and analysis to mitigate cybersecurity risks, including hardware or software for rail rolling stock under proposed procurements; and

“(C) utilize the approach described by the voluntary standards and best practices for rail fixed guideway public transportation systems developed under the authority of the Secretary of Homeland Security, as applicable.

“(d) LIMITATION ON CERTAIN RAIL ROLLING STOCK PROCUREMENTS.—

“Nothing in this subsection shall be construed to interfere with the authority of the Secretary of Homeland Security to publish or ensure compliance with requirements or standards concerning cybersecurity for rail fixed guideway public transportation systems or to the Secretary of Transportation under section 5329 to address cybersecurity issues as those issues relate to the safety of fixed guideway public transportation systems.”

(b) LIMITATION ON CERTAIN RAIL ROLLING STOCK PROCUREMENTS.—

“(1) IN GENERAL.—Except as provided in paragraph (3), as a condition of financial assistance made available in a fiscal year under section 5337, a recipient that operates rail fixed guideway public transportation systems under proposed procurements; and

“(2) COMPLIANCE.—For the process required under paragraph (1), a recipient of assistance under this subsection shall—

“(A) utilize the approach described by the voluntary standards and best practices developed under section 2(c)(15) of the National Institute of Standards and Technology Act of 1953 (15 U.S.C. 272(c)(15)), as applicable.

“(B) identify hardware and software that the recipient determines should undergo third-party testing and analysis to mitigate cybersecurity risks, including hardware or software for rail rolling stock under proposed procurements; and

“(C) utilize the approach described by the voluntary standards and best practices for rail fixed guideway public transportation systems developed under the authority of the Secretary of Homeland Security, as applicable.

“(d) LIMITATION ON CERTAIN RAIL ROLLING STOCK PROCUREMENTS.—

“Nothing in this subsection shall be construed to interfere with the authority of the Secretary of Homeland Security to publish or ensure compliance with requirements or standards concerning cybersecurity for rail fixed guideway public transportation systems or to the Secretary of Transportation under section 5329 to address cybersecurity issues as those issues relate to the safety of fixed guideway public transportation systems.”

(c) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to carry out this section—

(1) $8,000 for each of fiscal years 2016 through 2020;

(2) $9,000 for each of fiscal years 2021 through 2025; and

(3) $10,000 for each of fiscal years 2026 through 2030.

SEC. 897. PROHIBITION ON CONTRACTING WITH PERSONS THAT HAVE BUSINESS OPERATIONS WITH THE MADURO REGIME.

(a) PROHIBITION.—Except as provided under subsections (c), (d), and (e), the Department of Defense may not enter into a contract for the procurement of goods or services with any person that has business operations with an authority of the Government of Venezuela that is not recognized as the Government of Venezuela by the United States Government.

(b) DEFINITIONS.—In this section:

“(1) BUSINESS OPERATIONS.—The term ‘business operations’ includes doing business in commerce in any form, including acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, financial interests, commercial, real property, or any other apparatus of business or commerce.

“(2) GOVERNMENT OF VENEZUELA.—The term ‘Government of Venezuela’ includes the government of any political subdivision of Venezuela, and any agency or instrumentality of the Government of Venezuela.”


Subsection (a)(1) of section 7302 of title 26, United States Code, is amended—

“(1) DISBARMENT.—In this section—

“(A) the term ‘disbarment’ means the taking away of a professional license by a court or other authorized body having such power;

“(B) the term ‘license’ means a license to practice a profession or to engage in the practice of business; and

“(C) the term ‘professional license’ means a license to practice a profession or to engage in the practice of business, the use of which is restricted by law to a person who is licensed or registered in that profession or business; and

“(1) the term ‘professional license’ means the taking away of a professional license by a court or other authorized body having such power; and

“(2) the term ‘license’ means a license to practice a profession or to engage in the practice of business; and

“(3) the term ‘professional license’ means a license to practice a profession or to engage in the practice of business, the use of which is restricted by law to a person who is licensed or registered in that profession or business.”

(b) BENEFIT OF PROVISION.—The benefit of this section is hereby extended to the Department of Defense.

SEC. 899. UPDATE OF AUTHORITIES RELATING TO NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS.

(a) DUTIES AND POWERS OF UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT.—Section 133(b)(1) of title 10, United States Code, is amended—

“(1) by redesigning paragraphs (4), (5), (6), and (7) as paragraphs (5), (6), (7), and (8), respectively;

“(2) by inserting after paragraph (3) the following:

“(4) establishing policies for, and providing oversight, guidance, and coordination for, nuclear command and control systems;”;

and

“(5)jay by inserting after ‘overseeing the modernization of nuclear forces’ the following: ‘, including the nuclear command, control, and communications systems.’;

(c) CHIEF INFORMATION OFFICER.—Section 142(b)(1) of such title is amended—
in the report submitted under subsection (b).

Subtitle C—Space Matters

PART I—UNITED STATES SPACE CORPS

SEC. 921. ESTABLISHMENT OF UNITED STATES SPACE CORPS IN THE DEPARTMENT OF THE AIR FORCE.

(a) ESTABLISHMENT.—Part I of subtitle D of title 10, United States Code, is amended by adding at the end the following new chapter:

"CHAPTER 909—THE SPACE CORPS"

"Sec.

9091. Establishment of the Space Corps.

9092. Commandant of the Space Corps.

9093. Officer career field for space.

90901. Establishment of the Space Corps

(a) ESTABLISHMENT.—There is established a United States Space Corps as an armed force within the Department of the Air Force.

(b) COMPOSITION.—(1) The Space Corps shall be composed of the following:

(A) The Commandant of the Space Corps.

(B) The space forces and such assets as may be organic therein.

(2) The space forces specified in paragraph (1)(B) shall be assigned to the Space Corps:

(i) by the Secretary of the Air Force pursuant to section 1601(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2163).

(3) Subject to the authority, direction, and control of the Secretary, the Commandant shall—

(A) exercise supervision, consistent with the authority assigned to commanders of unified or specified combatant commands under chapter 6 of this title, over such of the members and organizations of the Space Corps as the Secretary determines; and

(B) perform such other military duties, not otherwise assigned by law, as are assigned to the Commandant by the President, the Secretary of Defense, or the Secretary of the Air Force.

(c) Joint Chiefs of Staff.—(1) The Commandant shall also perform the duties prescribed by law and subject to section 9013(f) of this title, of the Joint Chiefs of Staff under section 151 of this title, as the Secretary of the Air Force.

(2) The Commandant may be reappointed for a term of not more than four years.

4. GRADE.—The Commandant, while so serving, has the grade of general without vote in the permanent grade group.

5. RELATIONSHIP TO THE SECRETARY OF THE AIR FORCE.—Except as otherwise prescribed by law and subject to section 9013(i) of this title, the Commandant performs the duties of such position under the authority, direction, and control of the Secretary of the Air Force and is directly responsible to the Secretary.

6. DUTIES.—Subject to the authority, direction, and control of the Secretary of the Air Force, the Commandant shall—

(a) exercise supervision consistent with the authority assigned to commanders of unified or specified combatant commands under chapter 6 of this title, over such of the members and organizations of the Space Corps as the Secretary determines;

(b) perform such other military duties, not otherwise assigned by law, as are assigned to the Commandant by the President, the Secretary of Defense, or the Secretary of the Air Force.

(c) Joint Chiefs of Staff.—(1) The Commandant shall also perform the duties prescribed by law and subject to section 9013(f) of this title, of the Joint Chiefs of Staff under section 151 of this title.

(2) To the extent that such action does not impair the independence of the Commandant in the performance of the duties of the Commandant as a member of the Joint Chiefs of Staff, the Commandant shall inform the Secretary of the Air Force regarding military advice rendered by members of the Joint Chiefs of Staff on matters affecting the Department of the Air Force.

(3) Subject to the authority, direction, and control of the Secretary of Defense, the Commandant shall keep the Secretary of the Air Force fully informed of significant military operations affecting the duties and responsibilities of the Secretary.

(d) CONFORMING AMENDMENTS.—
(1) JOINT CHIEFS OF STAFF.—
(A) MEMBERSHIP.—Section 151(a) of title 10, United States Code, is amended—
(i) by redesignating paragraph (7) as paragraph (8); and
(ii) by inserting after paragraph (6) the following new paragraph:
"(7) The Commandant of the Space Corps.").
(B) APPOINTMENT.—Section 125(b)(1)(B) of such title is amended by striking 'or the Commandant of the Marine Corps' and inserting "the Commandant of the Marine Corps, or the Commandant of the Space Corps'."

(2) OFFICER CAREERS.—Chapter 907 of such title is amended as follows:
(A) In section 9084, by striking "officers in the Air Force" and inserting "officers in the Space Corps".
(B) By transferring section 9084, as amended by subparagraph (A), to chapter 909 and redesignating such section as section 9095.
(C) In the table of sections, by striking the item relating to section 9084.

(3) SECRETARY OF THE AIR FORCE.—Section 9013 of such title is amended—
(A) in subsection (f), by inserting "and Space Corps" after "officers of the Air Force"; and
(B) in subsection (h), by inserting "and Space Corps" after "members of the Air Force".

(4) DEFINITIONS.—Section 101 of such title is amended—
(A) in subsection (a)—
(i) in paragraph (4), by inserting "Space Corps," after "Marine Corps:"; and
(ii) in paragraph (9)(C), by inserting "and the Space Corps" after "concerning the Air Force"; and
(B) in subsection (b)—
(i) in paragraph (4), by striking "or Marine Corps," after "Marine Corps:"; and
(ii) in paragraph (13), by striking "or Marine Corps" and inserting "or Space Corps.";

(c) ELIGIBILITY.—The Secretary shall submit to the congressional defense committees—
(A) a detailed plan setting forth—
(i) the proposed military personnel composition and structure of the Space Corps; and
(ii) plans for the transfer or reassignment of military personnel from the space elements of the Armed Forces to the Space Corps;
(B) the number of officer and enlisted personnel to be transferred to the Space Corps by functional area;
(C) a detailed description of the billet requirements for the Space Corps and a description of such billets.

(2) REPORT ON MILITARY PERSONNEL.—
(A) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a report that includes a detailed plan for the organizational structure of the Space Corps.

(2) ELEMENTS.—The report required under paragraph (1) shall include—
(A) a detailed description of the structure and organizational requirements for the Space Corps to perform its mission;
(B) a detailed description of the organization and staff required to support the Commandant of the Space Corps;
(C) a detailed description of the composition and function of the space elements of the Armed Forces;
(D) a description of how the Space Corps will be organized, trained, and equipped;
(E) a description of how the Space Corps will exercise acquisition authorities;
(F) a description of how the Space Corps will coordinate with the United States Space Command, the Space Development Agency, and other space elements of the Armed Forces; and
(G) any other information determined to be appropriate by the Secretary.

(b) REPORT ON MILITARY PERSONNEL.—
(1) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a report on the military personnel requirements of the Space Corps.

(2) ELEMENTS.—The report required under paragraph (1) shall include—
(A) a detailed plan setting forth—
(i) the proposed military personnel composition and structure of the Space Corps; and
(ii) plans for the transfer or reassignment of military personnel from the space elements of the Armed Forces to the Space Corps;
(B) the number of officer and enlisted personnel to be transferred to the Space Corps by functional area;
(C) a detailed description of the billet requirements for the Space Corps, including the staff organizational chart and end strength;
(D) the number of additional officer and enlisted billets that will be required for the Space Corps and a description of such billets.

(1) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a report that includes a detailed plan for the transfer of the funds, assets, and obligations of the space elements of the Armed Forces (including any property, records, installations, facilities, functions, and projects of such elements) to the Space Corps in accordance with section 922.

(2) ELEMENTS.—The report required under paragraph (1) shall include—
(A) a detailed list of the functions and assets to be transferred;
(B) a justification for each transfer proposed to be made under subparagraph (A); and
(C) the location and value of each item proposed to be transferred under subparagraph (A).

(D) The date on which each item is expected to be transferred.

(e) REPORT ON FUNDING REQUIREMENTS.—
(1) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a report on the funding requirements for the Space Corps.

(2) ELEMENTS.—The report required under paragraph (1) shall include a detailed estimate of the funding that will be required to establish the Space Corps and to conduct the activities and operations of the Corps, including estimated expenditures and proposed appropriations for each of fiscal years 2021 through 2025 as follows:
(A) With respect to research, development, test, and evaluation accounts—
(i) amounts displayed by account, budget activity, line number, line item, and line item title; and
(ii) a description of the requirements for each such amount specific to the Space Corps.
(B) With respect to research, development, test, and evaluation accounts—
(i) amounts displayed by account, budget activity, line number, program element, and program element title; and
(ii) a description of the requirements for each such amount specific to the Space Corps.
(C) With respect to operation and maintenance accounts—
(i) amounts displayed by account title, budget activity title, line number, and sub-activity group title; and
(ii) a description of how such amounts will specifically be used.
(D) With respect to military personnel accounts—
(i) amounts displayed by account, budget activity, budget sub-activity, and budget sub-activity title; and
(ii) a description of the requirements for each such amount specific to the Space Corps.
(E) With respect to each project under military construction account (including facilities, and with respect to unspecified minor military construction and amounts for planning and design), the country, location, project title, and project amount for each fiscal year.
(F) With respect to any expenditures and proposed appropriations not included the materials submitted under subparagraphs (A) through (E), an explanation with a level of detail equivalent to or greater than the level of detail provided in the future-years defense program submitted to Congress under section 221 of title 10, United States Code.

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

Each of the reports required under subsections (a) through (e) shall be submitted to the congressional defense committees not later than February 1, 2020.
require the relocation of any facility, infrastructure, or military installation of the Air Force.

PART II—OTHER SPACE MATTERS

SEC. 931. UNITED STATES SPACE COMMAND.

(a) RESTORATION OF GENERAL AUTHORITY FOR ESTABLISHMENT OF UNITED STATES SPACE COMMAND. —

(1) IN GENERAL.—Section 169 of title 10, United States Code, is repealed.

(2) CONGRESSIONAL AGREEMENT.—The table of sections at the beginning of chapter 6 of title 10, United States Code, is amended by striking the item relating to section 169.

(b) AMENDMENT.—Section 2273a(d)(3) of title 10, United States Code, is amended by striking “The Commander of the United States Strategic Command, acting through the United States Space Command, and inserting “The Commander of the United States Space Command, or, if no such command exists, the Secretary of the United States Strategic Command.”.

TITILE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2019 between any such authorizations, subject to any statutory limitations. Amounts of authorizations so transferred shall be merged with and available for the same purposes as the authorizations 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 DEPARTMENT AND DEFENSE AGENCIES.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(c) ADDITIONAL LIMITATION ON TRANSFERS FOR DRUG INTERD ICTION AND COUNTER DRUG ACTIVITY.—A transfer provided under subsection (a) may not be used to transfer any amount to Drug Interdiction and Counter Drug Activities, Defense-wide.

(d) LIMIT 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).

(f) CERTIFICATION REQUIREMENT.—The authority to transfer any authorization under this section may not be used until the Secretary certifies to Congress that the Secretary of Defense and the head of each entity affected by such transfer submits to the congressional defense committees certification in writing that—

(1) the entity affected by the transfer has no need for transferable amounts; and

(2) the amount transferred will not be used for any item for which funds have been denied authorization by Congress.

SEC. 1002. ADDITIONAL REQUIREMENTS FOR ANNUAL REPORT AND BRIEFING ON FINANCIAL IMPROVEMENT AND AUDIT REMEDIATION PLAN.

Section 240(b)(6) of title 10, United States Code, is amended—

(1) in paragraph (1)(B)(iv), by adding at the end the following new subclause:

“(IV) A current accounting of the defense business systems that will be introduced, replaced, updated, or retired in connection with the audit of the full financial statements of the Department, including a comprehensive roadmap that displays—

(a) in-service, retirement, and other pertinent dates for affected defense business systems;

(b) current complete estimates for each affected system; and

(c) dependencies both between the various defense business systems and between the introduction, replacement, update, or retirement of such systems.”;

(2) in paragraph (2), by adding at the end the following new sentence: “Such briefing shall also include a description of any updates to the defense business systems roadmap referred to in paragraph (1)(B)(iv)(IV).”;

(3) by amending paragraph (3) to read as follows:

“(3) DEFINITIONS.—In this subsection:

(A) The term ‘critical capabilities’ means the critical capabilities described in the Department of Defense report titled ‘Financial Improvement and Audit Readiness (FIAR) Plan Status Report’ and dated May 2016.

(B) The term ‘defense business system’ has the meaning given such term in section 2273a(h)(1)(A) of this title.

SEC. 1003. FINANCIAL IMPROVEMENT AND AUDIT REMEDIATION PLAN.

(a) ELEMENTS OF ANNUAL REPORT.—Subsection (b)(1)(B) of section 240(b) of title 10, United States Code, is amended—

(1) in clause (vi)—

(A) by striking “or if less than 50 percent of the audit remediation services”; and

(B) by striking “and audit remediation activities”;

(2) in clause (viii), by striking “or if less than 25 percent of the audit remediation services”;

(b) SEMI ANNUAL BRIEFINGS.—Subsection (b)(2) of such section is amended by striking “or audit remediation”;

(c) AUDIT REMEDIATION SERVICES.—Subsection (b) of such section is further amended—

(1) in paragraph (1)(B), by adding at the end the following new clauses:

“(a) If less than 25 percent of the audit remediation services under contract, as described in the briefings required under paragraph (2)(B), are being performed by professional auditors meeting the qualifications described in subsection (c), a detailed description of the risks associated with the acquisition strategy for conducting audit remediation activities and an explanation of how the strategy complies with the policies expressed by Congress.

(b) If less than 25 percent of the audit remediation services under contract, as described in the briefings required under paragraph (2)(B), are being performed by individual professionals meeting the qualifications described in subsection (c), a written certification that the staffing ratio complies with commercial best practices and presents no increased risk of delay in the Department’s ability to achieve a clean audit opinion.”;

and

(2) in paragraph (2)—

(A) by striking “Not later” and inserting “(A) Not later”;

and

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

“(B) Not later than January 31 and June 30 each year, the Under Secretary of Defense (Comptroller) and the comptrollers of the military departments shall provide a briefing to the congressional defense committees on the status of the corrective action plan. Such briefing shall include both the absolute number and percentage of personnel performing the amount of audit remediation services, as performed by professionals meeting the qualifications described in subsection (c)’.”.

(d) SELECTION OF AUDIT REMEDIATION SERVICES.—Such section is further amended by adding at the end the following new subsection:

“(C) SELECTION OF AUDIT REMEDIATION SERVICES.—The selection of audit remediation services shall be based, among other appropriate criteria, on qualifications, relevant experience, and capacity to develop and implement action plans to control and remediate material weaknesses and financial improvements identified during a financial statement or program audit.”.

SEC. 1004. REPORTING REQUIREMENTS RELATING TO DEPARTMENT OF DEFENSE AUDITS.

(a) ANNUAL REPORT.—

(1) IN GENERAL.—Chapter 9A of title 10, United States Code, is amended by adding at the end the following new section:

“$240g. Annual report on auditable financial statements.

“(a) IN GENERAL.—Not later than January 30 of each year, the Secretary of Defense shall submit to the congressional defense committees a report ranking each of the military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law. In preparing the report, the Secretary shall seek to exclude information that is otherwise available in other reports to Congress.

“(b) BOTTOM QUARTILE.—Not later than June 30 of each year, the head of each of the military departments and Defense Agencies were ranked in the bottom quartile of the report submitted under subsection (a) for that year shall submit to the congressional defense committees a report that includes the following information for that military department or Defense Agency:

“(1) A description of the material weaknesses of the military department or Defense Agency.

“(2) The underlying causes of such weaknesses.

“(3) A plan for remediating such weaknesses.

“(4) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new section:

“$240g. Annual report on auditable financial statements.”.

(b) LIMITATION ON USE OF FUNDS.—The amounts authorized to be appropriated or otherwise made available by this Act for travel of persons for the head of a military department or Defense Agency described in subsection (b) of section 240g of title 10, United States Code, as added by subsection (a)(1), not more than 80 percent may be obligated or expended before the submittal of the report required under that subsection for that military department or Defense Agency.

(c) PLAN FOR ACHIEVING UNMODIFIED AUDIT OPINION ON CONSOLIDATED AUDIT.—

“(1) REPORT REQUIRED.—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 the plan of the Secretary for achieving an unmodified audit opinion of the Department of Defense-wide consolidated audit by not later than five years after the date of the enactment of this Act.

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts authorized to be appropriated or otherwise made available by this Act for Operation and Maintenance, Defense-Wide, Office of the Secretary of Defense, for Travel of Persons for fiscal year 2020, not more than 70 percent may be obligated or expended before the date on which the Secretary submits the report required under paragraph (1).

SEC. 1005. ANNUAL BUDGET JUSTIFICATION DISPLAY FOR SERVICE-COMMON AND SERVICE-SPECIAL REQUIREMENTS FOR SPECIAL OPERATIONS FORCES.

(a) IN GENERAL.—Chapter 9A of title 10, United States Code, is amended by inserting after section 225 the following new section:
SEC. 1006. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 1007. DIRECTOR OF PUBLIC ACCOUNTING AUDIT OF FINANCIAL SYSTEMS OF THE DEPARTMENT OF DEFENSE.

The Secretary of Defense shall ensure that each major implementation of, or modification to, a financial system of the Department of Defense is reviewed by an independent public accountant to validate that such financial system will maintain the required level of integrity.

Subtitle B—Counterdrug Activities

SEC. 1011. MODIFICATION OF AUTHORITY TO PROVIDE SUPPORT TO OTHER AGENCIES FOR COUNTERTRANSNATIONAL ORGANIZED CRIME.

(a) TYPES OF SUPPORT.—Paragraph (1) of subsection (b) of section 284 of title 10, United States Code, is amended—

(1) by striking “and fences”;

(2) by striking “to block” and inserting “along”; and

(b) CONGRESSIONAL NOTIFICATION.—Subsection (a)(1) of such section is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(2) by inserting before subparagraph (B), as so redesignated, the following new subparagraph (A):

(A) In case of support for a purpose described in subparagraph (B),—

(i) an identification of the recipient of the support;

(ii) a description of the support provided; and

(iii) a description of the amount of funds used to provide such support;

(iv) a description of the amount of funds obligated to provide such support;

(2) the Secretary shall ensure that there is a formal schoolhouse available at which training is provided in an shipboard system that is program of record on Navy surface vessels.

(b) TIMELINE FOR IMPLEMENTATION.—In the case of any shipboard system program of record that is in use as of the date of the enactment of this Act for which no formal schoolhouse is available, the Secretary shall ensure that such a schoolhouse is available for the purpose of training in such program by not later than 12 months after the date of the enactment of this Act.

(3) An analysis of the potential time and investment challenges associated with developing and retaining shipbuilding skills in organizations that lack intermediate levels of shipbuilding experience.

(4) Recommendations concerning how to ensure young adults to enter the defense shipbuilding industry and to develop the skills necessary to support the shipbuilding defense industrial base.

(5) SEC. 1024. REPORT ON SHIPBUILDING AND THE DEFENSE INDUSTRIAL BASE.

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 House of Representatives a report on shipbuilder training and hiring requirements necessary to achieve the Navy’s 2030-year shipbuilding plan and to maintain the shipbuilding readiness of the defense industrial base. Such report shall include each of the following:

(1) An analysis and estimate of the time and investment required for new shipbuilders to gain proficiency in particular shipbuilding occupational specialties, including detailed information about the occupational specialty requirements necessary for construction of navy surface ship and submarine classes to be included in the Navy’s 30-year shipbuilding plan.

(2) An analysis of the age demographics and occupational experiences (based in years of experience) of the shipbuilding defense workforce.

(3) An analysis of the potential time and investment challenges associated with developing and retaining shipbuilding skills in organizations that lack intermediate levels of shipbuilding experience.

(4) A description and analysis of the effects of shipbuilding training during periods of demographic transition, including whether emerging technologies, such as augmented reality, may aid in new shipbuilding workforce.

(5) Recommendations concerning how to encourage young adults to enter the defense shipbuilding industry and to develop the skills necessary to support the shipbuilding defense industrial base.

Subtitle D—Counterterrorism

SEC. 1031. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTERTERRORISM ACTIVITIES.

(a) EXTENSION.—Subsection (b) of section 1022 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 254 note) is amended by striking “2020” and inserting “2022”.

(b) TECHNICAL CORRECTIONS.—Subsection (e) of such section is amended—

(1) by inserting at the end a period; and

(2) by striking “2020” and inserting “2022”.

(3) An analysis of the potential time and investment challenges associated with developing and retaining shipbuilding skills in organizations that lack intermediate levels of shipbuilding experience.

(4) A description and analysis of the effects of shipbuilding training during periods of demographic transition, including whether emerging technologies, such as augmented reality, may aid in new shipbuilding workforce.

(5) Recommendations concerning how to encourage young adults to enter the defense shipbuilding industry and to develop the skills necessary to support the shipbuilding defense industrial base.

Subtitle D—Counterterrorism

SEC. 1032. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2020, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to any country, or any entity within such country, as follows:

(1) Libya.
(a) FINDINGS.—Congress makes the following findings:

(1) The individuals detained at United States Naval Station, Guantanamo Bay, Cuba, are aging, and such individuals are increasingly subject to a number of health conditions exacerbated by age and the circumstances of their cases.

(2) Expeditionary medical treatment of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, is logistically challenging and increasingly costly, especially treatment related to complex ailments that may become exacerbated with age.

(3) Medical care at United States Naval Station, Guantanamo Bay, Cuba, is likely to become an increasing challenge for the United States Government.

(4) Medical challenges at United States Naval Station, Guantanamo Bay, Cuba, also cause difficulties affecting the functions and processes of the military commissions and periodic review boards.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States has an ongoing obligation to provide medical care to individuals detained at United States Naval Station, Guantanamo Bay, Cuba, meeting appropriate standards of care; and

(2) the Secretary of Defense should take into account the standards of care provided at other relevant facilities, including those administered by the Federal Bureau of Prisons, in determining the policies of the Department of Defense regarding the provision of medical care to individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1035. INDEPENDENT ASSESSMENT ON GENDER AND COUNTERING VIOLENT EXTREMISM.

(a) In General.—The Secretary of Defense shall seek to enter into a contract with a nonprofit entity or a nonfederal research and development center independent of the Department of Defense to conduct research and analysis on the intersection of gender and violent extremism and terrorism.

(b) ELEMENTS.—The research and analysis conducted under subsection (a) shall include research and analysis of the following:

(1) The research and analysis shall inform women’s participation in terrorist and violent extremist organizations.

(2) Ways for the Department of Defense to engage women and girls who are vulnerable to extremist and terrorist behavior.

(3) Ways women and girls can assist the Armed Forces to engage women and girls in the Armed Forces organizations in identifying individuals of concern.

(4) The intersection of violent extremism and terrorism and the following:

(A) Gender-based violence.

(B) Women’s empowerment at the household level, such as property and inheritance rights, bridie and dowry, and the level of societal sanctioning of the killing or harming of women.

(C) Adolescent girls’ empowerment, such as the level of early, child, and forced marriage, and of girls’ access to secondary education.

(5) Best practices for the Armed Forces to support women preventing and countering violent extremism and terrorism.

(6) Any other research that the Secretary of Defense determines to be appropriate.

(c) UTILIZATION.—The Secretary of Defense shall utilize the results of the research conducted under subsection (a) to inform each geographic combatant command’s strategy report and individual country strategy reports, where appropriate.

(d) REPORTS.—

(1) REPORT TO SECRETARY.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall report to the congressional defense committees a report on the results of research conducted under subsection (a).

(2) REPORT TO CONGRESS.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the results of research conducted under subsection (a).

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. SCHEDULING OF DEPARTMENT OF DEFENSE EXECUTIVE AIRCRAFT CONTROLLED BY SECRETARIES OF MILITARY DEPARTMENTS.

(a) In General.—Chapter 2 of title 10, United States Code, is amended by adding at the end the following new section:

"§120. Department of Defense executive aircraft controlled by Secretaries of military departments.

(a) In General.—The Chief of the Air Force Special Air Mission Office is given the responsibility for scheduling all Department of Defense executive aircraft controlled by the Secretary of the military department.

(b) Responsibilities.—(1) The Secretary of each of the military departments shall ensure that there is representation from each of the armed forces within the Air Force Special Air Mission Office to provide for daily management and scheduling of the aircraft controlled by that military department.

(2) The Secretary of Defense shall be responsible for resolving conflicts and arbitrating the allocation of aircraft based on demand and priority.

(c) Limitations.—(1) The Secretary of Defense may not establish a new command and control organization to support aircraft controlled by the Secretary of a military department.

(2) No aircraft controlled by the Secretary of a military department may be permanently stationed at any location used by one or more users.

(d) Definitions.—In this section:

(1) The term ‘used user traveler’ has the meaning given such term in Department of Defense Directive 450.65, as in effect on the date of the enactment of this section.

(2) The term ‘executive aircraft’ has the meaning given such term in Department of Defense Directive 450.65, as in effect on the date of the enactment of this section.

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

"120. Department of Defense executive aircraft controlled by Secretaries of military departments."
(a) by redesignating subparagraph (c) as subparagraph (E); and
(b) by inserting after subparagraph (B) the following new subparagraphs:

"(C) description of the duration of the support;"

"(D) a description of the initial costs for the support;"; and

(2) pertaining at the end the following paragraph:

"(5) SUSTAINMENT COSTS.—If the Secretary determines that sustainment costs will be incurred as a result of the provision of defensive support, the Secretary, not later than 72 hours after the initial provision of such support, shall certify to the congressional defense committees (and to the appropriate intelligence committees with respect to matters relating to members of the intelligence community) that such sustainment costs will not interfere with the ability of the Department to execute operations, accomplish mission objectives, and maintain readiness."

SEC. 1044. MODIFICATION AND TECHNICAL CORRECTION OF AUTHORITY FOR DEPLOYMENT OF MEMBERS OF THE ARMED FORCES TO THE SOUTHERN LAND BORDER OF THE UNITED STATES.

(a) AUTHORITY.—Subsection (a) of section 1059 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 986; 10 U.S.C. 271 note) is amended to read as follows:

"(a) AUTHORITY.—"

(1) IN GENERAL.—The Secretary of Defense may provide assistance to United States Customs and Border Protection for purposes of increasing ongoing efforts to secure the southern land border of the United States in accordance with the requirements of this section.

(2) CERTIFICATION REQUIREMENT.—If the Secretary certifies to the Committees on Armed Services of the House of Representatives and the Senate that provides assistance under paragraph (1), not later than 30 days before the provision of such assistance, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a certification, in writing, that—

"(A) the provision of the assistance will not negatively affect military training, operations, readiness, or other military requirement, including the readiness of the National Guard and reserve components; and"

"(B) the tasks associated with the support provided pursuant to this section are not consistent with the mission or occupational specialty of any members of the Armed Forces or units of the Armed Forces that are deployed; and"

"(C) any task associated with the support is inherently governmental and cannot be performed by a contractor."

(3) INITIATION REQUIREMENT.—Not later than 20 days before the deployment of any member of the Armed Forces or unit of the Armed Forces to the southern land border of the United States in support United States Customs and Border Protection pursuant to this section or any other provision of law, the Secretary of Defense shall provide to the Committees on Armed Forces of the House of Representatives and the Senate a description of any specific pre-deployment training provided to any individual or unit before being so deployed, including the duration of such training.

(b) SUPPORT.—Subsection (e) of such section is amended —

(1) by striking "Of the amounts authorized to be appropriated for the Department of Defense by this Act, the" and inserting "The;"

(2) by striking "use up to $75,000,000 to;" and

(3) by inserting after the words "shall be used on a reimbursable basis after" the words "subsection (a)."

(c) REPORTING REQUIREMENTS.—Subsection (f) of such section is amended to read as follows:

"(f) REPORT REQUIRED.—Not later than 30 days after the date on which any member of the Armed Forces is deployed along the southern land border of the United States at the request of the Secretary of Homeland Security, and every 90 days thereafter until no members are so deployed, the Secretary of Defense shall submit to the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives a report that includes, for both the period covered by the report and the total period of the deployment, each of the following:

"(A) An identification of each unit of the Armed Forces so deployed, including for each such unit—

"(i) the duty station or location to which the unit is assigned;"

"(ii) the unit designation;"

"(iii) the size of the unit; and"

"(iv) whether any personnel in the unit deployed under section 12302 of title 10, United States Code

"(B) An identification of any training exercises that were planned prior to such deployment that included deployed units and were planned to be executed after the date of the deployment.

"(C) For each unit so deployed, the readiness rating of the unit before deployment and 15 days after the last day of such deployment.

"(D) The projected length of the deployment and any special pay and incentives for which deployed personnel may qualify during the deployment.

"(E) A description of any specific pre-deployment training provided to any individual or unit before being so deployed, including the location and duration of such training.

"(F) A description of the rules and additional guidance applicable to the deployment, including—

"(i) any special instructions provided to units so deployed prior to deployment;

"(ii) the support required for the use of force for deployed personnel; and"

"(iii) whether personnel carry assigned weapons and are issued ammunition.

"(G) A description of the support conditions, including living quarters and food ration cycles, associated with such deployment and associated costs.

"(H) A map indicating the locations where units so deployed are housed.

"(I) A map indicating the locations where units so deployed are conducting their assigned mission and an explanation for the choice of such locations.

"(J) A description of the specific missions and tasks, by member, that were assigned to the members of the Armed Forces who are deployed.

"(K) The total amount of funds obligated or expended to provide support along the southern land border of the United States, associated with personnel (set forth separately from any special pay and allowances), transportation, operations, and any materials used in support of any such deployment or support provided.

"(L) An assessment of the ongoing efficacy and cost-effectiveness of the provision of such assistance and an analysis of the benefits and challenges on the southern border of the United States; and, to enhance the effectiveness of such assistance, and a plan to transition the functions performed by the members of the Armed Forces pursuant to such assistance.

"(M) The justification of United States Customs and Border Protection determining each location where defense activities are performed as an essential function of the Department of Homeland Security, and the legislative, operational, and any material considerations for the Department of Defense to provide support from the Department of Defense to the border and the associated costs associated with personnel (set forth separately from any special pay and allowances), transportation, operations, and any materials used in support of such activities.

"(N) The justification of the Department of Defense determining when support from the Department of Defense is needed, including—

"(i) copies of any relevant documents that describe the factors taken into consideration in requesting support from the Department of Defense;"

"(ii) the analysis that informs the placement of members of the Armed Forces along the southern land border of the United States; and"

"(iii) any memorandum, including requests for assistance and responses to requests, shared between the Department of Homeland Security and the Department of Defense regarding the need for the deployment of members of the Armed Forces along the southern land border of the United States.

"(O) FORM OF REPORT.—Each report submitted under this subsection shall be submitted in an unclassified form and without any designation relating to dissemination control, but may include a classified annex.

"(P) TERMINATION.—Such section shall terminate on September 30, 2023.

"(Q) LIMITATION.—The authority under this section shall terminate on September 30, 2023.

"(R) LIMITATION ON USE OF FUNDS FOR THE INACTIVATION OF ARMY WATERCRAFT UNITS.

None of the funds appropriated to be appropriated by this Act or otherwise made available for fiscal year 2020 may be obligated, expended, or otherwise used for the inactivation of any Army watercraft unit until the Secretary of Defense submits to Congress certification that—

(1) the Secretary has completed the Army Watercraft Requirements Review;

(2) the Secretary has entered into a contract with a federally funded research and development corporation for the review of the ability of the Army to meet the watercraft requirements of the combatant commanders; and

(3) the federally funded research and development corporation has completed such review and validated the findings of such review.

SEC. 1046. PROHIBITION ON USE OF FUNDS FOR CONSTRUCTION OF A WALL, FENCE, OR OTHER PHYSICAL BARRIER ALONG THE SOUTHERN BORDER OF THE UNITED STATES.

(a) PROHIBITION.—National defense funds may not be obligated, expended, or otherwise used to design or carry out a project to construct, replace, or modify a wall, fence, or other physical barrier along the international border between the United States and Mexico.

(b) NATIONAL DEFENSE FUNDS DEFINED.—In this section, the term ‘‘national defense funds’’ means—

(1) amounts authorized to be appropriated for any purpose in this division or authorized to be appropriated in division A of any National Defense Authorization Act for any of fiscal years 2015 through 2019, including any amounts of such an authorization made available to the Department of Defense and transferred to another authorization by the Secretary of Defense pursuant to transfer authority available to the Secretary;

(2) funds appropriated in any Act pursuant to an authorization of appropriations described in paragraph (1).

SEC. 1047. EXPENDITURE OF FUNDS FOR DEPARTMENT OF DEFENSE INTELLIGENCE AND COUNTERINTELLIGENCE ACTIVITY.

(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary of Defense may expend amounts made available for the Military Intelligence Program for any of fiscal years 2020 through 2025 for intelligence and counterintelligence activities for any purpose the Secretary determines to be proper with regard to intelligence and counterintelligence objects of a confidential, extraordinary, or emergency nature. Such a determination is final and conclusive upon the accounting officers of the United States Government.

(b) LIMITATION ON AMOUNT.—The Secretary of Defense may not expend more than five percent...
of the amounts described in subsection (a) for any fiscal year for objects described in that subsection unless—

(1) the Secretary notifies the congressional defense committees and the congressional intelligence committees of the intent to expend the amounts and purpose of the expenditure; and

(2) the notification is based on a determination of the Secretary that such expenditure was made for an object of a confidential, extraordinary, or emergency nature.

(d) REPORT.—Not later than December 31 of each year of 2020 through 2025, the Secretary of Defense shall submit to the congressional defense committees a report on expenditures made under this section during the fiscal year preceding the year in which the report is submitted. Each such report shall include, for each expenditure under this section during the fiscal year covered by the report, a description, the purpose, the program element, and the certification required under section (c).

(e) LIMITATION ON DELEGATIONS.—The Secretary of Defense may not delegate the authority under this section with respect to any expenditure under this section unless—

(1) a Select Committee on Intelligence of the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1049. USE OF FUNDS TO HOUSE CHILDREN SEPARATED FROM PARENTS.

(a) IN GENERAL.—None of the amounts authorized to be appropriated by this Act or otherwise made available to the Department of Defense for fiscal year 2020 may be used to house a child who is separated from a parent.

(b) CHILD SEPARATED FROM A PARENT.—

(1) IN GENERAL.—For purposes of this section, a child shall not be considered to be separated from a parent if the separation is conducted by an agent or officer of Customs and Border Protection at or near a port of entry or within 100 miles of a border of the United States, and one of the following has occurred:

(A) A State court, authorized under State law, terminates the rights of the parent or legal guardian of the child, or it is in the best interests of the child to be removed from the parent or legal guardian, in accordance with the Adoption and Safe Families Act of 1997 (Public Law 105-89).

(B) The child is in danger or neglect at the hands of the parent or legal guardian because the child is in danger of abuse or neglect.

(C) The separation is authorized based on—

(i) the proposed site for the housing meets the requirements of the Homeland Security Act of 2002 (6 U.S.C. 279).

(ii) the term “unaccompanied alien children” has the meaning given such term in section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279).

(II) the term “Flores settlement agreement” means the stipulated settlement agreement filed on January 17, 1997, in the United States District Court for the Central District of California in Flores v. Reno, CV 85-4544-RJK.

Subtitle F—National Defense Strategy Implementation

SEC. 1051. SHORT TITLE.

This subtitle may be cited as the “National Defense Strategy Implementation Act”.

SEC. 1052. REPORT ON OPERATIONAL CONCEPTS AND PLANS REGARDING STRATEGIC COMPETITORS.

Not later than February 1, 2020, and then biennially thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the Department of Defense’s operational concepts and plans regarding strategic competitors, including on strategically significant matters identified in the National Defense Strategy, that also addresses each of the following:

(1) Ways of employing the force in time to effectively deter strategic competitors below the threshold of war while ensuring readiness for potential conflict.

(2) Ways of adapting innovative, operational concepts needed for strategically significant and plausible scenarios related to strategic competitors.

(3) Ways of addressing operational challenges related to achieving the strategic advantage against strategic competitors related to nuclear, space, cyber, conventional, and unconventional means in warfare doctrine.

(4) The technologies, force developments, posture and capabilities, readiness, infrastructure, organization, personnel, and other elements of the defense program necessary to enable these operational concepts and plans to be implemented.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense may be used to support the operation of the Department of Health and Human Services in the case of a transfer of defense articles during the year preceding the year during which the report is submitted.

(b) Certification.—The Department of Defense determines to be appropriate.

(c) BRIEFING REQUIRED.—Not later than March 12, 2020, the Secretary of Defense shall provide to the congressional defense committees a briefing on the plan under subsection (a).

SEC. 1054. DEFINITIONS.

In this subtitle:

(1) the term “operational challenges” means the principal operational challenges to meeting the defense objectives described in the most recent National Defense Strategy, such challenges are defined by the Secretary of Defense in guidance issued to the Department of Defense.

(2) the term “strategic competitors” means a country labeled as a strategic competitor in the “Summary of the 2018 National Defense Strategy of the United States of America: Sharpening America’s Military Edge” issued by the Department of Defense pursuant to section 113 of title 10, United States Code.

Subtitle G—Studies and Reports

SEC. 1061. REPORT ON TRANSFERS OF EQUIPMENT TO PROHIBITED ENTITIES.

(a) ANNUAL REPORT TO CONGRESS.—

(1) IN GENERAL.—Subchapter VIII of chapter 16 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 387. Annual report on transfers of equipment to prohibited entities

“(a) REPORT REQUIRED.—Not later than March 1, 2021, and each subsequent year, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate committees of Congress a report on the transfer of defense articles during the year preceding the year during which the report is submitted to—

“(1) any unit committing a gross violation of human rights; or

“(2) any group or organization prohibited from receiving assistance from the United States.

(b) MATTERS TO BE INCLUDED.—Each report required by subsection (a) shall include the following for the year covered by the report:

(1) A description of any confirmed instance in which the government of a country to which the United States has received defense articles pursuant to a Department of Defense assistance authority has
subsequently transferred the equipment to a unit of that foreign state that is prohibited from receiving assistance from the United States by reason of a determination by the Secretary of State that that foreign government has committed a gross violation of human rights.

(2) A description of any instance, confirmed or under investigation, in which the government of a foreign state that has received defense articles pursuant to a Department of Defense assistance authorization has subsequently transferred the equipment to a group or organization that is prohibited from receiving assistance from the United States.

(3) A description of any discrepancies between the assessments of the military departments, the Department of Defense, the Department of Justice, and the appropriate committees of Congress regarding the number of non-combatant deaths resulting from strikes and operations undertaken by the United States.

(4) A description of any instances of information technology infrastructure or contractural arrangements.

(5) A list of all physical locations hosting JMWC capabilities.

(6) The number of military, contractor, and civilian personnel associated with the JMWC and any affiliated agency, service, or other Department of Defense entity.

(7) A description of the JMWC personnel organizational structure.

(8) An identification of inherently governmental functions requiring the JMWC and execution of Military Information Support Operations (hereinafter referred to as “MISO”) programs hosted by the JMWC.

(9) A detailed description of frameworks, metrics, and capabilities established to measure the effectiveness of MISO programs hosted by the JMWC.

(10) A list of all associated funding requested by program element from each of the geographic combatant commanders for MISO programs hosted by the JMWC and a description of such MISO activities.

(11) An assessment of the effectiveness of MISO programs hosted by the JMWC.

(12) Any other information as the Commander determines appropriate.

(Sec. 1065. MOBILITY CAPABILITY REQUIREMENTS STUDY)

(a) IN GENERAL.—The Commander of the United States Transportation Command, in coordination with the Chairman of the Joint Chiefs of Staff and Secretaries of the military departments, shall conduct a study of the end-to-end, full-spectrum mobility requirements to fulfill the national defense strategy required by section 113(g) of title 10, United States Code, for 2018. Such study shall be completed not later than January 1, 2021.

(b) ELEMENTS OF STUDY.—The study required under subsection (a) shall include each of the following:

(1) An assessment of the ability of the programmed airlift aircraft, tanker aircraft, sealift ships, and key mobility enablers to meet the integrated mobility requirements in integrated strategic environments, as defined by the guidance in such national defense strategy.

(2) An identification, quantification, and description of the associated risk-to-mission (as defined by Chairman of the Joint Chiefs of Staff Message 1105.01, Joint Risk Analysis) required to fulfill such strategy, including—

(A) As assessment of risk-to-mission associated with achieving strategic and operational objectives through the programmed airlift aircraft, tanker aircraft, sealift ships, and key mobility enablers; and

(B) A description of the combinations of airlift and sealift, tanker aircraft, sealift ships, and key mobility enabler requirements and capabilities that provide low, moderate, significant, and
high levels of risk-to-mission to fulfill such strategy.
(3) An identification of any mobility capability gaps, shortfalls, overlaps, or excesses, including—
(A) an assessment of associated risks with respect to the ability to conduct operations; and
(B) recommended mitigation strategies where possible.
(4) The articulation of all key assumptions and decisions made and excursions examined in conducting the study with respect to—
(A) risk;
(B) programmed forces and infrastructure;
(C) the availability of commercial airlift and sealift capabilities and resources, when applicable;
(D) aircraft usage rates, aircraft mission availability rates, aircraft mission capability rates, aircrew rates, aircrew production, and aircrew readiness rates;
(E) readiness, crewing, and activation rates for sealift ships;
(F) prepositioning, forward stationing, seabasing, engineering, and infrastructure;
(G) demand signals used to represent missions described in the national defense strategy for 2018, in competition and wartime;
(H) concurrency and global integration of demand signals;
(I) integrated global presence and basing strategy;
(J) host nation or third-country support;
(K) advancements in capability to degrade and disrupt United States mobility operations;
(L) aircraft being used for training or undergoing depot maintenance or modernization or ships undergoing depot maintenance;
(M) mobility enabling forces availability, readiness, and use;
(N) logistics concept of operations, including any support concepts, methods, combat support forces, and combat service support forces that are required to enable the projection and enduring sustainment of both deployed and in combat for each analytic scenario;
(O) anticipated attrition rates for the assessed force structure; and
(P) such other matters as the Commander determines appropriate.
(5) Such other elements as the Commander determines appropriate.
(c) REPORT AND BRIEFINGS.—
(1) INTERIM REPORT AND BRIEFING.—Not later than June 1, 2020, the Commander of the United States Special Operations Command, in coordination with the Chairman of the Joint Chiefs of Staff and the Secretaries of the military departments, shall—
(A) submit to the Committee on Armed Services of the House of Representatives an interim report on the study; and
(B) provide to such Committee a briefing on the report.
(2) FINAL REPORT AND BRIEFING.—Not later than January 1, 2021, the Commander of the United States Transportation Command, in coordination with the Chairman of the Joint Chiefs of Staff and the Secretaries of the military departments, shall—
(A) submit to the Committee on Armed Services of the House of Representatives a final report on the study; and
(B) provide to such Committee a briefing on the report.
(d) FORM OF REPORTS.—The reports required by paragraphs (1) and (2) shall be submitted in unclassified form, but may include a classified annex.
(e) DEFINITION OF SEALIFT SHIP.—In this section, the term "sealift ship" includes surge sealift vessels, tanker vessels, and non-governmental vessels incorporated as part of the maritime logistics enterprise.
SEC. 1067. ASSESSMENT OF SPECIAL OPERATIONS FORCE STRUCTURE.
(a) ASSESSMENT.—The Secretary shall enter into an agreement with a federally funded research and development center for the conduct of an independent assessment of the force structure and roles and responsibilities of special operations forces.
(b) REPORT TO CONGRESS.—Not later than March 20, 2020, the Secretary of the Army shall submit to the congressional defense committees a report containing—
(1) the comprehensive strategic plan required by subsection (a); and
(2) a sustainment and modernization plan for carrying out such strategic plan through fiscal year 2028.
SEC. 1069. REPORT ON GROUND-BASED LONG-RANGE ARTILLERY TO COUNTER LAND AND MARITIME THREATS.
(a) IN GENERAL.—Not later than March 1, 2020, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the efforts by the Army and Marine Corps to develop and deploy ground-based long-range rocket and cannon artillery to counter land and maritime threats.
(b) ELEMENTS.—The report required by subsection (a) shall include each of the following:
(1) An assessment of ongoing and future Army and Marine Corps efforts to develop and deploy ground-based long-range artillery to counter land and maritime threats;
(2) The adequacy of special operations force structure capability and capacity requirements of special operations forces;
(3) The adequacy of special operations forces for assigned missions and future conflicts.
(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.
SEC. 1070. INDEPENDENT REVIEW OF TRANSPORTATION WORKING-CAPITAL FUND.
(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of the Army, shall enter into a contract with a federally funded research and development center for the conduct of an independent review of the transportation working-capital fund (hereafter referred to as the "TWCF") of the United States Transportation Command.
(b) MATTERS FOR INCLUSION.—The review conducted under subsection (a) shall include each of the following:
(1) The viability of the TWCF as it is structured as of the date of the enactment of this Act.
(2) An assessment of any instances in which excess TWCF funds were used for procurement or modernization efforts that would not otherwise have been funded if amounts made available for operation and maintenance.
(3) Recommendations for how the TWCF could be restructured in order to make the fund more effective and efficient.
(4) Potential alternative funding mechanisms for certain components of the TWCF, including the channel system.
(5) Any other matters the Secretaries jointly determine appropriate.
(c) REPORT.—Not later than March 1, 2021, the Secretary of Defense and the Secretary of each of the military departments shall jointly submit to the congressional defense committees a copy of the review conducted under subsection (a).
SEC. 1071. GEOGRAPHIC COMMAND RISK ASSESSMENT AND REPORTING OF PROPOSED USE OF CERTAIN AIRCRAFT CAPABILITIES.

(a) In general.—Not later than on March 31, 2020, each commander of a geographic combatant command shall submit to the congressional defense committees a report containing an assessment of the effects of operational risk to that command posed by the plans of the Department of the Navy and Department of the Air Force to provide a mix of fifth generation and advanced fourth generation aircraft capabilities to meet contingency and steady-state operational requirements against adversaries in support of the objectives of the 2018 national defense strategy.

(b) ASSESSMENT OF RISK.—In assessing levels of operational risk under subsection (a), a commander shall use the risk matrix of the Chairman of the Joint Chiefs of Staff, as described in CJCS Instruction 3401.01E.

(c) GEOGRAPHIC COMBATANT COMMAND.—In this section, the term ‘‘geographic combatant command’’ means each of the following:

(1) United States European Command.

(2) United States Indo-Pacific Command.

(3) United States Southern Command.

(4) United States Northern Command.

(5) United States Central Command.

(6) United States Africa Command.

SEC. 1072. ANNUAL REPORT ON STRIKES UNDER-TAKEN BY THE UNITED STATES AGAINST TERRORIST TARGETS OUTSIDE AREAS OF ACTIVE HOSTILITIES.

(a) ANNUAL REPORT.—Not later than May 1 of each year, the Secretary of Defense shall submit to Congress a report on the number of strikes undertaken by the United States against terrorist targets outside of areas of active hostilities during the preceding calendar year, as well as a discussion of combatant and non-combatant deaths resulting from those strikes.

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall include:

(1) Information obtained from relevant agencies regarding the general sources of information and methodology used to conduct the assessments of combatant and non-combatant deaths.

(2) To the extent feasible and appropriate, the general reasons for discrepancies between post-strike assessments from the United States and credits reporting from nongovernmental organizations regarding non-combatant deaths resulting from strikes undertaken by the United States against terrorist targets outside of areas of active hostilities.

(c) REVIEW OF POST-STRIKE REPORTING.—In preparing a report under this section, the Secretary shall, to the extent practicable, review post-strike all-source reporting, including such information from nongovernmental sources, for the purpose of ensuring that this reporting is available to and considered by relevant agencies in their assessment of deaths.

(d) FORM OF REPORT.—The report required under subsection (a) shall be submitted in an unclassified form, but may include a classified annex.

SEC. 1073. TERMINATION OF REQUIREMENT FOR SUBMITTAL TO CONGRESS OF CER- TAIN AIRCRAFT CAPABILITIES.

(a) TERMINATION.—Effective on December 31, 2020, each report described in subsection (b) that is still required to be submitted to Congress as of such effective date shall no longer be required to be submitted to Congress.

(b) COVERED REPORTS.—A report described in this section is an annual reporting requirement that is required to be submitted to Congress by the Secretary of Defense, or by any officer, official, component, or element of the Department, by any agency identified in defense authorization Act enacted on or after December 30, 2016.

SEC. 1074. REPORT ON OPERATIONAL CONCEPTS AND PLANS REGARDING STRATEGIC COMBAT AIRCRAFT.

Not later than February 1, 2020, and then bi-annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the Department of Defense’s strategic concepts and plans regarding strategic combat aircraft as identified in defense authorization Act enacted on or after December 30, 2016.

SEC. 1075. REQUIREMENTS FOR SUBMITTAL OF CER- TAIN STUDIES ON STRATEGIC COMBAT AIRCRAFT.

(a) REQUIREMENTS.—Each Secretary shall submit to the congressional defense committees a study, not later than 90 days after the date of enactment of this section, regarding the operational effectiveness, survivability, and affordability of strategic combat aircraft as identified in defense authorization Act enacted on or after December 30, 2016.

(b) COVERED STUDIES.—A study described in subsection (a) is—

(1) Required to be submitted to Congress by the Secretary of Defense, or by any officer, official, component, or element of the Department, by any agency identified in defense authorization Act enacted on or after December 30, 2016.

(c) COVERED COMBAT AIRCRAFT.—For purposes of this section, ‘‘combat aircraft’’ includes—

(1) Fixed-wing aircraft.

(2) rotary-wing aircraft.

(3) unmanned aerial systems.

(d) REPORT CONTENTS.—Each report required by subsection (a) shall include—

(1) A description of the current operational concepts and plans regarding strategic combat aircraft.

(2) A description of the current operational effectiveness, survivability, and affordability of strategic combat aircraft described in subsection (a).

(3) A description of the projected operational concepts and plans for strategic combat aircraft described in subsection (a).

(4) A description of the projected operational effectiveness, survivability, and affordability of strategic combat aircraft described in subsection (a).

(5) A description of the potential operational concepts and plans for strategic combat aircraft described in subsection (a).

(6) A description of the potential operational effectiveness, survivability, and affordability of strategic combat aircraft described in subsection (a).

(e) SUBMISSION OF REPORT.—Each report required by subsection (a) shall be submitted to the congressional defense committees on or before the date on which such report is required to be submitted to Congress by the Secretary.
(A) in clause (ii), by striking “paragraph (6)(A)” and inserting “paragraph (5)(A)”; and
(B) in clause (iii), by striking “paragraph (6)(B)” and inserting “paragraph (5)(B)”; and
(B) in clause (ii), by striking “a indefinite” and inserting “an indefinite”.
(29) Section 231b(d) is amended by striking “the armed forces” and inserting “an individual”.
(30) Section 2784(c)(6)(A) is amended by striking “shall be an individual” and inserting “shall be an individual”.
(31) Section 2843(b) is amended by striking “‘bridge contact’” and inserting “‘bridge contact’”.
(32) Section 2921(a)(5) is amended by striking “shall an individual” and inserting “shall be an individual”.

(B) IN GENERAL.—(1) Chapter 2 of title 10, United States Code, is amended by adding at the end the following new subsection:

“§119b. Executive orders: congressional oversight.

‘Not later than 30 days after the date on which the Secretary of Defense or the commander of a combatant command issues an executive order, the Secretary of Defense shall provide to the chairmen and ranking member of each of the congressional defense committees, and their designated staff with appropriate security clearance, a copy of the executive order.’.”

SEC. 1082. EXTENSION OF NATIONAL SECURITY COMMISSION ON ARTIFICIAL INTELLIGENCE.

Section 1051 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended—

(1) in subsection (c)(1), by striking “180 days” and inserting “360 days”; and

(2) in subsection (e), by striking “October 1, 2021” and inserting “March 1, 2022”.

SEC. 1084. NATIONAL COMMISSION ON MILITARY AVIATION SAFETY.

(a) EXTENSION OF DEADLINE FOR REPORT.—Subsection (h)(2) of section 1087 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended by striking “March 1, 2020” and inserting “December 1, 2020”.

(b) SECRETARY OF DEFENSE REPORT.—Such section is further amended by adding at the end the following new subsection:

“(1) REPORT TO CONGRESS.—Not later than 120 days after the date of the submittal of the report under subsection (h)(2), the Secretary of Defense, in coordination with the Secretary of each of the military departments, shall submit to the Committees on Armed Services of the Senate and House of Representatives a report that includes each of the following:

“(i) An assessment of the findings and conclusions of the Commission.

“(ii) A plan of the Secretary for implementing the recommendations of the Commission.

“(iii) Any other actions taken or planned by the Secretary of Defense or any of the military departments to improve military aviation safety.”.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts authorized to be appropriated for the National Commission on Military Aviation Safety established under section 1087 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), the amounts authorized to be appropriated for Operation and Maintenance, Defense-Wide for fiscal year 2020, as specified in the funding table in section 4301, $3,000,000 shall be available for the National Commission on Aviation Safety.

SEC. 1085. EXTENSION OF POSTAGE STAMP FOR BREAST CANCER RESEARCH.

Section 414(h) of title 39, United States Code, is amended by striking “2019” and inserting “2021”.

SEC. 1086. PROCEDURES AND PROCESSES FOR NOTIFICATIONS REGARDING SPECIAL OPERATIONS FORCES.

(a) IN GENERAL.—Not later than 180 days after enactment of this Act, the Secretary of Defense shall establish and submit to the congressional defense committees processes and procedures for providing notifications to the committees regarding mem- ber deployments and missions of special operations forces, as identified in section 167(i) of title 10, United States Code.
SEC. 1086. ASSESSMENT OF STANDARDS, PROCESSES, PROCEDURES, AND POLICY RELATING TO CIVILIAN CASUALTIES.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall enter into an agreement with a federally funded research and development center for the conduct of an independent assessment of Department of Defense policies relating to civilian casualties resulting from United States military operations.

(b) CONSIDERED.—In conducting the assessment under this section, the federally funded research and development center shall consider the following matters:

(1) the military standards, processes, and procedures for identifying, assessing, investigating, and responding to reports of civilian casualties resulting from United States military operations;

(2) mechanisms for public and non-governmental entities and the public and non-governmental entities and any other matters the Secretary determines appropriate.

(c) ASSESSMENT RESULTS.—The results of the assessment under this section shall—

(1) present considerations for improving standards, processes, procedures, policy, and organizational constructs relating to civilian casualties resulting from military operations;

(2) provide for the presentation of Department of Defense views on the assessment; and

(3) provide for the presentation of the views of non-governmental organizations on the assessment.

(d) REPORT TO CONGRESS.—

SEC. 1087. ASSESSMENT OF STANDARDS, PROCESSES, PROCEDURES, AND POLICY RELATING TO CIVILIAN CASUALTIES.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall submit to the congressional defense committees a report containing the results of the assessment conducted under subsection (b) at a later date.

(b) FORM OF REPORT.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1088. DISPOSAL OF IPV4 ADDRESSES.

(1) IN GENERAL.—Not later than 10 years after the date of the enactment of this Act, the Secretary of Defense shall sell all of the IPv4 addresses described in subsection (b) at not less than fair market value. The net proceeds collected from a sale under this section shall be deposited in the General Fund of the Treasury.

(2) DEADLINES FOR CERTAIN BLOCKS.—Of the IPv4 addresses described in subsection (b), the Secretary of Defense shall sell in accordance with paragraph (1)—

(A) one block referred to in such subsection, or an equivalent number of IPv4 addresses, by not later than two years after the date of the enactment of this Act; and

(B) one additional such block, or an equivalent number of IPv4 addresses, by not later than three years after the date of the enactment of this Act.

(b) IPV4 ADDRESSES.—The IPv4 addresses described in this subsection are all IPv4 addresses assigned to any agency or entity of the Department of Defense, including all addresses contained in blocks 6.0.0.0/8, 7.0.0.0/8, 11.0.0.0/8, 18.0.0.0/8, 21.0.0.0/8, 22.0.0.0/8, 26.0.0.0/8, 28.0.0.0/8, 29.0.0.0/8, 30.0.0.0/8, 33.0.0.0/8, 35.0.0.0/8, 214.0.0.0/8, and 215.0.0.0/8.

(c) REPORT TO CONGRESS.—(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 congressional defense committees a report that includes each of the following:

(A) A description of the measures taken by the Secretary regarding the disposal of the IPv4 addresses described in subsection (b);

(B) An accounting of the total IPv4 address holdings of the Department of Defense, as of the date of the submittal of the report;

(C) A description of the systems of the Department that are dependent on the IPv4 addresses described in subsection (b);

(D) The plan of the Secretary to transition all Department address blocks;

(E) Such other information as the Secretary determines appropriate.

(2) FORM OF REPORT.—The report required by paragraph (1) shall be in unclassified form, but may contain a classified annex.

(d) LIMITATION ON USE OF FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for Operation and Maintenance, Defense-wide, Office of the Secretary of Defense, for Travel of Persons (OP 32 Line 308), not more than 70 percent may be obligated or expended until the date on which the Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives the report required under subsection (c).

SEC. 1089. SECURING AMERICAN SCIENCE AND TECHNOLOGY.

(a) INTERAGENCY WORKING GROUP.—(1) IN GENERAL.—The Director of the Office of Science and Technology Policy, acting through the National Science and Technology Council, in consultation with the National Security Advisory Group, shall establish an interagency working group to coordinate activities to protect federally funded research and development from foreign interference, cyberattacks, theft, or espionage, including best practices for protecting research and development; and

(2) V: recommendations for best practices for Federal science agencies and grantees to defend against threats to federally funded research and development, including coordination and harmonization of any relevant reporting requirements that Federal science agencies implement for protecting research and development;

(b) V: assessments of potential consequences that any proposed practices would have on the open exchange of ideas and international talent required for scientific progress and American leadership in science and technology.
international collaboration and United States leadership in science and technology; and

(2) Particulate addendum as necessary to further inform Federal science agency decision-making.

(3) Roundtable with National Academies Roundtable.—The Director of the Office of Science and Technology Policy shall provide a report to the relevant committees that includes the inventory re-
quired under paragraph (3)(D), and an update on progress toward developing the policy guid-
ance required under paragraph (3)(E), as well as any additional activities undertaken by the working group in that time.

(4) Biennial Reporting.—Two years after the date of enactment of this Act, and at least every two years thereafter, the Director of the Office of Science and Technology Policy shall provide a summary report to the relevant committees on the activities of the working group and the most current version of the policy guidance required under paragraph (3)(E).

(5) National Academies Science, Technology and Security Roundtable.—

(a) In General.—The National Science Foundation, the Department of Energy, and the De-
partment of Defense, and any other agencies as determined by the Director of the Office of Science and Technology Policy, shall enter into a joint agreement with the Academies to create a new “National Science, Technology, and Security Roundtable” (hereinafter in this sub-
section referred to as the “roundtable”)

(b) Participants.—The roundtable shall in-
clude senior representatives and practitioners from Federal science, intelligence, and national security agencies, law enforcement, as well as key stakeholders in the United States scientific enterprise including institutions of higher edu-
cation, Federal research laboratories, industry, and non-profit research organizations.

(c) Purpose.—The purpose of the roundtable is to facilitate among participants—

(1) identify major policy issues related to protecting United States national and economic security while ensuring the open exchange of ideas and international talent required for sci-
entific progress and American leadership in science and technology;

(2) identification and consideration of security threats and risks involving federally funded research and development, including foreign in-
terference, cyberattacks, theft, or espionage;

(3) identification of effective approaches for communicating the threats and risks identified in subsection (c)(2) to the academic and sci-
entific community, including through the shar-
ing of unclassified data and relevant case stud-
ies;

(4) sharing of best practices for addressing and mitigating the threats and risks identified in subparagraph (B); and

(b) examination of potential near- and long-
term responses by the government and the aca-
demic and scientific community to mitigate and address the risks associated with foreign threats.

(d) Report and Briefing.—The joint agree-
ment under paragraph (1) shall specify that—

(A) the roundtable shall periodically organize workshops and other meetings to publicly available reports on the topics described in paragraph (3) and the activities of the roundtable; and

(B) not later than March 1, 2020, the Acad-
emies shall provide a briefing to relevant com-
mittees on the progress and activities of the roundtable.

(5) Authorization of Appropriations.—

There is authorized to be appropriated $5,000,000 to the Secretary of Defense for fiscal years 2020 to 2024 to carry out this subsection.

(6) Definition of Terms.—

(A) The term “Academies” means the National Academies of Science, Engineering and Medi-
cine.

(B) The term “Federal science agency” means any Federal agency with at least $100,000,000 in basic and applied research obligations in fiscal year 2018.

(C) The term “grantee” means an entity that is—

(1) a recipient or subrecipient of a Federal grant or cooperative agreement; and

(2) an institution of higher education or a non-profit organization.

(D) The term “relevant committees” means—

(1) the Committee on Science, Space, and Technology of the House of Representatives;

(2) the Committee on Commerce, Science, and Transportation of the Senate;

(3) the Committee on Armed Services of the House of Representatives; and

(4) the Committee on Armed Services of the Senate.


(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Sec-
retary of Defense shall establish a Special Federal Aviation Regulation in effect; or the Secretary of Defense shall provide a briefing to relevant committees on progress toward developing the policy guidance

(b) Duties.—The working group shall—

(1) analyze all options currently available for the Department of Defense to use contracted United States civil aviation to provide support for Department of Defense missions in areas where a Federal Aviation Administration Special Federal Aviation Regulation (SFAR) is in effect; and

(2) review existing processes of the Depart-
ment of Defense, the Federal Aviation Adminis-
tration, and the Department of State, with re-
spect to the Department of Defense’s use of con-
tracted United States civil aviation in areas where a Federal Aviation Administration SFAR is in effect;

(3) identify any issues, inefficiencies, or con-
cerns with the existing options and processes, including safety of flight, legal considerations, mission delivery, and security considerations; and

(4) develop recommendations, if any, to im-
prove existing processes or expand the options available for the Department of Defense to use contracted United States civil aviation to provide support to Department of Defense missions in areas where a Federal Aviation Administration SFAR is in effect.

(c) Reporting.—

(1) Appointment.—The Secretary of Defense, the Secretary of Transportation, and the Sec-
retary of State shall each appoint not more than 5 members to the working group with expertise in civil aviation safety, state aircraft operations, the provision of contracted aviation support to the Department of Defense, and the coordin-
ation of such efforts between the Department of Defense, the Department of State, and the Federal Aviation Administration. The 5 members appointed by the Secretary of Transportation shall include at least 3 members from the Fed-
eral Aviation Administration.

(2) Qualifications.—All working group mem-
bers shall be full-time employees of the Fed-
eral Government with appropriate security clear-
ances to allow discussion of all classified infor-
mation and materials necessary to fulfill the working group’s duties pursuant to subsection (b).

(d) Report.—Not later than 1 year after the date it is established, the working group shall submit a report on its findings and any rec-
ommendations developed pursuant to subsection (b) to the congressional defense committees, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives.

(e) Conforming Amendments.—The working group shall terminate 90 days after the date the report is submitted under subsection (d).

SEC. 1102. Modification of Probationary Period for Certain Department of Defense Employees.

(1) in section 7511(a)(1)(A)(ii), by inserting “100 positions” and inserting “104 positions”.

SEC. 1103. Civilian Personnel Management.

(a) in section 7501(1), by striking “140 positions”.

(b) in section 7511(a)(1)(A)(ii), by striking “100 positions” and inserting “104 positions”.

Title XI—Civilian Personnel Matters

Subtitle A—Personnel Management


(a) General.—Section 599(h)(1)(B) of title 10, United States Code, is amended by—

(1) striking subsection (a) and inserting the follow-
ing:

“(a) General.—Notwithstanding sections 3321 and 3323(d) of title 5, the probationary pe-
riod applicable under those sections to a covered employee may be extended by the Secretary con-
cerned at the discretion of such Secretary; “;

and

(2) by striking subsection (d).

(b) Conforming Amendments.—Title 5, United States Code, is amended by—

(1) in section 7501(1), by striking “140 positions”, except as provided in section 1599e of title 10;”;

and

(2) in section 7311(a)(1)(A)(ii), by striking “except as provided in section 1599e of title 10;”.

1102. Modification of Probationary Period for Certain Department of Defense Employees.

(a) General.—Notwithstanding sections 3321 and 3323(d) of title 5, the probationary pe-
riod applicable under those sections to a covered employee may be extended by the Secretary con-
cerned at the discretion of such Secretary;”;

and

(b) Conforming Amendments.—Title 5, United States Code, is amended by—

(1) in section 7501(1), by striking “100 positions”, except as provided in section 1599e of title 10;”;

and

(2) in section 7311(a)(1)(A)(ii), by striking “except as provided in section 1599e of title 10;”.

1103. Civilian Personnel Management.

(a) General.—Notwithstanding section 129 of title 10, United States Code, is amended by—

(1) in subsection (a), by striking “140 positions”.

(2) in subsection (b), by striking “100 positions”.
SEC. 1105. ONE-YEAR EXTENSION OF AUTHORITY FOR DOMESTIC INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE.

(a) In General.—Subsection (a) of section 1125 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), as amended by subsection (a) of section 1002 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–232), is further amended by striking “through 2020,” and inserting “through 2025.”

(b) BrieFING.—Subsection (b) of such section 1125 is amended by striking “fiscal years 2019 and 2021” and inserting “fiscal years 2019 through 2025.”

SEC. 1106. AUTHORITY TO PROVIDE ADDITIONAL ALLOWANCES AND BENEFITS FOR CERTAIN DEFENSE CLANDESTINE SERVICE EMPLOYEES.

Section 1603 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) ADDITIONAL ALLOWANCES AND BENEFITS FOR CERTAIN EMPLOYEES OF THE DEFENSE CLANDESTINE SERVICE.—(1) Beginning on the date on which the Secretary submits the report under paragraph (3)(A), in addition to the authority to provide compensation under subsection (a), the Secretary may provide a covered employee allowances under paragraph (1) of section 9004 of title 5 without regard to the limitations in that section—

“(A) that the employee be assigned to activities outside the United States; and

“(B) that the activities to which the employee is assigned be in support of Department of Defense activities abroad.

“(2) The Secretary may not provide allowances and benefits under paragraph (1) to more than 125 covered employees per year.

“(3) The Secretary shall submit to the appropriate congressional committees a report

“(A) identifying the number of covered employees for whom the Secretary provided allowances and benefits under paragraph (1); and

“(B) reviewing the efficacy of such allowances and benefits in enabling the execution of the objectives of the Defense Intelligence Agency.

“(4) The reports under subparagraphs (A) and (B) may be submitted in classified form.

“(5) In this subsection:

“(A) The term ‘appropriate congressional committees’ means—

“(i) the congressional defense committees; and

“(ii) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

“(B) The term ‘covered employee’ means an employee in a defense intelligence position who is assigned to the Defense Clandestine Service at a location outside the United States that the Secretary determines has living costs equal to or higher than the District of Columbia.”.

SEC. 1107. EXTENSION OF DIRECT HIRE AUTHORITY FOR DOMESTIC INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE.

(a) In General.—Subsection (a) of section 1125 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), as amended by subsection (a) of section 1002 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–232), is further amended by striking “through 2020,” and inserting “through 2025.”

(b) BrieFING.—Subsection (b) of such section 1125 is amended by striking “fiscal years 2019 and 2021” and inserting “fiscal years 2019 through 2025.”

(2) REPORTING REQUIREMENT FOR DISCIPLINARY ACTION.—Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

“(A) by striking “nor is accountability” and inserting “but accountability is not”;

“(B) by inserting “for what by law the agency is responsible” after “under this Act”;

“(C) TRANSITION PERIOD.—Notwithstanding the requirements of section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note), the report required under such section may be submitted in an electronic format, as prescribed by the Office of Personnel Management, during the period beginning on the date of enactment of this Act and ending on the effective date in section (b)(1) of the Act;”.

SEC. 1110. ENHANCEMENT OF ANTIDISCRIMINATION PROTECTIONS FOR FEDERAL EMPLOYEES.

(a) SENSE OF CONGRESS.—(1) Prior to the enactment of this Act, the Federal Government has a strong interest in ensuring that Federal agencies take appropriate disciplinary action against Federal employees who have been found to have committed discriminatory or retaliatory acts;

“(2) in paragraph (4), to read as follows:

“(4) accountability in the enforcement of Federal employee rights is furthered when Federal agencies take appropriate disciplinary action against Federal employees who have been found to have committed discriminatory or retaliatory acts;”

(b) CONFORMING AMENDMENT.—Section 3111(c)(1) of title 5, United States Code, is amended by inserting “section 2302(g) (relating to prohibited personnel practices),” before “chapter 81.”

SEC. 1111. ENHANCEMENT OF ANTIDISCRIMINATION PROTECTIONS FOR FEDERAL EMPLOYEES.

(a) SENSE OF CONGRESS.—Section 102 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

“(1) in paragraph (4), to read as follows:

“(4) accountability in the enforcement of Federal employee rights is furthered when Federal agencies take appropriate disciplinary action against Federal employees who have been found to have committed discriminatory or retaliatory acts;”

(b) CONFORMING AMENDMENT.—Section 3111(c)(1) of title 5, United States Code, is amended by inserting “section 2302(g) (relating to prohibited personnel practices),” before “chapter 81.”

SEC. 1112. ENHANCEMENT OF ANTIDISCRIMINATION PROTECTIONS FOR FEDERAL EMPLOYEES.

(a) SENSE OF CONGRESS.—Section 102 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

“(1) in paragraph (4), to read as follows:

“(4) accountability in the enforcement of Federal employee rights is furthered when Federal agencies take appropriate disciplinary action against Federal employees who have been found to have committed discriminatory or retaliatory acts;”

(b) CONFORMING AMENDMENT.—Section 3111(c)(1) of title 5, United States Code, is amended by inserting “section 2302(g) (relating to prohibited personnel practices),” before “chapter 81.”
“(c) DISCIPLINARY ACTION REPORT.—Not later than 60 days after the date on which a Federal agency takes final action or a Federal agency receives an appellate decision issued by the Equal Employment Opportunity Commission involving a finding of discrimination or retaliation in violation of a provision of law covered by paragraph (1) or (2) of section 201(a), as applicable, the agency shall submit to the Commission a report stating whether disciplinary action has been initiated against a Federal employee as a result of the violation.”.

(4) DISCIPLINARY ACTION REPORT.—Not later than 1 year after the date of enactment, each Federal agency shall report to the Commission on the status of investigations, if any, of complaints alleging discrimination or retaliation and shall report any disciplinary actions taken in response to any of the complaints.

(f) SPECIAL COUNSEL APPROVAL.—A Federal agency may not take disciplinary action against a Federal employee who commits an act of discrimination or retaliation referred by the Commission under section 203(e)(10) without first receiving the approval of the Special Counsel.

(g) NONDISCLOSURE AGREEMENT LIMITATION.—Nothing in this title shall prevent a Federal employee from disclosing to Congress, the Office of Special Counsel, or the Office of the Inspector General any information that relates to any violation of the law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial, and specific danger to public health or safety, or any other whistleblower law:

SEC. 402. NO LIMITATION ON HUMAN CAPITAL OR GENERAL COUNSEL ADVICE.

“Nothing in this section shall prevent a Federal agency’s Human Capital or General Counsel office from providing advice or counsel to Federal agency personnel on the processing and resolution of a complaint, including providing legal representation to a Federal agency in any proceeding.

SEC. 404. RECORDED DISCRIMINATION DOCUMENTATION.

(a) EEOC FINDINGS OF DISCRIMINATION.—Not later than 30 days after the Equal Employment Opportunity Commission issues an appellate decision involving a finding of discrimination or retaliation within a Federal agency, the Commission shall refer the matter to the Office of Special Counsel.

(b) REFERRALS TO SPECIAL COUNSEL.—The Office of Special Counsel shall accept and review a referral from the Commission under subsection (a) for the purpose of seeking disciplinary action against a Federal employee who commits an act of discrimination or retaliation.

(c) NOTIFICATION.—The Office of Special Counsel shall notify the Commission in a case in which the Office of Special Counsel initiates disciplinary action.

(d) SPECIAL COUNSEL APPROVAL.—A Federal agency may not take disciplinary action against a Federal employee for an alleged act of discrimination or retaliation referred by the Commission under subsection (a) without the approval of the Special Counsel.

SEC. 405. HEAD OF PROGRAM REPORTS TO HEAD OF AGENCY.

(a) HEAD OF PROGRAM REPORTS.—During the period beginning on the effective date of the regulations issued to carry out the hiring authorities for the Department in business transformation and management innovation, and ending on September 30, 2025, the Secretary of the Department shall report to the Congress and the appropriate committees of Congress annually regarding the efforts of the Department in business transformation and management innovation.

(b) SUNSET.—Nothing in this section shall prevent a Federal employee from disclosing to Congress, the Office of Special Counsel, or the Office of the Inspector General any information that relates to any violation of the law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial, and specific danger to public health or safety, or any other whistleblower law.

“(4) Sections 559 and 1101 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).”.

(a) WORK.—
   (1) IN GENERAL.—Not later than February 1, 2021, the Secretary of Defense, in coordination with the Director of the Office of Personnel Management, contract with a Federally funded research and development center to submit a report to the congressional defense committees and the Committee on Oversight and Reform of Congress.

   (2) CONTENTS.—The report required under paragraph (1) shall—
      (A) close and identify steps that could be taken to improve the competitive hiring process at the Department and ensure that direct hiring is conducted in a manner consistent with ensuring the feasibility and desirability of using cohort hiring, or hiring “talent pools”, instead of conducting all hiring on a position-by-position basis.
      (B) IDENTIFY MATTERS.—The Federally funded research and development center selected to carry out the report under this subsection shall, in preparing such report, consult with all stakeholders, including military recruiters, hiring managers, career agency, and Office of Personnel Management personnel specialists, and survey active and civilian sector employees and job applicants, when developing its analysis and recommendations.

   (3) REPORTS.—The Secretary of Defense shall carry out the report under this subsection within 90 days of the date of the report.

   (4) MAKE REPORTS PUBLIC.—The report required under paragraph (1) shall be made public, and all recommendations contained in the report shall be made public.

(b) EFFECTIVE DATE.—The amendment made by this section shall not be effective with respect to any such purpose occurring before October 1, 2020.

SEC. 1124. SPECIAL RULE FOR GAO EMPLOYEES.—

   (A) IN GENERAL.—In applying section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) to a Federal employee who is a member of the National Guard or Reserves to take leave under such section (as added by section 1122), any service by such employee on active duty (as defined in section 6381(f)(7) of such title) shall be counted as service as an employee for purposes of section 6381(1)(B) of such title.

   (B) CONGRESSIONAL EMPLOYEES.—For purposes of determining the eligibility of a covered employee (as such term is defined in section 101(3) of the Congressional Accountability Act) who is a member of the National Guard or Reserves to take leave under section 6382(a) of title 5, United States Code, or to substitute such leave pursuant to section 101(11) of such title, any service by such employee on active duty (as defined in section 6381(f)(7) of such title) shall be counted as service as an employee for purposes of section 6381(1)(B) of such title.

(c) GAO EMPLOYEES.—For purposes of determining the eligibility of an employee of the Government Accountability Office who is a member of the National Guard or Reserves to take leave under section 102(a)(1) of the Family and Medical Leave Act of 1993, or to substitute such leave under section 102(a)(1) of the Family and Medical Leave Act of 1993, or to substitute such
leave pursuant to paragraph (3) of section 102(d) of such Act (as added by section 112a), any service by such employee on active duty (as defined in section 101(14) of such Act) shall be counted toward satisfying such employee has been employed for purposes of section 101(2)(A) of such Act.

SEC. 1126. CONFORMING AMENDMENT FOR CERTAIN SECOPERATION AUTHORITIES.

Section 111(d)(2) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note) is amended to read as follows:

"(2) EXCEPTIONS.—
"(A) REEMPLOYMENT.—In carrying out the functions authorized under paragraph (1), the Under Secretary shall be subject to the provisions set forth in chapter 43 of title 38, United States Code.
"(B) LEAVE.—The provisions of section 632(a)(1) in United States Code, and subsection (c) of such section shall apply to any individual appointed under paragraph (1)."

TITLE XII—MATTERS RELATING TO FOREIGN NATIONALS

Subtitle A—Assistance and Training

SEC. 1201. MODIFICATION OF AUTHORITY TO BUILD CAPACITY OF FOREIGN SECURITY FORCES.

(a) AUTHORITY.—Subsection (a)(7) of section 332 of title 10, United States Code, is amended by inserting "existing" before "international co-

SEC. 1202. MODIFICATION AND EXTENSION OF CROSS SERVING AGREEMENTS FOR LOAN OF PERSONNEL PROFESSIONAL TRAINING AND PERSONNEL SURVIVAL ABILITY EQUIPMENT IN COALITION OPERATIONS.


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

2) by inserting after subsection (e) the following:

"(d) REPORTS TO CONGRESS.—If the authority provided under this section is exercised during a fiscal year, the Secretary of Defense shall, with the concurrence of the Secretary of State, submit to the appropriate committees of Congress a report on the exercise of such authority by not later than October 30 of the year in which such fiscal year ends. Each report on the exercise of such authority shall specify the recipient country of the equipment loaned, the type of equip-

3) in subsection (f), as redesignated, by striking "September 30, 2019" and inserting "December 31, 2019".

SEC. 1203. MODIFICATION OF QUARTERLY REPORT ON OBLIGATION AND EXPENDITURE OF FUNDS FOR SECURITY CO-OPERATION PROGRAMS AND ACTIVITIES.

Section 381(b) of title 10, United States Code, is amended by striking "30 days" and inserting "60 days".

SEC. 1204. INTEGRATION OF GENDER PERSPECTIVES AND MEANINGFUL PARTICIPATION BY WOMEN IN SECURITY CO-OPERATION AUTHORITIES.

Section 331(c)(1) of title 10, United States Code, is amended—

1) in the heading, by inserting "THE INTEGRA-

2) in the text, by inserting "the integration of gender perspectives and meaningful participa-

SEC. 1211. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONALS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY PERSONNEL.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 391) is amended by striking paragraph (1) by striking "October 1, 2018, and ending on December 31, 2019" and inserting "October 1, 2019, and ending on December 31, 2020"; and

(b) LIMITATION.—Subsection (d)(1) of such section is amended—

1) by striking "October 1, 2018, and ending on December 31, 2019" and inserting "October 1, 2019, and ending on December 31, 2020"; and

2) by striking "$350,000,000" and inserting "$450,000,000".

SEC. 1212. MODIFICATION AND EXTENSION OF AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

(a) PRINCIPAL ALIENS.—Subclause (I) of section 602(b)(2)(A)(i) of the Afghan Aliens Protection Act of 2002 (8 U.S.C. 1101 note) is amended to read as follows:

"(1) by, or on behalf of, the United States Government;

(b) EXTENSION OF AFGHAN SPECIAL IMMIGRANT PROGRAM.—Section 602(b)(3)(F) of the Afghan Aliens Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

1) in the heading, by striking "2015, 2016, AND 2017" and inserting "2015 THROUGH 2019";

2) in the matter preceding clause (i), by striking "18,500 AND" and inserting "18,500 OF"

3) in clause (i), by striking "December 31, 2020" and inserting "December 31, 2021";

4) in clause (ii), by striking "December 31, 2020" and inserting "December 31, 2021".

SEC. 1213. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE AUTHORITIES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.

(a) EXTENSION OF AUTHORITY.—Subsection (h) of section 8342 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 114–96; 122 Stat. 912) is amended by striking "December 31, 2020" and inserting "December 31, 2022";

(b) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section is amended by striking "December 31, 2020" each place it appears and inserting "December 31, 2021".

SEC. 1214. EXTENSION AND MODIFICATION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

(a) TERMINATION OF AUTHORITY.—Subsection (f) of section 602 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399) is amended by striking "December 31, 2019" and inserting "December 31, 2021";

(b) REPORT ON AUTHORITY.—Such section, as so amended, is further amended by adding at the end the following:

"(g) REPORT ON AUTHORITY.—

"(1) in general.—Not later than March 1, 2020, and March 1, 2021, the Secretary of De-

2) in the text, by inserting "the integration of gender perspectives and meaningful participa-

3) by inserting "existing" before "international co-

4) in the matter preceding clause (i), by striking "18,500 AND" and inserting "18,500 OF"

5) in clause (i), by striking "December 31, 2020" and inserting "December 31, 2021";

6) in clause (ii), by striking "December 31, 2020" and inserting "December 31, 2021".

SEC. 1215. AUTHORITY FOR CERTAIN PAYMENTS TO THE GOVERNMENT OF AFGHANISTAN, IRAQ, SYRIA, SOMALIA, LIBYA, AND YEMEN.

(a) AUTHORITY.—During the period beginning on the date of the enactment of this Act and ending on December 31, 2020, not more than $5,000,000, to be derived from funds authorized to be appropriated to the Office of the Secretary of Defense under the Operation and Maintenance, Defense-Wide account, may be made available for ex gratia payments for damage, personal injury, or death that is incident to combat operations of the United States Armed Forces in Afghanistan, Iraq, Syria, Somalia, Libya, and Yemen.

(b) NOTICE.—The Secretary of Defense shall, upon each exercise of the authority in this subsection, submit to the congressional defense committees a report setting forth the following:

1) The amount that will be used for payments pursuant to this subsection;

2) The manner in which claims for payments shall be verified.

3) The officers or officials who shall be author-

4) The manner in which payments shall be made.

5) AUTHORIES APPLICABLE TO PAYMENT.—

Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Depart-

6) AUTHORIES APPLICABLE TO PAYMENT.—

Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Depart-

7) AUTHORIES APPLICABLE TO PAYMENT.—

Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Depart-

8) AUTHORIES APPLICABLE TO PAYMENT.—

Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Depart-

9) AUTHORIES APPLICABLE TO PAYMENT.—

Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Depart-

SEC. 1216. EXTENSION OF SEMIANNUAL REPORT ON ENHANCING SECURITY AND STABILITY IN AFGHANISTAN.


1) in subsection (a), by striking "December 13, 2015", and inserting "December 15, 2015";

2) by inserting paragraph (3) to read as follows:

"(3) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form without any designation relating to dissemination control, but may include a classified annex;".

SEC. 1221. MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) LIMITATION ON AVAILABILITY OF AUTHORITY.—Of the amounts made available for fiscal year 2020 pursuant to the authorization in section 1221 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–
(a) FUNDING.—Subsection (g) of section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3558) is amended—

(1) by striking “fiscal year 2019” and inserting “fiscal year 2020”; and

(2) by striking “$850,000,000” and inserting “$962,000,000”.

(b) MODIFICATION OF ELEMENTS IN QUARTERLY PROGRESS REPORTS.—Subsection (d) of such section 1236 is amended—

(1) in paragraph (1), by striking “2294e of title 10, United States Code” and inserting “section 362 of title 10, United States Code”;

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

“(13) A summary of available information relating to the disposition of militia groups throughout Iraq, with particular focus on groups in areas liberated from ISIS or in sensitive areas with historically mixed ethnic or minority communities.”

(c) CLARIFICATION WITH RESPECT TO SCOPE OF AUTHORITY.—

(1) IN GENERAL.—Subsection (j)(2) of such section 1236 is amended—

(A) in the matter preceding paragraph (1)—

(i) by striking “before fiscal year 2020” and inserting “after December 31, 2020”;

(ii) by striking “December 31, 2019” and inserting “December 31, 2020”;

(B) in paragraph (1), by inserting “(2) The recipient or recipients responsible for”—

(c) MODIFICATION OF ELEMENTS IN QUARTERLY PROGRESS REPORTS.—Subsection (d) of such section 1236 is amended—

(1) in paragraph (1), by striking “2294e of title 10, United States Code” and inserting “section 362 of title 10, United States Code”;

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

“(13) A summary of available information relating to the disposition of militia groups throughout Iraq, with particular focus on groups in areas liberated from ISIS or in sensitive areas with historically mixed ethnic or minority communities.”

(d) CLARIFICATION WITH RESPECT TO SCOPE OF AUTHORITY.—

(1) IN GENERAL.—Subsection (j)(2) of such section 1236 is amended—

(A) in the matter preceding paragraph (1)—

(i) by striking “before fiscal year 2020” and inserting “after December 31, 2020”;

(ii) by striking “December 31, 2019” and inserting “December 31, 2020”;

(B) in paragraph (1), by inserting “(2) The recipient or recipients responsible for”—

(e) TECHNICAL CORRECTION.—Subsection (c) of such section 1236 is amended in the matter preceding paragraph (1) by striking “subsection (a)” and inserting “subsection (b)(1)(A)”.

SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.

(a) IN GENERAL.—Section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559) is amended as follows:

(1) In subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by inserting “appropriately vetted local security forces in northeast Syria, including units of the Syrian Democratic Forces and their associated counter-terrorism units,” after “elements of the Syrian Government;”;

(ii) by striking “December 31, 2019” and inserting “December 31, 2020”,

(B) in paragraph (1), by inserting “or previously controlled by ISIL” after “Syrian opposition”;

(2) By amending subsection (b) to read as follows:

“(b) NOTICE BEFORE PROVISION OF ASSISTANCE.—Not later than 15 days prior to each instance of the provision of assistance under subsection (a), the Secretary of Defense, in coordination with the appropriate congressional committees, shall submit to the appropriate congressional committees and leadership of the House of Representatives and Senate a notification that includes the following:

(1) The plan for providing the assistance.

(2) The requirements and process used to determine appropriately vetted recipients with respect to the assistance.

(3) The mechanisms and procedures that will be used to monitor and report to the appropriate congressional committees the leadership of the House of Representatives and Senate on unauthorized end-use of provided training and equipment or other violations of relevant law by appropriate congressional committees.

(4) The amount, type, and purpose of assistance to be funded and the recipient of the assistance.

(5) The budget and implementation timeline, with milestones and anticipated delivery schedule for the assistance.

(6) A description of any material use of assistance previously provided under subsection (a) to any appropriately vetted recipient of such assistance for a purpose other than the purposes specified in the subsection.

(7) The goals and objectives of the assistance.

(8) The concept of operations, timelines, and types of training, equipment, sustainment, construction, and supplies to be provided.

(9) The roles and contributions of partner nations.

(10) The number and role of United States Armed Forces personnel involved.

(11) Any additional military support and sustainment authorized.

(12) Any other relevant details.”

(3) By amending subsection (c) to read as follows:

“(c) FORM.—The notifications required by subsection (b) shall be submitted in unclassified form but may include a classified annex.”

(4) By striking subsection (f) and inserting the following:

“(f) RESTRICTION ON SCOPE OF ASSISTANCE IN THE FORM OF WEAPONS.

(1) IN GENERAL.—The Secretary may only provide assistance in the form of weapons pursuant to the authority under subsection (a) if such weapons are small arms, including handguns, rifles and carbines, sub-machine guns, or light machine guns.

(2) WAIVER.—The Secretary may waive the restriction under paragraph (1) if the Secretary certifies to the appropriate congressional committees that such provision of law would (but for the waiver) impede national security objectives of the United States by prohibiting, restricting, delaying, or otherwise limiting the provision of assistance. Such waiver shall not take effect until 15 days after the date on which such certification is submitted to the appropriate congressional committees.”

(5) In subsection (g)—

(A) by inserting “, at the end of the 15-day period beginning on the date the Secretary notifies the congressional defense committees of the amount, source, and intended purpose of such contributions” after “as authorized by this section;” and

(B) by striking “operation and maintenance accounts” and all that follows through the end of the subsection and inserting “accounts.”

(6) In subsection (k), by inserting “, at the end of the 15-day period beginning on the date the Secretary notifies the congressional defense committees of the amount, source, and intended purpose of such assistance” after “authorized under this section.”

(7) In subsection (l)—

(A) by striking “$10,000,000” and inserting “$20,000,000,000”;

(B) by adding at the end the following new sentence: “Amounts accepted as contributions pursuant to the authority in subsection (g) for construction and repair projects may be expended without regard to the limitation under this subsection.”

(C) by striking “REPAIR PROJECTS.—The aggregate amount of contributions provided in subsection (l) may not exceed the amount designated by the Secretary to be the aggregate amount of contributions provided in subsection (l).” and inserting “REPAIR PROJECTS.—

(1) IN GENERAL.—The aggregate; and

(2) by adding at the end the following:

(2) WAIVER.—The Secretary may waive the limitations under paragraph (1) if the Secretary certifies to the appropriate congressional committees that such provision of law would (but...
Nothing in this Act or any amendment made by this Act may be construed to authorize the use of military force against Iran.

SEC. 1226. SENSE OF CONGRESS ON SUPPORT FOR PESHMERGA FORCES OF THE KURDISTAN REGION OF IRAQ.

It is the sense of Congress—

(1) the United States led coalition and coalition enabled partner forces, including Ministry of Peshmerga forces of the Kurdistan Region of Iraq (KRG) (PES); and Iraq and Afghan special operations forces (SFAP), achieved significant gains in liberating all territory in Iraq from Islamic State of Iraq and Syria (ISIS) control and disrupting ISIS safe havens and networks;

(2) nevertheless, ISIS is regenerating key functions and capabilities in Iraq, and ISIS elements will continue to exist in Iraq for the foreseeable future;

(3) ISIS will attempt to rebuild combat power through clandestine networks providing sanctuary, and ISIS will continue to attempt to conduct insurgent-type activities while simultaneously recruiting and training fighters, establishing facilitation networks, and attempting to remain relevant in the information domain;

(4) the Ministry of Defense and the Department of State should continue to work with and support the non-partisan forces of the KRG of Peshmerga forces of the Kurdistan Region of Iraq in order to continue to develop their capabilities, promote security sector reforms, and enhance sustainability and interoperability with the other elements of SDF/SDF forces in order to provide for Iraq's lasting security against terrorist threats.

Subtitle D—Matters Relating to Russia

SEC. 1213. PROHIBITION ON THE USE OF FUNDS TO SUSPEND, TERMINATE, OR WITHDRAW THE UNITED STATES FROM THE OPEN SKIES TREATY.

(a) FINDINGS.—Congress finds the following:

(1) Since 1992, the United States has supported the Open Skies Treaty with dedicated aircraft and observation mission teams, conducting joint and bilateral observations and observation missions with other countries.

(2) This commitment by the United States has helped to conform and refine operational procedures, to improve and readiness and effectiveness of the Open Skies Treaty, and provide United States leadership and engagement opportunities that have supported broader objectives of United States leadership and engagement opportunities that have supported broader objectives of United States leadership and engagement opportunities that have supported broader objectives of United States leadership and engagement opportunities that have supported broader objectives of United States leadership and engagement opportunities that have supported broader objectives of United States leadership and engagement opportunities that have supported broader objectives of United States leadership and engagement opportunities that have supported broader objectives of United States leadership and engagement opportunities that have supported broader objectives of United States leadership and engagement opportunities that have supported broader objectives of United States leadership and engagement opportunities that have supported broader objectives of United States leadership and engagement opportunities that have supported broader objectives of United States leadership and engagement opportunities.

(3) The Open Skies Treaty provides signatories with the ability to gather information through joint military observations and aerial surveillance capabilities of concern to them which contributes to greater transparency and stability in the Euro-Atlantic region, which benefits both the United States and United Nations and other countries.

(4) In order to maximize United States benefits from the Open Skies Treaty, the United States needs to recapitalize and modernize its aircraft and sensors, and provide to the United States and United States allies, the United States should commit to continued participation in the Treaty.

(b) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available to the Department of Defense for fiscal year 2020 may be obligated or expended to take any action to suspend, terminate, or withdraw the United States from the Open Skies Treaty.

(2) EXCEPTION.—The prohibition in paragraph (1) shall not apply if the Secretaries of State and Defense and the Committee on Foreign Relations of the Senate and the Committee on Armed Services of the House of Representatives certify to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate that—

(A) Russia is in material breach of its obligations under the Open Skies Treaty and is not prepared to take measures to come into compliance with these obligations and all other state parties to the Open Skies Treaty concur in such determination of the Secretaries; or

(B) Suspension from the Open Skies Treaty would be in the best interests of United States national security and the other state parties to the Open Skies Treaty have been consulted with respect to such withdrawal.

SEC. 1224. PROHIBITION ON PROVISION OF WEAPONS AND OTHER FORMS OF SUPPORT TO CERTAIN ORGANIZATIONS.

None of the funds authorized to be appropriated by this Act or otherwise made available to the Department of Defense for fiscal year 2020 may be used to knowingly provide weapons or any other form of support to Al Qaeda, the Islamic State of Iraq and Syria (ISIS), the Taliban, or any individual or group affiliated with any such organization.
“(C) In the case of an observation flight over the territory of the United States—

“(i) an analysis of whether and the extent to which any United States critical infrastructure was the target of the or the course of the observation flight; and

“(ii) an estimate for the mitigation costs imposed by the Department of Defense or other United States Government agencies by such observation flight; and

“(iii) assessment of how such information is used by the Department of Defense for nuclear arms control, for what purpose, and how the information fits into the overall collection posture.’’.

(3) FORM.—Subsection (c) of such section, as so redesignated, is amended—

(A) by striking paragraphs (3) and (6); and

(B) by redesignating paragraphs (4), (5), and (7) as paragraphs (3), (4), and (5), respectively.

(e) OPEN SKIES: IMPLEMENTATION PLAN.—Section 1235(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1660) is amended—

(1) in paragraph (1)—

(A) by striking “during such fiscal year” and inserting “during a calendar year”; and

(B) by redesignating paragraphs (4), (5), and (7) as paragraphs (3), (4), and (5), respectively.

(f) DEFINITION OF OPEN SKIES TREATY; TREATY.—In this section, the term “Open Skies Treaty” means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

SEC. 1232. EXTENSION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND RUSSIA.

Section 1232(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–288; 130 Stat. 2488), is amended by striking “or 2019” and inserting “, 2019, or 2020.”

SEC. 1233. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF CRIMEA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of Russia over Crimea.

(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the restriction on the obligation or expenditure of funds required by subsection (a) if the Secretary—

(1) determines that to do so is in the national security interest of the United States; and

(2) submits a notification of the waiver, at the time the justification is transmitted to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1234. MODIFICATION AND EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1668) is amended—

(1) in subsection (b)(4), by striking “in coordination with the Secretary of State” and inserting “with the concurrence of the Secretary of State”;

(2) in subsection (c)—

(A) in paragraph (4), by striking “50 percent of the funds available for fiscal year 2019 pursuant to subsection (f)” and inserting “50 percent of the funds available for fiscal year 2020 pursuant to subsection (f)”;

(B) in paragraph (5), by striking “fiscal year 2019” and inserting “fiscal year 2020”;

(C) in paragraph (5), by striking “of the funds available for fiscal year 2019 pursuant to subsection (f)” and inserting “of the funds available for fiscal year 2020 pursuant to subsection (f)”;

(3) in subsection (b), by adding at the end the following:

“(3) For fiscal year 2020, $250,000,000.”.

SEC. 1235. REPORT ON TREATIES RELATING TO NUCLEAR ARMS CONTROL.

(a) FINDINGS.—Congress finds the following:

(1) On October 24, 2018, the House Committee on Armed Services, the House Select Committee on Foreign Affairs wrote to the Secretary of Defense requesting information regarding the Administration’s policies and strategies related to nuclear arms control.

(2) The Committees did not receive the requested information from the Secretary of Defense.

(b) ASSESSMENT REQUIRED.—Not later than 120 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 National Intelligence, shall submit to the Committee on Foreign Relations of the Senate an assessment that includes each of the following:

(1) The implications, in terms of military threat to the United States of its allies in Europe, of Russian deployment of intermediate-range cruise and ballistic missiles without retraction.

(2) What new capabilities the United States might need in order to pursue additional technologies or programs to offset such Russian capabilities, and the costs associated with such capabilities, technologies, and programs.

(3) An assessment of the threat to the United States of Russia’s strategic nuclear force in the event the New START Treaty lapses.

(4) What measures could have been taken short of withdrawal, including economic, military, and diplomatic options, to increase pressure on Russia for violating the INF Treaty.

(c) WRITING TO CONGRESS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall send a letter to the House and Senate Committees on the Budget and the Committees on Appropriations, including:

(1) An analysis of whether and the extent to which a reduction in U.S. nuclear forces would be consistent with national security needs.

(2) An analysis of the status of all consultations with allies and partners to consider the reduction of U.S. nuclear forces.

(3) An assessment of how the U.S. and its allies and partners would be able to reduce their nuclear forces without undermining nuclear deterrence and countervailing forces.

(4) An analysis of the ability of the United States and its allies and partners to pursue non-nuclear military options and technologies.

SEC. 1236. SENSE OF CONGRESS ON UPDATING AND MODERNIZING EXISTING AGREEMENTS TO AVOID MISCALCULATION BETWEEN THE UNITED STATES AND RUSSIA.

It is the sense of Congress that, in order to strengthen the defense of the United States and its allies and partners in Europe and to deter the risk of miscalculation, the United States and Russia should: 

(1) pursue updating and modernizing the Agreement on the prevention of incidents on and over the high seas (entered into force with respect to the United States on May 25, 1972; 23 U.S.T. 1063;)

(2) explore additional options to reduce the risk of accidents in the air; and

(3) explore the possibility of updating the notifications in the Vienna Document of the Organization for Security and Co-operation in Europe with a view to reducing the risk that the United States, the North Atlantic Treaty Organization, or Russia might misinterpret a military exercise, including pursuing greater use of the Vienna Document’s provision that provides for voluntary celeration of visits to bases and possible concern regarding military activities.

SEC. 1237. SENSE OF CONGRESS ON SUPPORT FOR GEORGI.

(a) FINDINGS.—Congress finds the following:

(1) Georgia is a valued friend of the United States and has repeatedly demonstrated its commitment to advancing the mutual interests of both countries, including the deployment of Georgian forces as part of the former International Security Assistance Force (ISAF) and the current Resolute Support Mission led by the North Atlantic Treaty Organization (NATO) in Afghanistan and the Multi-National Force in Iraq.

(2) The European Deterrence Initiative builds the partnership capacity of Georgia so it can work more closely with the United States and NATO, as well as provide for its own defense.

(3) In addition to the European Deterrence Initiative, Georgia’s participation in the NATO initiative Partnership for Peace is paramount to interoperability with the United States and NATO, and establishing a more peaceful environment in the region.

(4) Despite the losses suffered, as a NATO partner, Georgia is committed to the Resolute Support Mission in Afghanistan with the fourth-largest contingent within its internationally-recognized borders, and does not recognize the independence of the Abkhazia and South Ossetia regions currently occupied by the Russian Federation; and

(5) supports continued cooperation between the United States and Georgia and the efforts of the Government of Georgia to provide for the defense of its territory.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms United States support for Georgia’s sovereignty, democracy, and respect for its internationally-recognized borders, and does not recognize the independence of the Abkhazia and South Ossetia regions currently occupied by the Russian Federation; and

(2) supports continued cooperation between the United States and Georgia and the efforts of the Government of Georgia to provide for the defense of its territory.

SEC. 1238. SENSE OF CONGRESS ON SUPPORT FOR ESTONIA, LATVIA, AND LITHUANIA.

(a) FINDINGS.—Congress finds the following:

(1) The Baltic countries of Estonia, Latvia, and Lithuania are highly valued allies of the United States, and they have repeatedly demonstrated their commitment to the furthering of their mutual interests as well as those of the NATO Alliance.

(2) Operation Atlantic Resolve is a series of exercises and coordination efforts demonstrating the United States’ commitment to its European partners and allies, including the Baltic countries of Estonia, Latvia, and Lithuania, with a view to deterring the threat to the region. Operation Atlantic Resolve strengthens communication and understanding, and is an
important effort to deter Russian aggression in the region.

(3) Through Operation Atlantic Resolve, the European Deterrence Initiative undertakes exercises, training, and rotational presence necessary to reassure and integrate our allies, including the Baltic countries, into a common defense framework.

(4) All the Baltic countries contributed to the NATO-led International Security Assistance Force in Afghanistan, sending troops and operating with few caveats. The Baltic countries continue to commit resources and troops to the Resolute Support Mission in Afghanistan.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its support for the principle of collective defense in Article 5 of the North Atlantic Treaty for our NATO allies, including Estonia, Latvia, and Lithuania;

(2) supports the sovereignty, independence, territorial integrity, and inviolability of Estonia, Latvia, and Lithuania as well as their internationally recognized borders, and expresses concern over increasingly aggressive military maneuvering by the Russian Federation near their borders and airspace;

(3) expresses concern over and condemns subversive and destabilizing activities by the Russian Federation within the Baltic countries; and

(4) encourages the Administration to further enhance defense cooperation efforts with Estonia, Latvia, Lithuania, and Poland by redissipating the efforts of their Governments to provide for the defense of their people and sovereign territory.

Subtitle E—Matters Relating to the Indo-Pacific Region

SEC. 1241. MODIFICATION OF INDO-PACIFIC MARI

TE SECURITY INITIATIVE.

(a) TYPES OF ASSISTANCE AND TRAINING.—Subsection (c)(2)(A) of section 1263 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2282 note) is amended by inserting “the law of armed conflict, the rule of law,” and “for” for “of” and “for” for “for.”

(b) NOTICE TO CONGRESS ON ASSISTANCE AND TRAINING.—Subsection (g)(1) of such section is amended—

(1) in subparagraph (A), by inserting at the end before the period the following: ‘‘, the specific unit or units whose capacity to engage in activities under a program of assistance or training to be provided under subsection (a) will be built under the program, and the amount, type, and purpose of the support to be provided’’;

(2) by redesignating subparagraph (F) as subparagraph (J); and

(3) by inserting after subparagraph (E) the following new subparagraphs:

(F) Information, by recipient foreign country, of—

(i) the utilization of each such authority or authorities described in subparagraph (B) or (H); and

(ii) an assessment of progress toward each such objective and the metrics used to assess such progress.

(B) A discussion of how the Initiative relates to, complements, or overlaps with other United States security cooperation and security assistance authorities.

(c) ANNUAL MONITORING REPORTS.—Section 362 of title 10, United States Code.

(i) The benefits to United States national security interests of the United States and will not significantly undermine the security of United States allies in the region.

(ii) The Secretary has appropriately consulted with allies of the United States, including South Korea and Japan, regarding such a reduction.

(b) E LEMENTS.—The report required by paragraph (a) shall include the following:

(1) An identification of each such authority or authorities described in subparagraph (H).

(2) A description of the elements of the theater campaign plan of the geographic combatant command concerned and the interagency integrated country strategy that will be advanced by the assistance and training provided under subsection (a).

(3) A description of whether assistance and training provided under subsection (a) could be provided pursuant to—

‘‘(i) section 333 of title 10, United States Code, or other security cooperation authorities of the Department of Defense;’’

‘‘(ii) security cooperation authorities of the Department of State.’’

(d) REPORT REQUIRED.—The report required by paragraph (a) shall submit to the appropriate committees of Congress a report setting forth, for the preceding calendar year, the following:

(1) Information, by recipient foreign country, of—

(A) activities carried out for the purposes of assistance and training provided under subsection (a), including funds allocated but not yet obligated or expended;

(B) activities provided under subsection (a), and the status of funds allocated for assistance and training provided under subsection (a).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘‘appropriate committees of Congress’’ has the meaning given in the term in subsection (g)(2).’’

(e) REPORT.—

(1) IN GENERAL.—Not later than January 31, 2020, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the appropriate congressional committees a report on the implementation of the Indo-Pacific Maritime Security Initiative under section 1263 of the National Defense Authorization Act for Fiscal Year 2016, as amended by this section.

(2) ASSESSMENT, MONITORING, AND EVALUATION OF PROGRAMS AND ACTIVITIES.—The proviso of assistance and training pursuant to a program under subsection (a) shall be subject to the provisions of section 362 of title 10, United States Code.

(f) LIMITATIONS.—

(1) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance or training that is otherwise prohibited by any other law.

(2) PROHIBITION ON ASSISTANCE TO UNITS THAT HAVE COMMITTED GROSS VIOLATIONS OF HUMAN RIGHTS.—The proviso of assistance and training pursuant to a program under subsection (a) shall be subject to the provisions of section 362 of title 10, United States Code.

(iii) FORM.—The report required by paragraph (f)(2) shall be submitted in unclassified form with no more than two categories of information described in subsection (g)(2)(C).

(iv) an assessment of progress toward each such objective and the metrics used to assess such progress.

(v) The report shall be submitted to the appropriate congressional committees (or their designees) in unclassified form with no more than two categories of information described in subsection (g)(2)(C).

(b) ADDITIONAL MATTERS TO BE INCLUDED.—Subsection (b) of such section is amended—

(1) by striking “the law of armed conflict, the rule of law,” and “for” for “of” and “for” for “for”.

(2) by redesignating paragraph (g) as paragraph (g); and

(3) by inserting after paragraph (g) the following:

“(f) Development of North Korea’s nuclear program, including the size and state of North Korea’s stockpile of nuclear weapons, its nuclear strategy and associated doctrines, its civil and military production capabilities, and projections of its future arsenals.’’.}

SEC. 1242. LIMITATION ON USE OF FUNDS TO REDUCE THE NUMBER OF MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY WHO ARE DEPLOYED TO SOUTH KOREA.

None of the funds authorized to be appropriated by this Act may be used to reduce the total number of members of the Armed Forces serving on active duty who are deployed to South Korea below 28,500 unless the Secretary of Defense first 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) The Secretary has appropriately consulted with allies of the United States, including South Korea and Japan, regarding such a reduction.

SEC. 1244. REPORT ON DIRECT, INDIRECT, AND BURDEN-SHARING CONTRIBUTIONS OF JAPAN AND SOUTH KOREA.

(a) IN GENERAL.—Not later than March 1, 2020, and March 1, 2021, the Secretary of Defense shall submit to the appropriate congressional committees a report on the direct, indirect, and burden-sharing contributions of Japan and South Korea to support overseas military installations of the United States and United States Armed Forces deployed to or permanently stationed in Japan and South Korea, respectively.

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

(1) The benefits to United States national security and regional security derived from the forward presence of United States Armed Forces in the Indo-Pacific region, including Japan and South Korea.

(2) For calendar year 2016 and each subsequent calendar year, a description of the one-time and recurring costs associated with the presence of United States Armed Forces in Japan and South Korea, including—

(A) costs to relocate the Armed Forces within Japan and South Korea and to realign the Armed Forces from Japan and South Korea;
(B) personnel costs;  
(C) operation and maintenance costs; and  
(D) military construction costs.

(3) A description of direct, indirect, and burden-sharing contributions made by Japan and South Korea, including—

(A) contributions for labor costs associated with the presence of United States Armed Forces;  
(B) contributions to military construction projects of the Department of Defense, including planning, design, construction, construction management costs, rents on privately-owned land, facilities, labor, utilities, and vicinity improvements;  
(C) contributions, such as loan guarantees on public-private venture housing and payment-in-kind for facilities returned to Japan and South Korea;  
(D) contributions accepted for labor, logistics, utilities, facilities, and any other purpose; and  
(E) other contributions as determined appropriate by the Secretary.

(4) The methodology and accounting procedures used to measure and track direct, indirect, and burden-sharing contributions made by Japan and South Korea.

(5) In general—

(A) CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(B) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(C) DESCRIPTION OF CONTRIBUTIONS IN UNITED STATES DOLLARS.—The report required by subsection (a) shall describe the direct, indirect, and burden-sharing contributions of Japan and South Korea in United States dollars and shall specify the exchange rates used to determine the United States dollar value of such contributions.

(D) APPROPRIABLE FUNDS.—The report required by subsection (a) shall not include unclassified information without any designation relating to dissemination control, but may contain a classified annex.

(E) ELEMENTS OF STRATEGY.—The strategy required by subsection (b) shall include the following:

(1) A description of the national security interests and objectives of the United States furthered by the Mutual Defense Treaty between the Republic of the Philippines and the United States of America;  
(2) A description of the regional security environment, including an assessment of threats to United States national security interests and the role of the Department of Defense in addressing such threats, including—

(A) a description of security challenges detrimental to regional peace and global stability;  
(B) the description of violent extremist organizations present in the Philippines and the primary objectives of each such organization, including—  
(i) an assessment of the size and capability of each such organization;  
(ii) an assessment of the transnational threat posed by each such organization;  
(iii) an assessment of recent trends in the capability and influence of each such organization; and  
(iv) a description of the metrics used to assess the capability and influence of each such organization.

(3) A description of a Department of Defense objective with respect to the Philippines and the benchmarks for assessing progress towards such objectives.

(4) An identification of all current and planned Department of Defense resources, programs, and activities to support the strategy, including a review of the necessity of an ongoing strategy and the criteria used to determine such necessity.

(5) An identification of all current and planned Department of Defense security cooperation and other support or assistance programs or activities in the Philippines, including—

(A) a description of the purpose, objectives, and type of training, equipment, or assistance provided under each such program or activity;  
(B) an identification of the lead agency responsible for each program or activity;  
(C) an identification of the authority or authorities under which each such program or activity is conducted;  
(D) a description of the process and criteria used to determine utilization between each such authority or authorities; and  
(E) a description of how such program or activity advances United States national security interests as it relates to the Department’s strategy on the Philippines.

(F) An identification of the specific units of the Philippine national security forces to receive training, equipment, or assistance under each such program;  
(G) a description of the process and criteria by which specific units of the Philippine national security forces are selected as recipients of such programs and activities;  
(H) an assessment of the current operational effectiveness of such units and their command and control structures and a description of the metrics used to make and carry out such assessment;  
(I) an identification of priority capabilities of such units to enhance through training, equipment, or assistance under each such program or activity;  
(J) a plan to monitor and assess each such program or activity to meet its objectives to enhance the capabilities of each such unit;  
(K) a description of the planned posture of United States Armed Forces and the planned level of engagement by such forces with elements of the Philippine national security forces; and  
(L) an identification of—

(i) units of the Philippine national security forces that are alleged or determined to have committed human rights abuses, and  
(ii) units of the Philippine national security forces that are under the command and control of any unit identified under clause (i) or otherwise associated with such abuses.

(6) A description of relations of the Philippines with other countries in the Indo-Pacific region.

(7) Any other matters the Secretary of Defense determines should be included.

(c) FORM.—The strategy required by subsection (b) shall be submitted in unclassified form without any designation relating to dissemination control, but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(e) APPROPRIATION OF FUNDS.—In this section, the term “appropriation of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(f) APPROPRIATIONS.—In this section, the term “appropriations” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(g) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(h) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(i) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(j) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(k) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(l) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(m) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(n) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(o) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(p) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(q) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(r) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(s) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(t) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(u) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(v) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(w) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(x) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(y) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(z) APPROPRIATIONS OF FUNDS.—In this section, the term “appropriations of funds” means—

(1) the congressional defense committees; and  
(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Relations of the House of Representatives.

(a) ANNUAL REPORT.—Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended by striking “the Secretary of Defense” and inserting “the Secretary of Defense”.
It is the sense of Congress that—

(1) the United States Armed Forces and Singaporean armed forces have built a strong and enduring security partnership based on long-standing and mutually beneficial cooperation;

(2) security cooperation between the United States Armed Forces and Singaporean armed forces is crucial to promoting peace and stability in the Asia-Pacific region;

(3) Singapore’s status as a major security cooperation partner of the United States, as recognized by the Secretary of National Security in the Strategic Framework Agreement between the United States and the Republic of Singapore for a Closer Partnership in Defence and Security, has an important role in the promotion of peace and stability, and global efforts to counter terrorism;

(4) Singapore’s provision of access to its military facilities for the United States has supported the continued security presence of the United States in Southeast Asia;

(5) the Singaporean armed forces’ support of United States-led multinational reconstruction efforts from 2002 to 2008, reconstruction and stabilization efforts in Afghanistan from 2007 to 2013, counter-piracy operations in the Gulf of Aden under the ambit of Combined Task Force 151, and contribution of physical and military assets to the Defeat-ISIS Coalition since 2014, has contributed to global efforts to counter terrorism;

(6) in recognition of the enduring security partnership between the United States and Singapore, the Secretary of State, in consultation with the Secretary of Defense, should, in negotiations on the Strategic Framework Agreement, ensure the continued and enduring security partnership between the United States and Singapore, the Permanent Select Committee on Intelligence”,

SEC. 1248. SENSE OF CONGRESS ON TAIWAN.

It is the sense of Congress that—

(1) the Taiwan Relations Act (22 U.S.C. 3301 et seq.) and the “Six Assurances” are the cornerstones of United States relations with Taiwan;

(2) the United States should continue to strengthen defense and security cooperation with Taiwan to support the development of capable, modern defense forces necessary for Taiwan to maintain a sufficient self-defense capability, including capabilities in support of an asymmetric defense strategy;

(3) the United States should continue to support the acquisition by Taiwan of appropriate defensive weapons through foreign military sales, direct commercial sales, and industrial cooperation, with a particular emphasis on asymmetric warfare, information sharing, air defense, and maritime capabilities, consistent with the Taiwan Relations Act;

(4) the United States should improve the predictability of arms sales to Taiwan by ensuring timely review of and response to requests of Taiwan for defense articles and defense services as well as prompt notification to Congress and adherence to congressional oversight and review procedures; and

(5) the Secretary of Defense, in consultation with the Secretary of State, should promote policies concerning cooperation and exchanges that enhance the security of Taiwan, including exchanges between senior defense officials and general officers and their equivalents, United States and Singaporean Armed Forces training consistent with the Taiwan Travel Act (Public Law 115–135).

SEC. 1249. ENHANCING DEFENSE COOPERATION WITH SINGAPORE.

It is the sense of Congress that—

(1) the United States Armed Forces and Singaporean armed forces have built a strong and enduring security partnership based on long-standing and mutually beneficial cooperation;

(2) security cooperation between the United States Armed Forces and Singaporean armed forces is crucial to promoting peace and stability in the Asia-Pacific region;

(3) Singapore’s status as a major security cooperation partner of the United States, as recognized by the Secretary of the State, should promote policies concerning cooperation and exchanges that enhance the security of Taiwan, including exchanges between senior defense officials and general officers of the United States and Singaporean Armed Forces training consistent with the Taiwan Travel Act (Public Law 115–135).

(4) the Singaporean armed forces’ support of United States-led multinational reconstruction efforts from 2002 to 2008, reconstruction and stabilization efforts in Afghanistan from 2007 to 2013, counter-piracy operations in the Gulf of Aden under the ambit of Combined Task Force 151, and contribution of physical and military assets to the Defeat-ISIS Coalition since 2014, has contributed to global efforts to counter terrorism;

(5) in recognition of the enduring security partnership between the United States and Singapore, the Secretary of State, in consultation with the Secretary of Defense, should, in negotiations on the Strategic Framework Agreement, ensure the continued and enduring security partnership between the United States and Singapore, the Permanent Select Committee on Intelligence”.

SEC. 1250. MODIFICATION AND EXTENSION OF PROVISIONS RELATING TO THE FUTURE YEARS PLAN AND THE PLAN FOR THE FUTURE YEARS PLAN FOR THE EUROPEAN DETERRENCE INITIATIVE (E.D.I.)

(a) PLAN REQUIRED.—Section 1273(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2541) is amended—

(1) in paragraph (1), by striking “the date of the enactment of this Act” and inserting “the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020, and annually thereafter”;

(b) BUDGET DISPLAY INFORMATION.—The Secretary of Defense shall include in the materials submitted to Congress by the Secretary in support of the budget of the President for fiscal year 2021 and each fiscal year thereafter (as submitted under section 1273(a)(1) of the National Defense Authorization Act for Fiscal Year 2020, and annually thereafter) a detailed budget display for the European Deterrence Initiative that includes the following information (regardless of whether an existing line is for overseas contingency operations):

(1) With respect to procurement accounts—

(A) amounts displayed by account, budget activity, line number, line item, and line item title; and

(B) a description of the requirements for each such amounts specific to the Initiative.

(2) With respect to research, development, test, and evaluation accounts—

(A) amounts displayed by account, budget activity, line number, program element, and program subactivity title; and

(B) a description of the requirements for each such amounts specific to the Initiative.

(c) APPLICABILITY.—The initial plan shall apply with respect to fiscal year 2021 and at least the four succeeding fiscal years and each subsequent plan shall apply with respect to the next subsequent fiscal year and at least the four succeeding fiscal years.”.

SEC. 1251. EXTENSION AND MODIFICATION OF NATO SPECIAL OPERATIONS HEADQUARTERS (NSHQ) AUTHORITY.

(a) AUTHORIZATION.—Subsection (a) of section 1244 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2541) is amended by striking “2020” and inserting “2023”.

(b) REPEAL OF CERTIFICATION; LIMITATION.—Such section is amended—

(1) by striking subsection (c); and

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

“(c) LIMITATION.—Of the amounts made available under subsection (a) for fiscal year 2020, not more than 90 percent of such amounts may be obligated or expended until the Secretary of Defense, acting through the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, submits to the congressional defense committees a report on the rearrangement of responsibilities for overseeing and supporting NATO Special Operations Command to U.S. European Command in 2019, including—

(1) a justification and description of the impact of such rearrangement; and

(2) a description of how such rearrangement will strengthen the role of the NSHQ in fostering special operations capabilities within NATO.”

(c) ANNUAL REPORT.—Such section, as so amended, is further amended by adding at the end the following new subsection:

“(d) ANNUAL REPORT.—Not later than March 1 of each year until 2024, the Secretary of Defense shall submit to the congressional defense committees a report regarding support for the NSHQ. Each report shall include the following:

(1) the total amount of funding provided by the United States and other NATO nations to the NSHQ for operating costs of the NSHQ;

(2) a description of the activities carried out with such funding, including—

(A) the amount of funding allocated for each such activity; and

(B) the extent to which other NATO nations participate in each such activity;

(3) the extent to which each such activity is carried out in coordination or cooperation with the Joint Special Operations University;

(4) the extent to which each such activity is carried out in relation to other security cooperation activities, exercises, or operations of the Department of Defense;

(5) the extent to which each such activity is designed to meet the purposes set forth in paragraphs (1) through (4) and (1)(A) through (D); and

(6) an assessment of the extent to which such activity will promote the mission of the NSHQ.

(3) Other contributions, financial or in kind, provided by the United States and other NATO nations in support of the NSHQ.

(4) Any other matters that the Secretary of Defense considers appropriate.”

SEC. 1252. MODIFICATION AND EXTENSION OF FUTURE YEARS PLAN AND PLAN FOR THE FUTURE YEARS PLAN FOR THE EUROPEAN DETERRENCE INITIATIVE.

(a) PLAN REQUIRED.—Section 1273(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 1696) is amended—

(1) in paragraph (1), by striking “the date of the enactment of this Act” and inserting “the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020, and annually thereafter”;

(2) in paragraph (2) to read as follows:

“(2) APPLICABILITY.—The initial plan shall apply with respect to fiscal year 2021 and at least the four succeeding fiscal years and each subsequent plan shall apply with respect to the next subsequent fiscal year and at least the four succeeding fiscal years.”.

(b) BUDGET DISPLAY INFORMATION.—The Secretary of Defense shall include in the materials submitted to Congress by the Secretary in support of the budget of the President for fiscal year 2021 and each fiscal year thereafter (as submitted under section 1273(a)(1) of the National Defense Authorization Act for Fiscal Year 2010, and annually thereafter) a detailed budget display for the European Deterrence Initiative that includes the following information (regardless of whether an existing line is for overseas contingency operations):

(1) With respect to procurement accounts—

(A) amounts displayed by account, budget activity, line number, line item, and line item title; and

(B) a description of the requirements for each such amounts specific to the Initiative.

(2) With respect to research, development, test, and evaluation accounts—

(A) amounts displayed by account, budget activity, line number, program element, and program subactivity title; and

(B) a description of the requirements for each such amounts specific to the Initiative.

(3) With respect to operation and maintenance accounts—

(A) amounts displayed by account title, budget activity title, line number, and budget subactivity group title; and

(B) a description of how such amounts will specifically be used.

(4) With respect to military personnel accounts—

(A) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

(B) a description of the requirements for each such amounts specific to the Initiative.

(5) With respect to each project under military construction accounts (including with respect to unspecified minor military construction and accounts for planning and design), the country, location, project title, and project amount by fiscal year.

SEC. 1253. PROTECTION OF EUROPEAN DETERRENCE INITIATIVE FUNDS FROM DIVERSION FOR OTHER PURPOSES.

(a) REPORT ON OBLIGATION OF FUNDS.—

(1) IN GENERAL.—Not later than 15 days after an obligation of any European Deterrence Initiative funds in an amount of $10,000,000 or more for the European Deterrence Initiative for fiscal year 2021 and each fiscal year thereafter, the Secretary of Defense shall submit to the congressional defense committees a report regarding support for such funds that includes:

(A) a detailed summary of funds obligated for the European Deterrence Initiative for the preceding fiscal year; and

(B) a detailed comparison of funds obligated for the European Deterrence Initiative for the preceding fiscal year to amounts requested for the Initiative for that fiscal year in the materials submitted to Congress by the Secretary in support of the budget of the President for that fiscal year as required by section 1252(b), including with respect to each of the accounts described in paragraphs (1) through (6) of section 1252(b) and the information required under each such paragraph.
It is the policy of the United States to develop, implement, and sustain a credible deterrent against aggression and long-term strategic competition by the Government of Russia in order to enhance United States national security and stability, including by the following:

(1) Increased United States presence in Europe, including additional permanently stationed rotational deployments, increased pre-positioned military equipment, and sufficient and necessary infrastructure addition to existing United States military facilities throughout Europe.

(2) Planning regarding the United States military footprint in Europe to recognize the essential role played by United States allies and partners in achieving and reinforcing regional and global security and stability.

(3) Commitment to the North Atlantic Treaty Organization (NATO) and its founding values and commitments by NATO allies to the common defense, including NATO goals regarding defense investments, and to NATO’s founding principles of democracy, individual liberty, and the rule of law.

(4) Planning to ensure the United States military footprint in Europe is holistic and geographically appropriate for a comprehensive regional and global security.

(5) Commitment to United States Government investment and prioritization of efforts in Europe, particularly through efforts led by the Department of State, to counter the Government of Russia’s global campaign to interfere in and undermine democratic systems of government, elections, values, and institutions, and disrupt United States alliances and partnerships, through activities such as information operations (intended to influence), including robust information sharing and cooperation with partners and allies to counter influence campaigns and sufficient cyber capabilities, counter-messaging, and intelligence resources.

(6) Planning to take into account the importance of strategic stability, arms control, and strategic dialogue as they contribute to United States national security and interests.

(7) Encouraging increased communication by NATO officials, to raise awareness of the Alliance’s mission, efforts, and concerns achieved by actively engaging with Congress and the executive branch.

SEC. 1255. LIMITATION ON TRANSFER OF F–35 AIRCRAFT TO TURKEY.

(a) LIMITATION.—Except as provided in subsection (b), the Secretary of Defense, in consultation with the Secretary of State, shall provide to the congressional defense committees a written certification that the limitation under subsection (a) only if such Secretary submits to the congressional defense committees a written certification that contains a determination of such Secretaries, and any relevant documentation that forms the basis for the determination that the Government of Turkey has provided credible assurances that Turkey will not accept delivery of the S–400 air and missile defense system from the Russia, the Government of Turkey—

(A) no longer possesses the S–400 air and missile defense system or any other equipment, materials, or personnel associated with such system; and

(B) has provided credible assurances that it will not in the future accept delivery of the S–400 air and missile defense system.

(c) APPlicability.—The provision under subsection (a) does not apply with respect to F–35 aircraft operated by the United States Armed Forces.

(d) DEFINITIONS.—In this section:

(1) Appropriate congressional committees.—The term “appropriate congressional committees” means—

(A) the congressionalf defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) TRANSFER.—The term “transfer” includes, with respect to an F–35 aircraft, the physical relocation of the F–35 aircraft outside of the United States.

SEC. 1256. REPORT ON VALUE OF INVESTMENTS IN DUAL USE INFRASTRUCTURE PROJECTS BY NATO MEMBER STATES.

(a) IN GENERAL.—Not later than June 1, 2020, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on the value of investments in dual use infrastructure projects by the member states of NATO in order to meet the military mobility goals set out at the 2018 NATO Summit in Brussels.

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

(1) The value to collective deterrence provided by investments in dual use infrastructure projects by the member states of NATO in order to meet the military mobility goals set out at the 2018 NATO Summit in Brussels.

(2) An assessment of proposed dual use infrastructure projects for NATO.

(3) A comparison of proposed dual use infrastructure projects with respect to which the United States can provide support, including a recommended prioritization of such projects.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) Appropriate congressional committees.—The term “appropriate congressional committees” means—

(A) the congressionalf defense committees; and

(B) the Senate Committee on Foreign Relations and the Committee on Foreign Affairs of the House of Representatives.

(2) Dual use infrastructure projects.—The term “dual use infrastructure projects” means those projects identified by the European Commission Plan on Military Mobility as necessary to improve the trans-European transport network (TEN-T) to meet the military requirements for military mobility within and beyond the European Union.

SEC. 1257. SENSE OF CONGRESS ON SUPPORT FOR POLAND.

(a) FINDINGS.—Congress makes the following findings:

(1) Poland has been a valued member of the North Atlantic Treaty Organization (NATO) since 1999 and an important ally of the United States, contributing to the collective defense of NATO allies and deterrence in Europe.

(2) Poland has made significant contributions to United States and NATO-led military operations in Afghanistan, Iraq, Kosovo, and countering the Islamic State in Iraq and Syria.

(3) Poland contributed at least 2 percent of its gross national product to defense spending in 2018, meeting its commitment under the Wales Declaration.

(4) Poland currently hosts on a rotational basis United States forces from the Armored Combat Brigade Team, a Combat Aviation Brigade, a NATO enhanced Forward Presence Battalion, and a U.S. Aegis Ashore missile defense site.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States reaffirms its support for the principle of collective defense in Article 5 of the North Atlantic Treaty for its NATO allies, including Poland.

(2) the United States appreciates the important role that Poland plays in NATO efforts to sustain credible deterrent in Europe;

(3) the United States continues defense cooperation and continued exploration of opportunities for joint military cooperation, infrastructure enhancement, and defense investments with Poland; and

(4) the current and planned projects in Poland funded by the European Deterrence Initiative should be fully implemented in order to support existing and future United States military activity.

Subtitle G—Other Matters

SEC. 1261. SENSE OF CONGRESS ON UNITED STATES PARTNERS AND ALLIES.

It is the sense of Congress that—

(1) United States partners and allies are critical to achieving United States national security interests and defense objectives around the world;

(2) strong military-to-military relationships with partners and allies have helped to solidify and strengthen the alliance and international order and enhanced the United States’ security through common defense; and

(3) the United States should pursue a long-term policy to strengthen existing military-to-military relationships and cooperation with partners and allies to achieve mutual objectives, and build new relationships based on common values and shared interests.

SEC. 1262. MODIFICATION TO REPORT ON LEGAL AND POLICY FRAMEWORKS FOR THE USE OF MILITARY FORCE.

Section 1264 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 111 Stat. 1689) is amended—

(1) in the heading for subsection (a), by striking “INITIAL” and inserting “ANNUAL”;

(2) in subsection (a)(1), by striking “90 days” after the date of the enactment of this Act” and inserting “March 1 of each year”; and

(3) in subsection (a)(2), by striking “during the period” and all that follows to the end and inserting “during the period that follows the date of the enactment of this Act”.

SEC. 1263. LIMITATION ON AVAILABILITY OF CERTAIN FUNDS UNTIL REPORT SUBMITTED ON DEPARTMENT OF DEFENSE AWARDS AND DISCIPLINARY ACTION AS A RESULT OF THE 2017 INCIDENT IN NIGER.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for Operation and Maintenance, Defense-Wide, Office of the Secretary of Defense, for Travel of Persons, not more than 80 percent of such funds may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees a report that contains a description of each award and disciplinary action issued, by rank, as a result of the AR 15–6 investigation findings relating to the incident in Niger in 2017. The report shall be submitted in a format that protects personally identifiable information and is consistent with national security.

SEC. 1264. INDEPENDENT ASSESSMENT OF SUFFICIENCY OF RESOURCES AVAILABLE TO UNITED STATES SOUTHERN COMMAND AND UNITED STATES AFRICA COMMAND.

(a) IN GENERAL.—The Secretary of Defense shall seek to enter into a contract with a not-for-profit entity or foundation, research and development center independent of the Department of Defense to conduct an assessment of
the sufficiency of resources available to United States Southern Command and United States Africa Command to carry out their respective missions.

(b) NO LETTERS TO BE INCLUDED.—The assessment described in subsection (a) shall include—

(1) an assessment of the sufficiency of the resources available to United States Southern Command and United States Africa Command, including personnel, human resources, and financial resources, in promoting United States national security interests;

(2) an assessment of the level of regional expertise and experience of the leadership of each such combatant command and their subordinate organizations, service components, and task forces from the Secretary of Defense; and

(3) a description of the strategic objectives and end states in the geographic region for which each such combatant command has responsibility and a comparison of the importance and priority of the resources available to each such combatant command to perform its mission; and

(a) an assessment of the ability of each such combatant command to carry out such strategic objectives and end states, including an assessment of resources available, forces available, and other interagency resources available to the combatant command.

(c) ACCESS TO INFORMATION.—The not-for-profit entity or federally funded research and development center which the Secretary enters into the contract under subsection (a) shall have full and direct access to all information related to resources available to United States Southern Command and United States Africa Command.

(d) REPORT.—

(1) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, the Secretary of Defense shall submit to Congress a report which contains the assessment required by subsection (a).

(2) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees—

(A) a copy of such report without change; and

(B) any comments, changes, recommendations, or other information of the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development a report that contains the assessment required by subsection (a).

(3) ACCESS TO INFORMATION.—The not-for-profit entity or federally funded research and development center which the Secretary enters into the contract under subsection (a) shall have full and direct access to all information related to resources available to United States Southern Command and United States Africa Command.

(4) REPORT.—

(1) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, the not-for-profit entity or federally funded research and development center with which the Secretary of Defense enters into the contract under subsection (a) shall have full and direct access to all information related to resources available to United States Southern Command and United States Africa Command.

(2) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees—

(A) a copy of such report without change; and

(B) any comments, changes, recommendations, or other information of the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development a report that contains the assessment required by subsection (a).

II. RULE OF CONSTRUCTION RELATING TO USE OF MILITARY FORCE

Nothing in this Act or any amendment made by this Act may be construed to authorize the use of military force.

III. RULE OF CONSTRUCTION RELATING TO USE OF MILITARY FORCE AGAINST VENEZUELA

Nothing in this Act or any amendment made by this Act may be construed to authorize the use of military force against Venezuela.

IV. SENSE OF CONGRESS ON ACQUISITION BY TURKEY OF PATRIOT SYSTEM

(a) FINDINGS.—Congress finds the following:

(1) The Government of Turkey has indicated in a communication to Congress that there remains an opportunity to meet Turkey’s requirement for an air and missile defense capability.

(2) The acquisition of the Patriot system could remove the need to acquire the S-400 air and missile defense system from Russia, which is incompatible with the integrated air and missile defense system being developed by the North Atlantic Treaty Organization (NATO) and should preclude Turkey’s participation in the F-35 Joint Strike Fighter (JSF) consortium program with the United States.

(b) SENSE OF CONGRESS.—Congress—

(1) supports the efforts of the United States Government to achieve a satisfactory arrangement with the United States to acquire the Patriot system to defend its airspace, which would preserve Turkey as a production partner in the F-35 JSF consortium program;

(2) encourages the Secretary of Defense to secure the deployment of a Patriot system to Turkey, under United States or NATO operational control, for the purpose of providing Turkey with an interim capability to address urgent vulnerabilities in Turkey’s air and missile defense during the period in which an agreement with Turkey’s acquisition of the Patriot system; and

(3) notes that any such deployment of the Patriot or a NATO interoperable system in the interim is contingent on Turkey’s commitment to cancel the S-400 air and missile defense system acquisition.

Subtitle H—Baltic Reassurance Act

SEC. 1271. FINDINGS.

Congress finds the following:

(1) Russia’s continued engagement of the North Atlantic Treaty Organization (NATO) and its continued occupation of Georgian and Ukrainian territories and the sustained military buildup in Russia’s Western Military District and Kaliningrad has threatened continental peace and stability.

(2) Russia also continues to disregard treaties, international law, and its continued engagement of destabilization and subversive activities against independent and free states is of increasing concern.

(3) Russia also continues to disregard treaties, international law, and its continued occupation of Georgian and Ukrainian territories and the sustained military buildup in Russia’s Western Military District and Kaliningrad has threatened continental peace and stability.

(4) The Baltic countries are NATO allies and Lithuania, Latvia, and Estonia are particularly vulnerable to an increasingly aggressive and subversive Russia.

(5) In a declaration to celebrate 70 years of independence of Estonia, Latvia, and Lithuania, issued on April 3, 2018, the Trump Administration reaffirmed United States commitments to these Baltic countries to “improve military readiness, interoperability, and information assurance” and “explore new ideas and opportunities, including air defense, bilaterally and in NATO, to enhance deterrence across the region”.

(6) The Baltic countries, along with Lithuania, Latvia, and Estonia, maintain a high degree of economic and political freedom.

(7) The Baltic countries are NATO allies and, in particular, Lithuania, Latvia, and Estonia have been host countries for U.S. military forces for decades.

(8) The United States’ commitment to the security of the Baltic countries and Russia should continue for the foreseeable future.

(9) The United States should lead a multilateral effort to develop a strategy to deepen joint capabilities with the Baltic countries and others.

(10) The United States should lead a multilateral effort to develop a strategy to deepen joint capabilities with the Baltic countries and others.

(11) The United States should lead a multilateral effort to develop a strategy to deepen joint capabilities with the Baltic countries and others.

(12) The United States should lead a multilateral effort to develop a strategy to deepen joint capabilities with the Baltic countries and others.

(13) The United States should lead a multilateral effort to develop a strategy to deepen joint capabilities with the Baltic countries and others.

(14) The United States should lead a multilateral effort to develop a strategy to deepen joint capabilities with the Baltic countries and others.

(15) The United States should lead a multilateral effort to develop a strategy to deepen joint capabilities with the Baltic countries and others.

(16) The United States should lead a multilateral effort to develop a strategy to deepen joint capabilities with the Baltic countries and others.

(17) The United States should lead a multilateral effort to develop a strategy to deepen joint capabilities with the Baltic countries and others.

(18) The United States should lead a multilateral effort to develop a strategy to deepen joint capabilities with the Baltic countries and others.
(B) expand joint training between the Armed Forces and the military of Lithuania, Latvia, or Estonia, including with the participation of other NATO allies; and

(C) expand United States foreign military sales and other equipment transfers to Baltic countries especially for the activities described in subparagraphs (A) through (1) of subsection (a)(2).

SEC. 1274. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this subtitle, the term ‘appropriate congressional committees’ means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. FUNDING ALLOCATIONS.

Of the $338,790,000 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 for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $492,000.

(2) For chemical weapons destruction, $12,856,000.

(3) For global nuclear security, $33,919,000.

(4) For cooperative biological engagement, $183,000.

(5) For proliferation prevention, $79,869,000.

(6) For activities designated as Other Assessments/Administrative Costs, $37,922,000.

SEC. 1302. SPECIFIC APPROPRIATIONS OF COOPERATIVE THREAT REDUCTION FUNDS.

Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2020, 2021, and 2022.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for, for Chemical Agents and Munities Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare material of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTIO AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for use of the Armed Forces and other activities and agencies of the Department of Defense for providing the health of eligible beneficiaries, as specified in the funding table in section 4501.

SEC. 1406. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the National Defense Sealift Fund, as specified in the funding tables in section 4501.

Subtitle B—Other Matters

SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DESTRUCTION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for fiscal year 2020, $127,500,000 may be transferred by the Secretary of Defense to the Joint Department of Defense—Department of Veterans Affairs Medical Facilities Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of section 1704 of such section, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2020 from the Armed Forces Retirement Home Trust Fund the sum of $64,300,000 for the operation of the Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE.

The purpose of this title is to authorize additional appropriations for overseas contingency operations to be used to support the Department of Defense for fiscal year 2020.

SEC. 1502. PURPOSE.

Funds are hereby authorized to be appropriated for fiscal year 2020 for procurement accounts for the Army, the Navy and the Marine Corps for overseas contingency activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2020 for operation and maintenance of the Armed Forces and other activities and agencies of the Department of Defense, not otherwise provided for, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel accounts, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2020 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DRUG INTERDICTIO AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2020 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated 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. 1509. 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 Health Care Program for the armed forces, as specified in the funding table in section 4502.

Subtitle B—Financial Matters

SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1512. 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 2019 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 authorizations to which they were transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $500,000,000.

(b) TERMS AND CONDITIONS.—

(1) IN GENERAL.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1901.

(2) ADDITIONAL LIMITATION ON TRANSFERS FOR DRUG INTERDICTIO AND COUNTER DRUG ACTIVITIES.—The authority provided by subsection (a) may not be used to transfer any amount to the Drug Interdiction and Counter Drug Activities, Defense-wide.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this subsection in addition to the transfer authority provided under section 1901.
(a) CONTINUATION OF PRIOR AUTHORITIES AND NOTED REQUIREMENTS.—Funds available to the Department of Defense for special operations, including United States forces in Afghanistan, for fiscal year 2020 shall be subject to the conditions contained in—

(i) subsections (b) through (f) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 426; and

(b) TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.—Funds available to the Department of Defense in the appropriation for the Department of Defense shall be treated as stocks of the Department of Defense upon notification to the congressional defense committees of such treatment.

(c) SECURITY OF AFGHAN WOMEN.—

(1) IN GENERAL.—Of the funds available to the Department of Defense for the Afghan Security Forces Fund for fiscal year 2020, it is the goal of the Secretary of Defense to use no less than $5,000,000 for such purposes as—

(A) training, integration, retention, training, and deskilling in Afghan National Defense and Security Forces; and

(B) the recruitment, training, and contracting of female security personnel for future elections.

(2) TYPES OF PROGRAMS AND ACTIVITIES.—Such programs and activities may include—

(A) efforts to recruit and retain women into the Afghan National Defense and Security Forces;

(B) programs and activities of the Directorate of Women’s Rights and Gender Integration of the Ministry of Defense; and

(C) the efforts of the Government of the Islamic Republic of Afghanistan toward meeting security sector benchmarks as outlined in the Kabul Compact.

(d) TYPES OF PROGRAMS AND ACTIVITIES.—Such funds shall be used for—

(I)  maintenance, training, planning for, and execution of operations, including counterterrorism operations, that contribute to improved security for the Afghan National Defense and Security Forces and women and girls:

(II)  efforts to address harassment and violence against women within the Afghan National Defense and Security Forces;

(III)  improvements to the infrastructure that address the requirements of women serving in the Afghan National Defense and Security Forces, including appropriate equipment for female security and police transport, and facilities to accommodate female police;

(IV)  support for Afghan National Police Family Response Units; and

(V)  efforts to increase the number of women police officers.

(e) TYPES OF PROGRAMS AND ACTIVITIES.—Such funds shall be used for—

(1)  maintenance, training, planning for, and execution of operations, including counterterrorism operations, that contribute to improved security for the Afghan National Defense and Security Forces and women and girls:

(II)  efforts to address harassment and violence against women within the Afghan National Defense and Security Forces;

(III)  improvements to the infrastructure that address the requirements of women serving in the Afghan National Defense and Security Forces, including appropriate equipment for female security and police transport, and facilities to accommodate female police;

(V)  efforts to increase the number of women police officers.

(f) WITHHOLDING OF ASSISTANCE FOR INSUFFICIENT PROGRESS.—

(A) IN GENERAL.—If the Secretary of Defense determines, in consultation with the Secretary of State, that the Government of Afghanistan has made insufficient progress in the areas described in—

(i)  paragraphs (2), (3), (4), and (5) of section 1601 of the Act, and

(ii)  this section,

the Secretary of Defense shall withhold funds, which the Secretary may also withhold from the amounts described in—

(iii)  paragraphs (2), (3), (4), and (5) of section 1601 of the Act, and

(iv)  this section,

on or before the date on which the amount described in any such paragraph shall be obligated.

(B) WAIVER.—If the Secretary of Defense determines, in consultation with the Secretary of State, that withholding such funds would not otherwise impede the national security objectives of the United States by prohibiting, restricting, delaying, or otherwise limiting the provision of assistance, the Secretary may withhold the following:

(i)  the funds described in paragraph (2), (3), (4), and (5) of section 1601 of the Act, and

(ii)  the funds described in this section,

on or before the date on which the amount described in any such paragraph shall be obligated.

(C) SECTION 1601.—If the Secretary of Defense determines, in consultation with the Secretary of State, that withholding such funds would not otherwise impede the national security objectives of the United States by prohibiting, restricting, delaying, or otherwise limiting the provision of assistance, the Secretary may withhold the following:

(i)  the funds described in paragraph (2), (3), (4), and (5) of section 1601 of the Act, and

(ii)  the funds described in this section,

on or before the date on which the amount described in any such paragraph shall be obligated.

(D) DETERMINATION.—The Secretary of Defense shall—

(i)  make such determination in consultation with the Secretary of State, and

(ii)  provide a written report to Congress not later than 15 days after such determination is made.

(E) SECTION 1601.—The Secretary of Defense shall—

(i)  make such determination in consultation with the Secretary of State, and

(ii)  provide a written report to Congress not later than 15 days after such determination is made.
(1) ensuring opportunities for future competition in the National Security Space Launch program of the Air Force will decrease the overall cost of the program and increase the likelihood of successful launches with respect to the Department of Defense stopping the use of Russian-made RD-180 rocket engines, as required by section 1608 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2271 note); and
(2) the Congress supports robust competition within the National Security Space Launch program, Congress recognizes the importance of providing a regular launch manifest and incentives for robust and sustained orbital assets to support national security requirements.

(b) PHASE TWO ACQUISITION STRATEGY.—In carrying out the phase two acquisition strategy, the Secretary of the Air Force—

(1) shall ensure, except as provided by subsection (c), that launch services are procured only from National Security Space Launch providers that have not entered into a phase two contract or both.

(2) The notification shall include, at a minimum—

(A) the total costs to the Air Force for such phase two contracts; and

(B) necessary for a phase two contract, including such contracts described in subsection (a), that launch services agreement for such phase two contracts.

(c) COMPETITIVE PROCEDURES.—If the Secretary of the Air Force awards phase two contracts for more than a total of 29 launches, the Secretary shall ensure that each such contract is awarded using competitive procedures among all National Security Space Launch providers.

(d) FUNDING FOR CERTIFICATION AND INFRASTRUCTURE.—

(A) AUTHORITY.—Pursuant to section 2371b of title 10, United States Code, the Secretary of the Air Force shall enter into an agreement described in paragraph (2) with either National Security Space Launch providers that have not entered into a phase two contract for launch services, or both.

(B) necessary for a phase two contract, including contracts described in subsection (a), that launch services agreement for such phase two contracts.

(e) DOWNScale SELECT NOTIFICATION.—The Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Secretary of the Air Force, shall submit to the appropriate congressional committees a report on preparing to implement the plan described in section 1609 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2411 note) by reducing the benefits of such an attack.

(f) REPORT.—Not later than 45 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on preparing to implement the plan described in subsection (a), including information regarding the relative benefits and risks of using that signal, including with respect to any existing or needed monitoring infrastructure that would allow users of the Department of Defense of potentially corrupted signal information, and the cyber risks and challenges of incorporating such signals into a properly designed receiver.

(g) DEFINITIONS.—In this section:

(1) The term "appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) The Permanent Select Committee on Intelligence of the Senate.

(2) The term "space-based environmental monitoring mission requirements'' means the national security requirements for cloud character-
(B) the Secretary of Defense, in coordination with the Secretary of State, ensures that the United States has access to sufficient insight into trusted signals of allied systems to assure potential reliance by the United States on such signals.

c. Briefing.—Not later than 90 days after the date of the enactment of this Act, the Director of the Independent Office, in coordination with the Air Force GPS User Equipment Program office, shall provide to the congressional defense committees a briefing on a plan to carry out the program under subsection (a) that includes—

(1) the estimated cost, including total cost and out-year funding requirements;

(2) a description of any potential commercial cooperative efforts and how such a program would be implemented;

(3) a plan for how the results of the program could be incorporated into future blocks of the Global Positioning System military user equipment program; and

(4) the recommendations and analysis contained in the study sponsored by the Department of Defense conducted by the MITRE Corporation on the risks, benefits, and approaches to adding multi-global navigation satellite system capabilities to military user equipment.

d. Report.—(1) Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) the estimated cost, including total cost and out-year funding requirements that were not filled in the Joint Space Operations Center Mission Center and that have been impacted by significant delays in the program; and

(2) the potential to host, or incorporate through software-defined payloads, Global Positioning System M-code functionality onto allied global navigation satellite system systems; and

(3) an assessment of new or enhanced monitoring capabilities that would be needed to incorporate global navigation satellite system functionality into weapon systems of the Department of Defense.

e. Limitation.—(1) Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for increment 2 of the acquisition of military Global Positioning System user equipment terminals, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense, without delegation, certifies to the congressional committees that the Secretary has awarded the contracts under subsection (b).

(2) Not later than 90 days after the date of the enactment of this Act, the Director of the Space Development Agency shall provide a description of how the Space Development Agency will procure commercial space situational awareness services by at least two contracts for such services.

e. Limitation.—(1) Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the enterprise space battle management command and control, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense, without delegation, certifies to the congressional committees that the Secretary has awarded the contracts under subsection (b).

(2) Not later than January 31, 2020, the Director of the Space Development Agency, in coordination with the Secretary of the Air Force, shall prepare a report on using commercial space situational awareness services to fill the space situational awareness requirements that were not filled in the Joint Space Operations Center Mission Center. The report shall include the following:

(1) A description of current domestic commercial capabilities to detect and track space objects in low earth orbit below the 10 centimeter threshold of legacy systems.

(2) A description of current domestic best-in-bred commercial capabilities that can meet such requirements.

(3) Estimates of the timelines, milestones, and funding requirements to procure a near-term solution to meet such requirements until the development programs of the Air Force are projected to be operationally fielded.

(f) Commercial Space Situational Awareness Services Defined.—In this section, the term ‘commercial space situational awareness services’ means commercial space situational awareness processing software and data to address warfighter requirements and fill gaps in current space situational capabilities of the Air Force.

SEC. 1606. INDEPENDENT STUDY ON PLAN FOR DETERRENCE IN SPACE.

(a) Findings.—Congress finds the following:

(1) Threats to space systems of the United States have increased and continue to grow.

(2) While the United States must invest in capabilities to defend such systems in the event of an attack in space, the United States must also identify and implement policies that will reduce the likelihood of such an attack.

(3) The United States is developing new capabilities to enhance its ability to detect, deter, and respond to such attacks.

(4) However, the proper balance between active defense, resilience, and the still lagging investment in vulnerabilities of reconstitution to enhance deterrence remains unclear, as does the balance between classified and unclassified activities needed to create deterrence.

Independent analysis and assessment is necessary to identify steps to increase deterrence in space.

(b) Independent Study.—(1) In General.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center or other independent entity to conduct a study on deterrence in space.

(2) Matters included.—The study under paragraph (1) shall include, at a minimum, the following:

(A) An assessment of the existing range of major studies and writings on space deterrence and a comprehensive comparative analysis of the conclusions of such studies and writings.

(B) An examination, using appropriate analytical tools, of the approaches proposed by such studies and writings with respect to the conditions of deterrence suitable for use in the space domain, including, at a minimum, an assessment of all aspects of deterrence in space, including, but not limited to, the varying definitions of deterrence that can benefit or impose costs, and space mission assurance (including resilience, active defense, and reconstitution).

(C) A determination, made either by extending such studies and writings or through new analysis, of a holistic and comprehensive theory of deterrence in space appropriate for use in defense planning.

(3) An evaluation of existing policies, programs, and plans of the Department of Defense to determine an assessment of the effectiveness of those policies, programs, and plans to achieve effective space deterrence.

(c) Assessment By Defense Policy Board.—Not later than 180 days after the date of the enactment of this Act, the Defense Policy Board shall submit to the Secretary of Defense an assessment of the study under subsection (b)(1), including, at a minimum:

(1) a determination of the soundness of the study;

(2) a description of any disagreements the Board has with the conclusions of such study, including recommended changes or clarifications to such conclusions the Board determines appropriate; and

(3) changes to the policies, programs, and plans of the Department of Defense that the Board recommends based on such study and the changes and clarifications described in paragraph (2).

(d) Report.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report that contains the following:

(1) The study under subsection (b)(1), without change.

(2) An assessment of the matters included in the study under subsection (c), without change.

(3) Based on such study and assessment, a description of any changes to the policies, programs, and plans of the Department of Defense that the Secretary recommends to enhance deterrence in space, including with respect to the considerations and issues on reducing the opportunities and incentives for adversaries to attack space systems of the United States or allies of the United States;

(4) new architectures, including proliferated systems, hosted payloads, non-traditional orbits, and reconstitution among others;
(C) appropriate uses of partnering with both commercial entities and allies to improve deterrence in space; (D) necessary capabilities to enhance the protection of space systems to achieve improved deterrence; (E) bilateral, multilateral, and unilateral measures, including confidence-building measures, to reduce the risk of miscalculation that would lead to an attack in space; (F) policies and capability requirements with regard to attribution of an attack in space; (G) policies with regard to retaliatory measures either in space or on the ground; (H) actions with regard to decisions and actions to defend assets of the United States in space; and (I) changes to current war plans, routine operations, combatant command reorganization, demonstration and test procedures that could enhance the capability of the United States to signal the intentions and capabilities of the United States in an effective manner.

(b) The Secretary of Defense shall, to the extent practicable—

(1) expand on complimentary efforts within the Air Force that promote the adoption of a resilient enterprise architecture that is responsive to new and changing threats and can rapidly integrate new capabilities to make the enterprise the silo enterprise ground architecture that is resilient to changes in space and military operations; (2) develop joint space architecture that supports any number of manned and unmanned space systems, including but not limited to worldwide space-based systems that provide members of the Armed Forces with flexible and capable military operations; (3) develop joint space architecture that supports any number of manned and unmanned space systems, including but not limited to worldwide space-based systems that provide members of the Armed Forces with flexible and capable military operations; (4) develop joint space architecture that supports any number of manned and unmanned space systems, including but not limited to worldwide space-based systems that provide members of the Armed Forces with flexible and capable military operations; (5) develop joint space architecture that supports any number of manned and unmanned space systems, including but not limited to worldwide space-based systems that provide members of the Armed Forces with flexible and capable military operations; and (6) develop joint space architecture that supports any number of manned and unmanned space systems, including but not limited to worldwide space-based systems that provide members of the Armed Forces with flexible and capable military operations.

(a) Sense of Congress.—It is the sense of Congress that the Secretary of the Air Force, to advance the security of the space assets of the Department of Defense, should—

(1) develop future satellite ground architecture of the Department of Defense to be compatible with commercial systems and commercial ground architecture that can support uplink and downlink capabilities with dual-band spacecraft; and (2) ensure that satellite ground architecture transition away from stove-pipe systems to a service-based platform that provides members of the Armed Forces with flexible and adaptable capabilities that—

(A) use, as applicable, commercially available capabilities and technologies for increased resiliency and cost savings; and (B) ensure the operational integrity and integration across the range of resilient space systems.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

SEC. 1611. MODIFICATIONS TO INTEGRATION COUNCIL AND ANNUAL BRIEFING REQUIREMENTS.

(a) ISR Integration Council.—Subsection (a) of section 426 of title 10, United States Code, is amended to read as follows:

"(a) ISR Integration Council.—(1) The Secretary of Defense for Intelligence shall establish an Intelligence, Surveillance, and Reconnaissance Integration Council— (A) to assist the Secretary of Defense in carrying out the responsibilities of the Secretary under section 105(a) of the National Security Act of 1947 (50 U.S.C. 3023(a)); (B) to assist the Secretary with respect to matters relating to— (i) the quantity of intelligence and counterintelligence capabilities and activities, by specific intelligence capability type, that the Joint Chiefs of Staff required military department or service to provide; and (ii) the total of capacity of such requests provided to each such commander; (ii) with respect to such validated requirements— (I) the quantity of intelligence and counterintelligence capabilities and activities, by specific intelligence capability type, that the Joint Chiefs of Staff requested each military department to provide; and (II) the total of capacity of such requests provided by each such military department; and (B) an analysis of the alignment of intelligence and counterintelligence capabilities and activities with the program of operational requirements for each combat support agency and intelligence agencies of the military department that is part of— (I) the Defense Intelligence Enterprise; and (II) the military department.

(b) Annual Briefings.—Such section is further amended by inserting the following after subsection (b): (b) Annual Briefings.—Such section is further amended by inserting the following after subsection (b): (C) A risk analysis identifying critical gaps and shortfalls in efforts to address operational and strategic requirements of the Department of Defense that would result from the failure to fulfill the validated intelligence and counterintelligence requirements of the relevant combatant command. (D) A mitigating plan to balance and offset the gaps and shortfalls identified under subparagraph (C), including with respect to space-based, airborne, ground, maritime, and cyber intelligence, surveillance, and reconnaissance capabilities. (E) For the year preceding the year in which the briefing is provided, the fulfillment rate for each of the relevant combatant commands. (F) For the year preceding the year in which the briefing is provided, the fulfillment rate for each of the relevant combatant commands. (G) The military department that is part of— (I) the Defense Intelligence Enterprise; and (II) the military department.

(b) Annual Briefings.—Such section is further amended by inserting the following after subsection (b): (b) Annual Briefings.—Such section is further amended by inserting the following after subsection (b): (C) A risk analysis identifying critical gaps and shortfalls in efforts to address operational and strategic requirements of the Department of Defense that would result from the failure to fulfill the validated intelligence and counterintelligence requirements of the relevant combatant command.

(b) Annual Briefings.—Such section is further amended by inserting the following after subsection (b): (b) Annual Briefings.—Such section is further amended by inserting the following after subsection (b): (C) A risk analysis identifying the critical gaps and shortfalls in efforts to address operational and strategic requirements of the Department of Defense that would result from the failure to fulfill the validated intelligence and counterintelligence requirements of the relevant combatant command.

(b) Annual Briefings.—Such section is further amended by inserting the following after subsection (b): (b) Annual Briefings.—Such section is further amended by inserting the following after subsection (b): (C) A risk analysis identifying the critical gaps and shortfalls in efforts to address operational and strategic requirements of the Department of Defense that would result from the failure to fulfill the validated intelligence and counterintelligence requirements of the relevant combatant command.

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(b) Annual Briefings.—Such section is further amended by inserting the following after subsection (b): (b) Annual Briefings.—Such section is further amended by inserting the following after subsection (b): (C) A risk analysis identifying the critical gaps and shortfalls in efforts to address operational and strategic requirements of the Department of Defense that would result from the failure to fulfill the validated intelligence and counterintelligence requirements of the relevant combatant command.
(ii) are appropriately balanced to address operational and strategic defense intelligence requirements; and

(iii) are sufficiently integrated and interoperable that in the context of the Military Intelligence Program and the National Intelligence Program to respond to emerging requirements of the Department of Defense.

(b) (1) In paragraph (b), each geographic and functional combatant command—

(i) information on the gaps and deficiencies, by specific intelligence capability type, described in paragraph (a)(ii);
(ii) a review of the alignment of such gaps and deficiencies with the intelligence, surveillance, and reconnaissance submissions to the integrated priorities list for the period beginning with the completion of the most recent readiness reviews conducted by the Joint Staff and ending on the date that is five years after the date of the enactment of this Act; and
(iii) detailed information on the allocation and realignment of intelligence collections capabilities and activities to address:

(I) such gaps and deficiencies; and

(II) such intelligence, surveillance, and reconnaissance submissions.

(b) (2) REPORT.—(1) SUBMISSION.—Not later than 270 days after the date of the enactment of this Act, the Under Secretary of Defense for Intelligence shall submit to the appropriate congressional committees a report on the findings of the Under Secretary with respect to the survey and review under subsection (a); and

(b) (3) in subsection (b)(1)—

(A) the Defense Intelligence Enterprise; and

(B) the following new paragraph:

(iii) the gaps and deficiencies described in subsection (a)(1)(B)(iii), if any, that prohibit each geographic and functional combatant command to meet the operational and strategic requirements of the Department of Defense;

(iv) the planned investments, and processes of the intelligence, surveillance, and reconnaissance submissions to the geographic and functional combatant commands to meet the operational and strategic requirements of the Department of Defense;

(v) the accepted risk by the Secretary of Defense for Intelligence as a result of the deficiencies with the intelligence, surveillance, and reconnaissance submissions to the geographic and functional combatant commands to meet the operational and strategic requirements of the Department of Defense; and

(vi) the coordination, posture, current and planned investments, and processes of the intelligence collections capabilities and activities, including the extent to which such capabilities and activities enable the geographic and functional combatant commands to meet the operational and strategic requirements of the Department of Defense;

(v) the use or planned use by each geographic and functional combatant command of intelligence collections capabilities and activities available to such command to address operational and strategic requirements of the Department of Defense;

(vi) the gaps and deficiencies described in subsection (a)(1)(B)(iii), if any, that prohibit each geographic and functional combatant command from the most effective use of the intelligence collections capabilities and activities to address priority requirements of the Department of Defense;

(vii) the accepted risk by the Secretary of Defense for Intelligence from the prioritization of certain Department of Defense requirements with respect to the allocation of intelligence collections capabilities and activities; and

(viii) the alignment and responsiveness of intelligence collections capabilities and activities with respect to the planning requirements for the Program of Analysis of each combat support agency that is part of—

(I) the Defense Intelligence Enterprise; and

(ii) the intelligence community; and

(B) recommendations, if any, to improve the sufficiency, responsiveness, and interoperability of intelligence collections capabilities and activities to fulfill the operational and strategic requirements of the Department of Defense.

(3) FORM.—The report under paragraph (1) shall be submitted in the geographically and functionally classified form without any designation relating to dissemination control, but may contain a classified annex.

(c) DEFINITIONS.—In this section:

(1) the term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the congressional intelligence committees.

(2) the term “supporting agency” has the meaning given that term in section 193(f) of title 10, United States Code.

(3) the term “Defense Intelligence Enterprise” has the meaning given that term in section 1633(c)(2) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 1990).

(4) the term “intelligence collections capabilities and activities” means the totality of intelligence collections systems and processes which enable the processing, exploitation, and dissemination capabilities, capacity, and activities of the Defense Intelligence Enterprise.

(5) the term “intelligence community” has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(6) the term “congressional intelligence committees” has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1612. MODIFICATION OF ANNUAL AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL FLAGSHIP LANGUAGE INITIATIVE.

Section 811(a) of the David L. Boren National Security Education Act of 1993 (50 U.S.C. 1911(a)) is amended—

(1) by striking “fiscal year 2003” and inserting “fiscal year 2020”; and

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

“(f) WRITTEN NOTIFICATION.—If the Secretary determines that the Department will not complete an evaluation of the cyber vulnerabilities of each major weapon system of the Department by the date specified in subsection (a)(1), the Secretary shall provide to the congressional defense committees written notification relating to each such incomplete evaluation. Such a written notification shall include the following:

“(A) a written notification of the status of each major weapon system requiring such an evaluation and the anticipated date of completion.

“(B) A justification for the inability to complete such an evaluation by the date specified in subsection (a)(1).

“(C) A report to the congressional defense committees upon completion of the requirement for an evaluation of the cyber vulnerabilities of each major weapon system of the Department under this section.

“Such report shall include the following:

“(1) An identification of cyber vulnerabilities of each major weapon system requiring mitigation.

“(2) An identification of current and planned efforts to address the cyber vulnerabilities of each major weapon system requiring mitigation, including efforts across the doctrine, organization, training, material, leadership and education, personnel, and facilities of the Department.

“(3) A description of joint and common cyber vulnerability mitigation solutions and efforts, including solutions and efforts across the doctrine, organization, training, material, leadership and education, personnel, and facilities of the Department.

“(4) A description of lessons learned and best practices regarding efforts to develop and implement policies for the cyber vulnerabilities and cyber vulnerability mitigation efforts relating to major weapon systems.
“(5) A description of efforts to share lessons learned and best practices regarding evaluations of the cyber vulnerabilities and cyber vulnerability mitigation efforts of major weapon systems of the United States.

“(6) An identification of measures taken to institutionalize evaluations of cyber vulnerabilities of major weapon systems.

“(7) Compliance with the Cybersecurity Act of 2015 regarding to baseline, processes, procedures, or other activities established to mitigate or address the likelihood of cyber vulnerabilities of major weapon systems by incorporating lessons learned in the research, development, test, evaluation, and acquisition cycle, including promotion of cyber education of the acquisition workforce.

“(8) Any other matter the Secretary determines relevant.”

SEC. 1626. EXTENSION OF THE CYBERSPACE SOVEREIGNTY COMMISSION.


SEC. 1627. AUTHORITY TO USE AND MAINTENANCE FUNDS FOR CYBER OPERATIONS–PECULIAR CAPABILITY DEVELOPMENT PROJECTS.

(a) IN GENERAL.—The Secretary of Defense shall establish and submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate procedures for complying with the requirements of subsection (a), consistent with the National Security Act of 1947, to ensure the protection of operational integrity. The Secretary shall promptly notify the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate in writing of any changes to such procedures at least 14 days prior to the adoption of any such changes.

(b) SUFIFFICIENCY.—The Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate shall ensure that the programs designated to protect from unauthorized disclosure classified information related to national security of the United States are sufficient to protect the information that is transmitted to the committees pursuant to this section.

(c) NOTIFICATION IN EVENT OF UNAUTHORIZED DISCLOSURE.—In the event of an unauthorized disclosure of authorities covered by this section, the Secretary of Defense shall ensure, to the maximum extent practicable, that the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate are notified immediately. Notification under this paragraph may be verbal or written, but in the event of a verbal notification, a written notation of the actions taken in response to the unauthorized disclosure shall be provided by not later than 48 hours after the provision of such verbal notification.

SEC. 1628. LIMITATION FOR CONSOLIDATED AIOFLAT NETWORKS AND ENTERPRISE SERVICES.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Consolidated AIOFLAT Networks and Enterprise Services, not more than $3,000,000 of amounts authorized to be appropriated for the National Security Agency and United States Cyber Command's Protecting Critical Technologies Task Force efforts, and the Secretary of Defense shall submit to the congressional defense committees a report on efforts, pursuant to the authority provided for in subsection (a), of the National Security Agency and United States Cyber Command's Protecting Critical Technologies Task Force efforts, and the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on efforts, pursuant to the authority provided for in subsection (a), of the National Security Agency and United States Cyber Command's Protecting Critical Technologies Task Force efforts, and the Secretary of Defense shall ensure, to the maximum extent practicable, that the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate are notified immediately. Notification under this paragraph may be verbal or written, but in the event of a verbal notification, a written notation of the actions taken in response to the unauthorized disclosure shall be provided by not later than 48 hours after the provision of such verbal notification.

SEC. 1629. BRIEFINGS ON THE STATUS OF THE UNITED STATES CYBER COMMAND.

(a) IN GENERAL.—Not later than 90 days after March 1 of each year, the Secretary of Defense shall provide to the congressional defense committees a written report detailing all military cyberspace operations conducted in the previous calendar year. For each such operation each such report shall include the following:

(1) An identification of the objective and purpose.

(2) Impacted information technology infrastructure, by location.

(3) A description of tools and capabilities utilized.

(4) An identification of the Cyber Mission Force team, or other Department of Defense entity or unit, that conducted such operation, and supporting teams, entities, or units.

(5) A description of the infrastructure and platforms on which such operation occurred.

(6) A description of relevant legal, operational, and policy issues including Executive Orders and Deployment Orders.

(7) Information relating to the total amount of funding required and associated program elements.

(b) DEFINITION.—In this section, the term “United States Cyber Command” includes the United States Cyber Command and the United States Cyber Command Partnership.

(c) LIMITATION.—This section does not apply to cyber-enabled military information support operations.

(d) REPORT.—In this section, the term “military cyberspace operations” means defensive and offensive—

(1) cyber effects enabling operations, activities, and missions; and

(2) cyber effects operations, activities, and missions.

SEC. 1630. ANNUAL MILITARY CYBERSPACE OPERATIONS REPORT.

(a) IN GENERAL.—Not later than May 1, 2020, the Secretary of Defense shall provide to the congressional defense committees a written report detailing all military cyberspace operations conducted in the previous calendar year. For each such operation each such report shall include the following:

(1) An identification of the objective and purpose.

(2) Impacted information technology infrastructure, by location.

(3) A description of tools and capabilities utilized.

(4) An identification of the Cyber Mission Force team, or other Department of Defense entity or unit, that conducted such operation, and supporting teams, entities, or units.

(5) A description of the infrastructure and platforms on which such operation occurred.

(6) A description of relevant legal, operational, and policy issues including Executive Orders and Deployment Orders.

(7) Information relating to the total amount of funding required and associated program elements.

(b) LIMITATION.—This section does not apply to cyber-enabled military information support operations.

SEC. 1632. BRIEFINGS ON THE STATUS OF THE NATIONAL SECURITY AGENCY AND UNITED STATES CYBER COMMAND PARTNERSHIP.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and quarterly thereafter, the Secretary of Defense and the Director of National Intelligence shall provide a report to the congressional defense committees and the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate briefing on the status of the National Security Agency and United States Cyber Command’s current and future partnership. Briefings under this section shall terminate on January 1, 2022.
(b) ELEMENTS.—Each briefing under this section shall include the following: 

(1) Status updates on the current and future National Security Agency–United States Cyber Command efforts. 

(2) Executed documents, written memoranda of agreements or understandings, and policies issued governing such current and future partnerships. 

(3) Projected long-term efforts. 

(4) Updates related to the assessment required under section 1642 of the National Defense Authorization Act for Fiscal Year 2017 (relating to limitation on termination of dual-hat arrangement for command partnership efforts. 

(5) New subsection: 

(6) Amended by adding at the end the following: 

(7) SEMIANNUAL BRIEFINGS.—Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2020, and semianually thereafter, the Council shall submit to the Congress a briefing on— 

(1) provide to the congressional defense committees a briefing on, with respect to the period covered by the briefing— 

(A) the date of the Council meeting; and 

(B) a summary of any decisions made by the Council pursuant to subsection (d) at each such meeting, except with respect to budget decisions relating to the budget of the President for a fiscal year if the request for that fiscal year has not been submitted to Congress as of the date of the briefing; and 

(2) submit to such committees at the time of the briefing— 

(A) any decision memoranda relating to the decisions specified in paragraph (1)(B); and 

(B) a summary of the rationale and considerations that informed such decision.”. 

SEC. 1643. ELIMINATION OF CONVENTIONAL REQUIREMENTS FOR LONG-RANGE STANDOFF WEAPON. 

Subsection (a) of section 217 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 706), as amended by section 1656(a) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2152), is amended to read as follows: 

“(1) NEW REQUIREMENT.—The Secretary of Defense shall seek to enter into a contract with a commercially available contractor for the design, development, and production of nuclear weapons that are being modernized or sustained, including with respect to— 

(I) associated delivery systems or platforms that carry nuclear weapons; 

(II) nuclear command and control systems; 

(III) facilities, infrastructure, and critical skills; and 

(IV) includes estimated timelines for such research, development, and production for nuclear weapons that are being modernized or sustained, including with respect to— 

(A) associated delivery systems or platforms that carry nuclear weapons; 

(B) nuclear command and control systems; 

and 

(C) facilities, infrastructure, and critical skills and the estimated acquisition and life cycle costs, including estimated cost ranges if necessary, to modernize or recapitalize each system.”. 

(c) TRANSFER OF PROVISION.—Such section 1043, as most recently amended by section 1645 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 115–232; 132 Stat. 2152), is amended— 

(1) by redesignating subparagraph (G) as subparagraph (H); 

(2) by inserting after subparagraph (F) the following new subparagraphs: 

“(G) a plan covering the 25-year period following the date of the report that— 

(i) covers the research and development and production relating to the development and production of nuclear weapons that are being modernized or sustained, including with respect to— 

(I) associated delivery systems or platforms that carry nuclear weapons; 

(II) nuclear command and control systems; 

and 

(III) facilities, infrastructure, and critical skills; and 

(ii) includes estimated timelines for such research, development, and production for nuclear weapons that are being modernized or sustained, including with respect to— 

(A) associated delivery systems or platforms that carry nuclear weapons; 

(B) nuclear command and control systems; 

and 

(C) facilities, infrastructure, and critical skills; 

and 

(iii) includes estimated acquisition cost ranges if necessary, to modernize or recapitalize each system.”. 

(d) CODIFICATION.—Section 1043 of Public Law 114–92, as amended by section 1645 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 115–232; 132 Stat. 2152), is amended by striking “2023” and inserting “2024”. 

SEC. 1644. TENDER EXTENSION OF PROHIBITION ON USE OF FUNDING FOR MOBILE VARIANT OF GROUND-BASED STRATEGIC DETERRENT MISSILE. 

Section 1644 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–416; 132 Stat. 5531), as most recently amended by section 1656(b)(2) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2152), is amended to read as follows: 

“(a) STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a commercially available contractor for the design, development, and production of nuclear weapons that are being modernized or sustained, including with respect to— 

(I) associated delivery systems or platforms that carry nuclear weapons; 

(II) nuclear command and control systems; 

and 

(III) facilities, infrastructure, and critical skills; and 

(IV) includes estimated timelines for such research, development, and production for nuclear weapons that are being modernized or sustained, including with respect to— 

(A) associated delivery systems or platforms that carry nuclear weapons; 

(B) nuclear command and control systems; 

and 

(C) facilities, infrastructure, and critical skills; 

and 

(ii) in the section heading— 

(I) by striking the at the end; and 

(II) by conforming the typeface and typetext, including, to the typeface and typetext as used in the section heading of section 491 of such title. 

(b) CLERICAL AMENDMENT.—The table of sections of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 492 the following new item: 

“492a. Annual report on the plan for the nuclear weapons stockpile, nuclear weapons complex, nuclear weapons delivery systems, and nuclear command and control system.”. 

SEC. 1645. BRIEFINGS ON MEETINGS HELD BY THE NUCLEAR WEAPONS COUNCIL. 


SEC. 1646. PROHIBITION ON AVAILABILITY OF FUNDING FOR DEVELOPMENT OF LOW-YIELD BALLISTIC MISSILE WARHEAD. 

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 used to deploy the W76–2 low-yield warhead. 

SEC. 1647. REPORT ON MILITARY-TO-MILITARY DIALOGUE AND ON REDUCE THE RISK OF Miscalculation leading to nuclear WAR. 

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Commander of the United States Strategic Command, shall submit to the appropriate congressional committees a briefing on the United States policy on the use of nuclear weapons that is consistent with the nuclear strategy of the United States and the strategy described in section 1647 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2152). 

SEC. 1648. PLAN ON NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEMS. 

(a) PLAN.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Commander of the United States Strategic Command, shall submit to the appropriate congressional committees a plan on the future of the nuclear command, control, and communications systems. 

(b) MATTERS INCLUDED.—The plan under subsection (a) shall include— 

(1) Near- and long-term plans and options to recapitalize the nuclear command, control, and communications systems to ensure the resilience of such systems; 

(2) Requirements for such systems, including with respect to survivability and reliability; 

(3) The risks and benefits of replicating the current architecture for such systems as of the date of the plan; 

(4) The risks and benefits of using different architectures for such systems, including, at a minimum, using hosted payload architectures; 

(5) Whether such architectures should be classified or unclassified; 

(6) Requirements and plans to ensure the security of the supply chain of nuclear command, control, and communications systems; 

(7) Timelines and general cost estimates for long-term investments in such systems; 

(8) Options for potential negotiation with adversaries, including with respect to agreements not to target nuclear command, control, and communications systems through kinetic, non-kinetic, or cyber attacks. 

(9) Any other matters the Secretary determines appropriate. 

(c) EXTREMIST BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in coordination with the Commander, shall provide to the congressional defense committees a briefing on the plan under subsection (a). 

SEC. 1649. INDEPENDENT STUDY ON POLICY OF NO-FIRST-USE OF NUCLEAR WEAPONS. 

(a) STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a commercially available contractor for the design, development, and production of nuclear weapons that are being modernized or sustained, including with respect to— 

(1) associated delivery systems or platforms that carry nuclear weapons; 

(2) nuclear command and control systems; 

and 

(3) facilities, infrastructure, and critical skills; and 

(4) includes estimated timelines for such research, development, and production for nuclear weapons that are being modernized or sustained, including with respect to— 

(A) associated delivery systems or platforms that carry nuclear weapons; 

(B) nuclear command and control systems; 

and 

(C) facilities, infrastructure, and critical skills; 

and 

(i) in the section heading— 

(I) by striking the at the end; and 

(II) by conforming the typeface and typetext, including, to the typeface and typetext as used in the section heading of section 491 of such title. 

(b) CLERICAL AMENDMENT.—The table of sections of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 492 the following new item: 

“(1) a description of— 

(A) current military-to-military discussions of the United States with counterparts from governments of foreign countries to reduce the risk of miscalculation, unintended consequences, or accidents that could precipitate a nuclear war; and 

(B) bilateral and multilateral agreements with the United States on a policy that address such risks. 

(2) An assessment conducted jointly by the Secretary and the Chairman of the Joint Chiefs of Staff of the policy and operational necessity, risks, benefits, and costs of establishing military-to-military discussions with Russia, China, and North Korea to address such risks. 

SEC. 1650. PLAN ON NUCLEAR COMMAND CONTROL AND COMMUNICATIONS SYSTEMS.
SEC. 1650. INDEPENDENT STUDY ON RISKS OF NUCLEAR TERRORISM AND NUCLEAR WAR.

(a) STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into an agreement with the National Academy of Sciences to conduct a study on the potential risks of nuclear terrorism and nuclear war.

(b) SUBMISSION.—Not later than January 31, 2020, the Secretary shall submit to the congressional defense committees of such proposed change; the Department of Defense may be obligated or expended for fiscal year 2020 for the Secretary of Defense, without delegated authority, to change the non-standard acquisition process; and any other official of the Department of Defense, the Secretary of Defense, and the congressional defense committees an update on the study conducted by the Director of Operational Test and Evaluation under subsection (c).

SEC. 1655. ORGANIZATION, AUTHORITIES, AND BILBERTS OF THE MISSILE DEFENSE AGENCY.

(a) INDEPENDENT STUDY.—

(1) ASSESSMENT.—In accordance with paragraph (2), the Secretary of Defense shall seek to transition to a contract with a federally funded research and development center to conduct a study assessing—

(A) the organization of the Missile Defense Agency under the Secretary of Defense for Research and Engineering pursuant to section 252(b) of title 10, United States Code; and

(B) alternative ways to organize the Agency under other officials of the Department of Defense, including the Under Secretary for Acquisition and Sustainment and any other official of the Department the federally funded research and development center determines appropriate; and

(C) transitioning the Agency to the standard acquisition process pursuant to Defense Instruction 5000, including both the risks and benefits of making such a transition.

(2) SCOPE OF STUDY.—Before entering into the contract with a federally funded research and development center to conduct the study under paragraph (1), the Secretary shall provide to the congressional defense committees an update on the scope of such study.

(3) SUBMISSION TO DOD.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report containing the study conducted under paragraph (1), without change.

(b) NOTIFICATION ON CHANGES TO NON-STANDARD ACQUISITION PROCESSES AND RESPONSIBILITIES.—

(1) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise available for fiscal year 2020 for the Secretary of Defense may be obligated or expended to change the non-standard acquisition processes and responsibilities described in paragraph (2). (2) REQUIREMENT.—

(A) The Secretary shall not notify the congressional defense committees of such proposed change; and

(B) a period of 90 days has elapsed following the date of such notification.
SEC. 1667. MISSILE DEFENSE RADAR IN HAWAII.

(a) IN GENERAL.—Subject to subsection (b), the Secretary of the Army shall—

(1) submit to the congressional defense committees a report on the designation of the locations evaluated pursuant to section 227 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 114–91; 128 Stat. 1776). The Secretary shall submit to the congressional defense committees a report on the designation of the location that is the most advantageous site in providing coverage to the entire contiguous United States, including having the capability to provide shoot-assess-shoot coverage to the entire contiguous United States;

(2) in paragraph (2) of section 139 of title 10, United States Code, the prohibition on the Secretary of the Army designating the preferred location of a missile defense radar for Hawaii, and the authority to select the location of the preferred radar site for Hawaii, shall be inapplicable to the selection of the preferred location of a missile defense sensor in Hawaii;

(b) LIMITATION.—Nothing in this section may be construed to—

(1) require the Secretary of the Army to conduct a military construction project relating to the preferred location of a missile defense radar site in the contiguous United States;

(2) be construed as a statement that there is any current military requirement for such a site.

SEC. 1667. MISSILE DEFENSE RADAR–HAWAII.

(a) IN GENERAL.—Subject to subsection (b), the Director of the Missile Defense Agency may use funds authorized to be appropriated by this Act—

(1) to conduct a study to determine the preferred location of a missile defense radar in Hawaii; and

(2) to conduct a study to determine the preferred location of a missile defense sensor in Hawaii.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for research, development, test, and evaluation for the Missile Defense Agency to design, build, and integrate the foundation of the homeland defense radar in Hawaii and the thermal control system for the radar—

(1) completes the critical design review of the radar;

(2) submits to the congressional defense committees a report on the critical design review of the radar and the thermal control system for the radar; and

(3) provides to such committees a briefing on the design and critical test and demonstration of the missile defense radar for Hawaii and the thermal control system for the radar.

SEC. 1668. LIMITATION ON AVAILABILITY OF FUNDS FOR LOWER TIER AIR AND MISSILE SENSOR.

(1) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the Army for the lower tier air and missile defense system, not more than 75 percent may be obligated or expended until the Secretary of the Army submits the report under subparagraph (B).

(b) REPORT.—Not later than June 30, 2020, the Secretary of the Army shall submit to the congressional defense committees a report on the development of lower tier air and missile defense sensors that occurred during the third quarter of fiscal year 2019. Such report shall include the following:

(1) An explanation of how the test and demonstration was conducted and what the test and demonstration set out to achieve, including—

(A) an explanation of the performance specifications used; and

(B) a description of the emulated threats used in the test and demonstration and how such threats compare to emerging regional air and missile threats;

(2) Strategic and operational effectiveness, including with respect to—

(A) the capability of such sensor system against key threats and requirements, including by listing which threats will be delivered to such a sensor system with full 360-degree coverage and the ability of such sensor system to detect, track, and survive targets;

(B) the estimated procurement and life-cycle costs of operating such sensor system; and

(C) the cost, timeline, and approach that will be used to integrate the lower tier air and missile defense sensor into the Integrated Air and Missile Defense Battle Command System.

(3) An explanation of whether future performance improvements to the lower tier air and missile defense sensor are conditional on intellectual property and how such improvements will be made if the United States does not own such intellectual property.

SEC. 1669. COMMAND AND CONTROL, BATTLE MANAGEMENT, AND COMMUNICATIONS.

(a) LIMITATION ON SALE.—The Director of the Missile Defense Agency may not pursue release of the command and control, battle management, and communications program (or any variants thereof) for export until the date on which the Director submits the report under subsection (b)."
with respect to developing or testing such a capability, unless such capability—
(1) is transferable to a surface-launched platform; and
(2) is not exclusive to submarines.
(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on the programmatic changes required to integrate the conventional prompt global strike weapon system into the DDG-1000 program or other surface ships.

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 XX through XXX (other than title XXVIII) 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 fiscal year 2025 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.
Titles XX through XXX (other than title XXVIII) shall take effect on the later of—
(1) October 1, 2019; or
(2) the date of the enactment of this Act.

TITLE XI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.
(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Redstone Arsenal</td>
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<tr>
<td>Colorado</td>
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Army: Inside the United States

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Army: Outside the United States

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<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>
</tbody>
</table>

(c) STUDY OF NEAR-TERM FACILITY ALTERNATIVES TO HOUSE HIGH VALUE DETAINES.—
(1) STUDY REQUIRED.—The Secretary of Defense shall conduct a study of alternatives to meet the near-term facility requirements to safely and humanely house high value detainees currently housed at Naval Station Guantanamo Bay, Cuba. As part of the study, the Secretary shall consider the following alternatives:
(A) The construction of new facilities.
(B) The repair of current facilities.

(C) The renovation and repurposing of other facilities at Naval Station Guantanamo Bay, Cuba.
(D) Such other alternatives as the Secretary considers practicable.

(2) SUBMISSION OF RESULTS.—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 the results of the study conducted under paragraph (1). The report shall be unclassified, but may include a classified annex.

SEC. 2102. FAMILY HOUSING.
(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installation, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation</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 functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or reconstruction 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. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) ANNISTON ARMY DEPOT, ALABAMA.—In the case of the authorization contained in the table in section 2101(a) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 2241) for Anniston Army Depot, Alabama, for construction of a weapon maintenance shop, as specified in the funding table in section 4601 of such Act (132 Stat. 2001), the Secretary of the Army may construct a 21,000-square foot weapon maintenance shop.

(b) UNITED STATES MILITARY ACADEMY, NEW YORK.—The table in section 2101(a) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 2241) is amended in the item relating to the United States Military Academy, New York, by striking "$160,000,000" and inserting "$197,000,000" for construction of a Consolidated Engineering Center and Parking Structure rather than the separate projects specified in the funding table in section 4601 of such Act (132 Stat. 2001).

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Marine Corps Air Station Yuma</td>
<td>$189,760,000</td>
</tr>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>$185,560,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station Miramar</td>
<td>$374,400,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Weapons Station China Lake</td>
<td>$64,500,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base Coronado</td>
<td>$163,830,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base San Diego</td>
<td>$91,900,000</td>
</tr>
<tr>
<td></td>
<td>Naval Weapons Station Seal Beach</td>
<td>$123,310,000</td>
</tr>
<tr>
<td></td>
<td>Travis Air Force Base</td>
<td>$64,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Submarine Base New London</td>
<td>$72,600,000</td>
</tr>
<tr>
<td></td>
<td>Bliant</td>
<td>$169,100,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station Jacksonville</td>
<td>$32,420,000</td>
</tr>
<tr>
<td></td>
<td>Joint Region Marianas</td>
<td>$226,000,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station Kaneohe Bay</td>
<td>$134,050,000</td>
</tr>
<tr>
<td></td>
<td>Naval Ammunition Depot West Loch</td>
<td>$83,790,000</td>
</tr>
<tr>
<td></td>
<td>Camp Lejeune</td>
<td>$15,000,000</td>
</tr>
<tr>
<td></td>
<td>Saint Inigoes</td>
<td>$271,440,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station Cherry Point</td>
<td>$114,570,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station New River</td>
<td>$31,320,000</td>
</tr>
<tr>
<td></td>
<td>Philadelphia</td>
<td>$66,000,000</td>
</tr>
<tr>
<td></td>
<td>Parris Island</td>
<td>$37,200,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base Quantico</td>
<td>$143,330,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station Norfolk</td>
<td>$129,100,000</td>
</tr>
<tr>
<td></td>
<td>Joint Region Marianas</td>
<td>$48,930,000</td>
</tr>
<tr>
<td></td>
<td>Portsmouth Naval Shipyard</td>
<td>$59,000,000</td>
</tr>
<tr>
<td></td>
<td>Yorktown Naval Weapons Station</td>
<td>$51,010,000</td>
</tr>
<tr>
<td></td>
<td>Bremerton</td>
<td>$49,030,000</td>
</tr>
<tr>
<td></td>
<td>Keyport</td>
<td>$25,360,000</td>
</tr>
<tr>
<td></td>
<td>Keyport</td>
<td>$25,050,000</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>Japan</td>
<td>Fleet Activities Yokosuka</td>
<td>$174,692,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station Iwakuni</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 $5,863,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $41,798,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

The table in section 2201(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2691) is amended in the item relating to Bangor, Washington, by striking "$111,415,000" and inserting "$161,415,000" for construction of a SEAWOLF Class Submarine Holding Facility.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Marine Corps Air Station Yuma</td>
<td>$189,760,000</td>
</tr>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>$185,560,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station Miramar</td>
<td>$374,400,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Weapons Station China Lake</td>
<td>$64,500,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base Coronado</td>
<td>$163,830,000</td>
</tr>
<tr>
<td></td>
<td>Naval Base San Diego</td>
<td>$91,900,000</td>
</tr>
<tr>
<td></td>
<td>Naval Weapons Station Seal Beach</td>
<td>$123,310,000</td>
</tr>
<tr>
<td></td>
<td>Travis Air Force Base</td>
<td>$64,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Submarine Base New London</td>
<td>$72,600,000</td>
</tr>
<tr>
<td></td>
<td>Bliant</td>
<td>$169,100,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station Jacksonville</td>
<td>$32,420,000</td>
</tr>
<tr>
<td></td>
<td>Joint Region Marianas</td>
<td>$226,000,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station Kaneohe Bay</td>
<td>$134,050,000</td>
</tr>
<tr>
<td></td>
<td>Naval Ammunition Depot West Loch</td>
<td>$83,790,000</td>
</tr>
<tr>
<td></td>
<td>Camp Lejeune</td>
<td>$15,000,000</td>
</tr>
<tr>
<td></td>
<td>Saint Inigoes</td>
<td>$271,440,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station Cherry Point</td>
<td>$114,570,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station New River</td>
<td>$31,320,000</td>
</tr>
<tr>
<td></td>
<td>Philadelphia</td>
<td>$66,000,000</td>
</tr>
<tr>
<td></td>
<td>Parris Island</td>
<td>$37,200,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base Quantico</td>
<td>$143,330,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station Norfolk</td>
<td>$129,100,000</td>
</tr>
<tr>
<td></td>
<td>Joint Region Marianas</td>
<td>$48,930,000</td>
</tr>
<tr>
<td></td>
<td>Portsmouth Naval Shipyard</td>
<td>$59,000,000</td>
</tr>
<tr>
<td></td>
<td>Yorktown Naval Weapons Station</td>
<td>$51,010,000</td>
</tr>
<tr>
<td></td>
<td>Bremerton</td>
<td>$49,030,000</td>
</tr>
<tr>
<td></td>
<td>Keyport</td>
<td>$25,360,000</td>
</tr>
<tr>
<td></td>
<td>Keyport</td>
<td>$25,050,000</td>
</tr>
</tbody>
</table>
### Air Force: Inside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Elson Air Force Base</td>
<td>$8,600,000</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Travis Air Force Base</td>
<td>$47,100,000</td>
</tr>
<tr>
<td>California</td>
<td>Peterson Air Force Base</td>
<td>$43,100,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Schriever Air Force Base</td>
<td>$54,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>United States Air Force Academy</td>
<td>$49,000,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Moody Air Force Base</td>
<td>$12,500,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Joint Region Marianas</td>
<td>$65,000,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Scott Air Force Base</td>
<td>$100,000,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>United States Air Force Academy</td>
<td>$31,100,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Whitehead Air Force Base</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Malmstrom Air Force Base</td>
<td>$235,000,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Nellis Air Force Base</td>
<td>$63,200,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Ellington Air Force Base</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Kirtland Air Force Base</td>
<td>$37,900,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$207,300,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Fairchild-White Bluff</td>
<td>$114,500,000</td>
</tr>
</tbody>
</table>

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installation and acquisition of facilities and infrastructure 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>Tindal Air Force Base</td>
<td>$70,600,000</td>
</tr>
<tr>
<td>Cyprus</td>
<td>Royal Air Force Akrotiri</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Yokota Air Base</td>
<td>$12,400,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force Lakenheath</td>
<td>$14,390,000</td>
</tr>
</tbody>
</table>

### Air Force: Family Housing

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Spangdahlem Air Base</td>
<td>Family Housing Construction</td>
<td>$53,584,000</td>
</tr>
</tbody>
</table>

(b) **PLANNING AND DESIGN.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $3,409,000.

### SEC. 2302. FAMILY HOUSING.

(a) **CONSTRUCTION AND ACQUISITION.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may construct or acquire family housing units (including land acquisition and supporting facilities) at the installation, in the amount, 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>Spangdahlem Air Base</td>
<td>$53,584,000</td>
</tr>
</tbody>
</table>

(c) **Fiscal Year 2017 Project Authority.**—In the case of the authorization contained in the table in section 2301(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–328; 120 Stat. 3160), the Secretary of the Air Force may acquire a 99,200-square meter Family Housing Construction and a 6,000-square meter Family Housing Maintenance Facilities, as specified in the funding table in section 4601 of such Act (120 Stat. 2871), the Secretary of the Air Force shall carry out the construction at Royal Air Force Malmstrom, United Kingdom.

### SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT PHASED JOINT INTELLIGENCE ANALYSIS COMPLEX CONSTRUCTION.

(a) **Fiscal Year 2015 Project Authority.**—In the case of the construction contained in the table in section 2301(b) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3679), the Secretary of the Air Force may construct a 4,495-square meter Combatant Command Intelligence Facility at Royal Air Force Mildenhall, United Kingdom.

### SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

The table in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1152) is amended in the item relating to Nellis Air Force Base, Nevada, by striking “$68,900,000” and inserting “$72,500,000” for construction of F-35A Mission Maintenance Facilities, as specified in the funding table in section 4601 of such Act (129 Stat. 1295).

### SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECT.

The table in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 120 Stat. 2696) is amended...
in the item relating to Fairchild Air Force Base, Washington, by striking “$27,000,000” and inserting “$31,800,000” for construction of a SERE School Pipeline Dormitory, as specified in the funding table in section 4601 of such Act (130 Stat. 2376).

SEC. 2308. MODIFICATION OF AUTHORIZATION TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.

(a) LITTLE ROCK AIR FORCE BASE, ARKANSAS.—The table in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1625) is amended in the item relating to Little Rock Air Force Base, Arkansas, by striking “$20,000,000” and inserting “$27,000,000” for construction of a dormitory facility, as specified in the funding table in section 4601 of such Act (131 Stat. 2002).

(b) ROY GAGE AIR STATION, NORWAY.—In the case of the authorization contained in the table in section 2903 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1876) for Rygge Air Station, Norway, for replacement/expansion of a Quick Reaction Alert Pad, as specified in the funding table in section 4602 of such Act (131 Stat. 2014), 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.

(c) DEDRAK AIR BASE, TURKEY.—In the case of the authorization contained in the table in section 2903 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1876) for DEDRAK Air Base, Turkey, for Relocating Base Main Access Control Point, as specified in the funding table in section 4602 of such Act (131 Stat. 2015), the Secretary of the Air Force may construct a 176-square meter pedestrian search building.

SEC. 2309. MODIFICATION OF AUTHORIZATION TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) HANSCOM AIR FORCE BASE, MASSACHUSETTS.—In the case of the authorization contained in the table in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2246) for Hanscom Air Force Base, Massachusetts, for the construction of a semi-conductor/microelectronics laboratory facility, as specified in the funding table in section 4601 of such Act (132 Stat. 2465), the Secretary of the Air Force may construct a 1,090 kilowatt stand-by generator.

(b) MINOT AIR FORCE BASE, NORTH DAKOTA.—The table in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2246) is amended in the item relating to Minot Air Force Base, North Dakota, by striking “$66,000,000” and inserting “$71,500,000” for construction of a Consolidated Heli/TRF Ops/AMU and Alert Facility, as specified in the funding table in section 4601 of such Act (132 Stat. 2405).

(c) ROYAL AIR FORCE Lakenheath, UNITED KINGDOM.—In the case of the authorization contained in the table in section 2301(b) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2247) for Royal Air Force Lakenheath, United Kingdom, for the construction of an F-35A Dormitory, as specified in the funding table in section 4602 of such Act (132 Stat. 2465), the Secretary of the Air Force may construct a 5,900-square meter dormitory.

TITLE XV—DEFENSE AGENCIES

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 installation or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

<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>Florida</td>
<td>Camp Pendleton</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Eielson Air Force Base</td>
<td>$16,500,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Harburt Field</td>
<td>$108,386,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Naval Air Station Key West</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Joint Region Marniañas</td>
<td>$19,200,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Fort Bragg</td>
<td>$67,700,000</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Camp Lejeune</td>
<td>$13,400,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Tulsa International Airport</td>
<td>$18,900,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Joint Base Charleston</td>
<td>$33,300,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord</td>
<td>$47,700,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>General Mitchell International Airport</td>
<td>$25,900,000</td>
</tr>
<tr>
<td>CONUS Classified</td>
<td>Classified Location</td>
<td>$62,200,000</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 installation or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Gellenkirchen Air Base</td>
<td>$30,479,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Yokota Air Base</td>
<td>$139,411,000</td>
</tr>
</tbody>
</table>

SEC. 2402. AUTHORIZED ENERGY RESILIENCY AND ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a), the Secretary of Defense may carry out energy resiliency and energy conservation projects under chapter 172 of title 10, United States Code, as specified in the funding table in section 4601.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.
TITLE XXVI—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NORTHERN ALLIANCE 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 United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

(a) AUTHORIZATION.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share as specified in the funding table in section 4601.

(b) AUTHORITY TO RECOGNIZE NATO AUTHORIZATION AMOUNTS AS BUDGETARY RESOURCES FOR PROJECT EXECUTION.—When the United States is designated as the Host Nation for the purposes of executing a project under the NATO Security Investment Program (NSIP), the Department of Defense construction agent may recognize the NATO project authorization amounts as budgetary resources to incur obligations for the purposes of executing the NSIP project.

Subtitle B—Host Country In-Kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

<table>
<thead>
<tr>
<th>Component</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>Camp Carroll</td>
<td>Army Prepositioned Stock-4 Wheel Vehicle Maintenance Facility</td>
<td>$52,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Unaccompanied Enlisted Personnel Housing, P1</td>
<td>$154,000,000</td>
</tr>
<tr>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Unaccompanied Enlisted Personnel Housing, P2</td>
<td>$211,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Guwang Air Base</td>
<td>Satellite Communications Facility</td>
<td>$32,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Kunsan Air Base</td>
<td>Dining Facility</td>
<td>$35,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Suwon Air Base</td>
<td>Hydrant Fuel System</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td>Orchard Combat Training Center</td>
<td>Hydrant Fuel System</td>
<td>$24,000,000</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:

Army National Guard

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Anniston Army Depot</td>
<td>$34,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Foley</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Camp Roberts</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Havre De Grace</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Camp Edwards</td>
<td>$9,700,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>New Ulm</td>
<td>$11,200,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Springfield</td>
<td>$8,100,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Bellevue</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Concord</td>
<td>$29,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Camp Shelby</td>
<td>$5,900,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Moon Township</td>
<td>$9,100,000</td>
</tr>
<tr>
<td>Vermont</td>
<td>Jericho</td>
<td>$23,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Richland</td>
<td>$30,000,000</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:

Army Reserve

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delaware</td>
<td>Newark Army Reserve Center</td>
<td>$21,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Fort McCoy</td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army 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:
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>California</td>
<td>Moffett Air National Guard Base</td>
<td>$57,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Savannah-Hilton Head International Airport</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Rosecrans Memorial Airport</td>
<td>$9,500,000</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Luis Muñoz-Marin International Airport</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Truax Field</td>
<td>$34,000,000</td>
</tr>
</tbody>
</table>

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Robins Air Force Base</td>
<td>$43,000,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Joint Base Andrews</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Minneapolis-St. Paul IAP</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 103 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES. FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2019, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–250; 126 Stat. 2140)), as specified in the funding table in section 4601.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program

SEC. 2801. PROHIBITION ON USE OF MILITARY CONSTRUCTION FUNDS FOR CONSTRUCTION OF A WALL, FENCE, OR OTHER PHYSICAL BARRIER ALONG THE SOUTHERN BORDER OF THE UNITED STATES.

(a) PROHIBITION.—Military construction funds may not be obligated, expended, or otherwise used to design or carry out a project to construct, replace, or modify a wall, fence, or other physical barrier along the international border between the United States and Mexico.

(b) DEFINITIONS.—In this section:

(1) MILITARY CONSTRUCTION FUNDS.—The term "military construction funds" means—

(A) amounts authorized to be appropriated for a military construction project authorized in this division or authorized in any Military Construction Authorization Act for any fiscal years through 2019, including any amounts of such an authorization made available to the Department of Defense and transferred to another authorization by the Secretary of Defense pursuant to transfer authority available to the Secretary; and

(B) funds appropriated in any Act for a military construction project described in subparagraph (A).

(2) MILITARY CONSTRUCTION PROJECT.—The term "military construction project" has the meaning given that term in section 2801 of title 10, United States Code.

SEC. 2802. MODIFICATION AND CLARIFICATION OF CONSTRUCTION AUTHORITY IN THE EVENT OF A DECLARATION OF WAR OR NATIONAL EMERGENCY.

(a) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—Section 2808 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (e) and (f), respectively; and

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

(c) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—(1) Except as provided in paragraph (2), in the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, the total amount of all military construction projects undertaken using that authority during the national emergency may not exceed $500,000,000.

(2) In the event of a national emergency declaration in which the construction authority described in subsection (a) is used, the total amount of all military construction projects undertaken using that authority during the national emergency may not exceed $100,000,000.

(b) ADDITIONAL CONDITION ON SOURCE OF FUNDS.—Section 2808(a) of title 10, United States Code, is amended—

(1) in the second sentence—

(A) by striking "such projects may" and inserting the following:

"(b) CONDITIONS ON SOURCE OF FUNDS.—(1) Military construction projects to be undertaken using the construction authority described in subsection (a) may;"

(B) by inserting before the period at the end of the sentence the following: "and that the Secretary of Defense determines are otherwise unexercitable;"; and

(2) by adding after the second sentence the following:

"(2) For purposes of paragraph (1), the Secretary may determine that funds appropriated for military construction are unexercitable if—

"(A) a military construction project for which the funds were appropriated has been cancelled, for a reason other than to provide funds to carry out military construction under this section; or

"(B) the cost of a military construction project for which the funds were appropriated has been reduced because of project modifications or other cost savings, for a reason other than to provide funds to carry out military construction under this section-."

(c) WAIVER OF OTHER PROVISIONS OF LAW.—Section 2808 of title 10, United States Code, is amended by inserting after subsection (c), as added by subsection (a), the following new subsection:

"(d) WAIVER OF OTHER PROVISIONS OF LAW IN EVENT OF NATIONAL EMERGENCY.—In the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, the authority provided by such subsection to waive or disregard another provision of law that would otherwise apply to a military construction project authorized by this section may be used only if—

"(1) such other provision of law does not provide a means by which compliance with the requirements of the law may be waived, modified, or expedited; and
“(2) The Secretary of Defense determines that the nature of the national emergency necessitates the noncompliance with the requirements of the law.”

105. MODIFICATION OF UNIFIED FACILITIES CRITERIA TO PROMOTE MILITARY INSTALLATION RESILIENCE, ENERGY RESILIENCE, ENERGY AND CLIMATE RESILIENCE, AND CYBER RESILIENCE.

(a) AMENDMENT REQUIRED.—Not later than September 1, 2020, the Secretary of Defense shall amend the Unified Facility Criteria related to military construction planning and design to ensure that building practices and standards promote military installation resilience, energy resilience, energy and climate resiliency, and cyber resilience.

(b) CONDITIONAL AVAILABILITY OF FUNDS PENDING INITIATION OF AMENDMENT PROCESS.—Not more than 25 percent of the funds authorized to be appropriated for fiscal year 2020 for Department of Defense planning and design activities related to military construction projects may be obligated until the date on which the Secretary of Defense submits to the Committees on Armed Services of the House of Representa­tives and the Senate a certification to the Secretary that the Secretary has initiated the process to amend the Unified Facility Criteria to comply with the requirements of subsection (a) and intends to complete the amendment process by the date specified in subsection (c).

(c) CERTIFICATION.—Not later than March 1, 2021, the Secretary of Defense shall certify to the Committees on Armed Services of the House of Representa­tives and the Senate a certification that the amendment required by subsection (a) and the amendment required by section 2805(c) of the Military Construction Authorization Act for Fiscal Year 2019 (division 115-232, 123 Stat. 2262; 10 U.S.C. 2864 note) have been completed and fully incorporated into military construction planning and design.

(d) ANNUAL REVIEW.—Beginning with fiscal year 2022, and annually thereafter, the Secretary of Defense shall conduct a review comparing the Unified Facility Criteria and industry best practices to ensure that military construction building practices and standards related to military installation resilience, energy resilience, energy and climate resiliency, and cyber resilience remain current.

SEC. 2804. IMPROVED CONSULTATION WITH TRIBAL GOVERNMENTS WHEN PROPOSED MILITARY CONSTRUCTION PROJECTS POTENTIALLY IMPACT INDIAN TRIBES.

Section 2802 of title 10, United States Code, is amended by inserting at the end of the specified date required by paragraph (1) is received by the appropriate committee of Congress.”.

(e) CLERICAL AMENDMENTS.—Section 2808 of title 10, United States Code, is further amended—

(1) in subsection (b), by inserting “CONSTRUCTION AUTHORIZED.—” after “after”; and

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

“(f) If a proposed military construction project has the potential to significantly affect tribal lands, sales or treaty rights, the Secretary concerned shall initiate consultation with the tribal government of each impacted Indian tribe—

(A) to determine the nature, extent, and estimated costs of the adverse impacts; and

(B) to determine whether the adverse impacts can be avoided or mitigated in the design and implementation of the project; and

(C) if the adverse impacts cannot be avoided, to develop feasible measures to mitigate the impacts and estimate the cost of the mitigation measures.”

SEC. 2805. AMENDMENT OF UNIFIED FACILITIES CRITERIA TO PROMOTE MILITARY INSTALLATION RESILIENCE, ENERGY RESILIENCE, ENERGY AND CLIMATE RESILIENCE, AND CYBER RESILIENCE.

(a) AMENDMENT REQUIRED.—Not later than September 1, 2020, the Secretary of Defense shall amend the Unified Facility Criteria related to military construction planning and design to ensure that building practices and standards promote military installation resilience, energy resilience, energy and climate resiliency, and cyber resilience.

(b) CONDITIONAL AVAILABILITY OF FUNDS PENDING INITIATION OF AMENDMENT PROCESS.—Not more than 25 percent of the funds authorized to be appropriated for fiscal year 2020 for Department of Defense planning and design activities related to military construction projects may be obligated until the date on which the Secretary of Defense submits to the Committees on Armed Services of the House of Representa­tives and the Senate a certification to the Secretary that the Secretary has initiated the process to amend the Unified Facility Criteria to comply with the requirements of subsection (a) and intends to complete the amendment process by the date specified in subsection (c).

(c) CERTIFICATION.—Not later than March 1, 2021, the Secretary of Defense shall certify to the Committees on Armed Services of the House of Representa­tives and the Senate a certification that the amendment required by subsection (a) and the amendment required by section 2805(c) of the Military Construction Authorization Act for Fiscal Year 2019 (division 115-232, 123 Stat. 2262; 10 U.S.C. 2864 note) have been completed and fully incorporated into military construction planning and design.

(d) ANNUAL REVIEW.—Beginning with fiscal year 2022, and annually thereafter, the Secretary of Defense shall conduct a review comparing the Unified Facility Criteria and industry best practices to ensure that military construction building practices and standards related to military installation resilience, energy resilience, energy and climate resiliency, and cyber resilience remain current.

(e) DEFINITIONS.—In this section:

(1) The terms “energy resilience” and “military installation resilience” have the meanings given those terms in re­spect to such paragraph and specifically address each of the items specified in subparagraphs (A), (B), and (C) of such paragraph.

(2) In this subsection:

(A) The term “Indian tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 3004).

(B) The term “tribal government” means the recognized governing body of an Indian tribe.

(C) The term “sacred site” has the meaning given that term in Executive Order 13007, as in effect on the date of the enactment of the Na­tional Defense Authorization Act for Fiscal Year 2020.”

SEC. 2806. MODIFICATION TO DEPARTMENT OF DEFENSE FORM 1391 REGARDING PENDING CONSIDERATION OF POTENTIAL LONG-TERM ADVERSE ENVIRONMENTAL EFFECTS.

(a) MODIFICATION.—The Secretary of Defense shall modify Department of Defense Form 1391 to require, with respect to
any proposed major or minor military construction project requiring congressional notification or approval, the inclusion of a certification by the Secretary of Defense or the Secretary of the military department pursuant to section 2802 of title 10, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or the Secretaries of the military department pursuant to such section or to the Secretary or to make differential lease payments in addition to rents or payments.

SEC. 2813. LEASES AND TENANCY.

(a) General.—The modification of Department of Defense Form 1391 required by subsection (a) of section 2876 of title 10 with respect to flood risk disclosure for military projects, consistent with section 2805(a) of the Military Construction Authorization Act for the fiscal year 2016 as published in the Public Law 114–113 122 Stat. 1797; 10 U.S.C. 2902 note.

(b) Disclosure of Health-related Information.—In this section, the term "military housing unit" means a residence in military housing units covered by the present section, the term "military tenant advocate" means the secretary concerned, the military tenant advocate under the Department of Defense, as established in accordance with regulations prescribed by the Secretary concerned, the military tenant advocate under the Department of Defense, with respect to concerns related to the military tenant's occupancy of the military housing unit, and "health-related information" means information, including health-related information, that a military tenant advocate or a contractor determines in accordance with regulations prescribed by the Secretary concerned.

(c) Unit Inspections.—(1) IN GENERAL.—The Secretary concerned shall conduct unit inspections of military housing units in accordance with regulations prescribed by the Secretary concerned.

(d) Determination of Rent.—The Secretary concerned shall establish a dispute resolution process for the resolution of disputes between landlords and military tenants related to military housing units. The resolution process shall use neutral arbitrators and minimize costs incurred by military tenants to participate.

(e) Military Tenant Advocates.—(1) IN GENERAL.—The Secretary concerned shall assign personnel of the Department of Defense, as contractor personnel, to serve as military tenant advocates—

(f) Tenant Advocates.—(1) IN GENERAL.—The Secretary concerned shall designate a military tenant advocacy program for the purpose of—

(g) LEASES AND TENANCY.—(A) A landlord may not impose a military tenant a supplemental payment, such as an out-of-pocket fee, in addition to the amount of the member's basic allowance for housing under section 403 of title 37 is less than the amount of the rent.

(h) Exemptions.—Nothing in paragraph (1) shall be construed—

(i) to prohibit a landlord from imposing an additional payment—

(1) for optional services provided to military tenants, such as access to a gym or a parking space;

(2) for non-essential utility services, as determined in accordance with regulations promulgated by the Secretary concerned; or

(3) to recover damages associated with tenant negligence; or

(4) to limit or otherwise affect the authority of the Secretary concerned to enter into rental guarantee agreements under section 2876 of this title or to make differential lease payments under section 2877 of this title, so long as such agreements or payments do not require a military housing tenant to participate.

(2) DISPUTE RESOLUTION PROCESS.—(A) ESTABLISHMENT.—The Secretary concerned shall establish a dispute resolution process for the resolution of disputes between landlords and military tenants related to military housing units. The resolution process shall use neutral arbitrators and minimize costs incurred by military tenants to participate.

(3) TREATMENT OF BASIC ALLOWANCE FOR HOUSING.—During the dispute resolution process between a landlord and military tenant, the Secretary concerned may withhold from the landlord amounts of the military tenant's basic allowance for housing for housing under section 401 of title 37 that otherwise would be paid to the landlord directly by the military tenant or through allotments of the proceeds of the military tenant under section 701 of title 37.

(4) PROMPT MAINTENANCE AND REPAIRS.—(1) IN GENERAL.—The Secretary concerned shall—

(2) to assist in the resolution of a dispute between a landlord and a military tenant; and

(3) to serve as a liaison between military tenants and landlords, officials in the chain of command at the installation, and the individual designated in paragraph (2) within the Office of the Secretary of Defense, with respect to concerns of military tenants at the applicable installation.

(5) MOVE-OUT.—A military tenant is entitled to be present for the move-out inspection and must be given sufficient time to address any concerns related to the military tenant's occupancy of the military housing unit.

(6) TENANCY.—(A) The term "military tenant advocate" means the military tenant advocate under the Department of Defense, as contractor personnel, to serve as a military tenant advocate—

(1) to assist in the resolution of a dispute between a landlord and a military tenant; and

(2) to serve as a liaison between military tenants and landlords, officials in the chain of command at the installation, and the individual designated in paragraph (2) within the Office of the Secretary of Defense, with respect to concerns of military tenants at the applicable installation.

(B) A military tenant advocate may not be an employee of a landlord or occupy office space provided by a landlord.

(2) The Secretary of Defense shall designate an individual within the Office of the Secretary of Defense to serve as a liaison between the Secretary and the Secretary concerned, the military tenant advocates under

H5458 CONGRESSIONAL RECORD — HOUSE July 10, 2019
(a) NONDISCLOSURE AGREEMENTS.—Section 2882 of title 10, United States Code, is amended by adding at the end the following new subsection:

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(4) IMPLEMENTATION.—The Secretary of Defense and the Secretaries of the military departments shall promulgate regulations necessary to give full force and effect to subsection (d) of section 2882 of title 10, United States Code, as added by subsection (a).
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(b) RETROACTIVE APPLICATION OF AMENDMENT.—Subsection (d) of section 2882 of title 10, United States Code, as added by subsection (a), shall apply with respect to any nondisclosure agreement covered by the terms of such subsection (d) regardless of the date on which the agreement was executed.

SEC. 2813. AUTHORITY TO FURNISH CERTAIN SERVICES IN CONNECTION WITH A LEASE OR ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.

Section 2872a of title 10, United States Code, is amended by adding at the end the following new paragraph:

```
(13) Street sweeping.
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SEC. 2814. MODIFICATION TO REQUIREMENTS FOR WINDOW FALL PREVENTION DEVICES IN MILITARY FAMILY HOUSING UNITS.

(a) FALL PREVENTION DEVICE REQUIREMENTS.—Section 2878(a) of title 10, United States Code, is amended—

```
(1) in paragraph (1), by striking ''that protect against unintentional window falls by young children and that in compliance with applicable standards'' and inserting ''that protect against unintentional window falls by young children and that are in compliance with applicable standards'';''
```

(b) RECORDING AND MAINTENANCE OF INFORMATION.—Section 2879(b)(1) of title 10, United States Code, is amended by striking ''paragraph (1)'' and inserting ''paragraph (3)''.

(c) CONFORMANCE WITH STANDARD.—Section 2879(b)(3) of title 10, United States Code, is amended by striking ''as' and inserting ''that''.

Sec. 2815. MODIFICATION TO REQUIREMENTS FOR WINDOW FALL PREVENTION DEVICES IN MILITARY FAMILY HOUSING UNITS.

(a) FALL PREVENTION DEVICE DESCRIPTION.—A fall prevention device is a window screen or guard that complies with applicable standards in ASTM standard F2090-13 (or any successor standard).

(b) PROHIBITION.—(1) A member of the armed forces who leases a housing unit acquired or constructed under this chapter, or who is authorized to act on behalf of the member in the event of the assignment or deployment of the member, shall not apply to a non-disclosure agreement executed as part of the settlement of litigation.

(c) COMPLIANCE.—(1) A member of the armed forces who leases a housing unit acquired or constructed under this chapter, or who is authorized to act on behalf of the member in the event of the assignment or deployment of the member, shall not apply to a non-disclosure agreement executed as part of the settlement of litigation.

(d) IMPLEMENTATION.—The Secretary of Defense and the Secretaries of the military departments shall promulgate regulations necessary to give full force and effect to subsection (d) of section 2882 of title 10, United States Code, as added by subsection (a).
acquisition and improvement of military housing under subchapter IV of chapter 169 of title 10, United States Code.

(2) Recommendations to address such personnel shortages in order to eliminate management problems regarding such military housing, ensure oversight of the partner’s execution of the housing agreements and the delivery of all required services in accordance with implementing guidance provided by the Secretaries of the military departments, improve oversight of and expedite the review process, and facilitate a positive experience for members of the Armed Forces and their dependents who reside in military housing.

(b) PERSONNEL RECOMMENDATIONS.—As part of the recommendations required by subsection (a), the Secretary of Defense shall—

(1) identify the number of additional personnel who are required, the installation and headquarters at which they will be employed, the employment positions they will fill, and the duties they will perform;

(2) identify the number of additional personnel already hired as of the date on which the report is submitted and their locations and the timeline for employing the remaining required personnel; and

(3) estimate the cost of employing the additional personnel.

SEC. 2818. DEPARTMENT OF DEFENSE OVERSIGHT OF PRIVATIZED MILITARY HOUSING.

Not later than one year after the enactment of this Act, and annually thereafter until 2022, the Inspector General of the Department of Defense shall—

(1) conduct a review at not less than 15 randomly selected military installations of the oversight by the Secretary of Defense of privatized military housing at such installations; and

(2) make available on a website of the Department a summary of the results of such review.

SEC. 2819. DEPARTMENT OF DEFENSE INSPECTION AUTHORITY REGARDING PRIVATIZED MILITARY HOUSING.

(a) INSPECTION AUTHORITY.—Section 2885 of title 10, United States Code, is amended by—

(1) adding at the end of the following new subsection:

"§2888. Financial transparency

(a) AUDITS OF AGREEMENTS WITH PARTNERS.—(1) Not less frequently than annually, the Comptroller General of the United States, in accordance with best audit practices, shall randomly select one small, medium, and large military installation participating in the Military Privatized Housing Initiative for the purposes of conducting a full financial audit of the privatized housing project or projects at each installation. The results of audits conducted under this section shall be provided to the Secretary of the Army, the Secretary of the Navy, the Secretaries of the Air Force and the House and Senate Representatives.

(2) Audits conducted under paragraph (1) shall include an analysis, at a minimum, of 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.

(G) Proceedings relating to the financial relationship with and use of subsidiaries and third parties to manage/implement housing agreements.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after the item relating to section 2887 the following new item:

"2888. Financial transparency, ."

(b) ANNUAL REPORTS ON PRIVATIZED MILITARY HOUSING.—Section 2884 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d) ANNUAL REPORT ON HOUSING.—(1) Not less frequently than annually, the Secretary of Defense shall submit to the congressional defense committees and publish on a publicly available website of the Department of Defense a report on housing units under this subchapter, and shall include an analysis of all denied tenant requests to withhold rent payments, or where the dispute resolution process resulted in a favorable outcome for the housing provider.

(2) An assessment of overall customer service for tenants of such housing units.

(3) A description of any no-notice housing inspections conducted for such housing units.

(4) The results of any resident surveys conducted with respect to such housing units.

Subtitle C—Real Property and Facilities Administration

SEC. 2831. IMPROVED ENERGY SECURITY FOR MAIN OPERATING BASES IN EUROPE.

(a) PROHIBITION ON USE OF CERTAIN ENERGY SOURCES.—The Secretary of Defense shall ensure that each contract for the acquisition of furnished energy for a covered military installation in Europe does not use natural gas sourced from any facility located in the Russian Federation.

(b) WAIVER FOR NATIONAL SECURITY INTERESTS.—(1) WAIVER AUTHORITY; CERTIFICATION.—The Secretary of Defense may waive application of subsection (a) to a specific contract for the acquisition of furnished energy for a covered military installation if the Secretary certifies to the congressional defense committees that—

(A) the waiver of such subsection is necessary to ensure an adequate supply of furnished energy for the covered military installation; and

(B) the Secretary has balanced these national security requirements against the potential risk associated with reliance upon the Russian Federation for furnished energy.

(2) SUBMISSION OF WAIVER NOTICE.—Not later than 14 days before the execution of any energy contract for which a waiver is granted under paragraph (1), the Secretary of Defense shall submit to the congressional defense committees notice of the waiver. The waiver notice shall include the following:

(A) The rationale for the waiver, including the criteria by which the Secretary granted the waiver.

(B) An assessment of the potential impact of the waiver on the national security interests of the United States.

(C) An explanation of the measures the Department of Defense is taking to mitigate the risk of using Russian Federation furnished energy.

(d) DEFINITIONS.—In this section:

(1) The term ‘covered military installation’ means a military installation in Europe identified by the Department of Defense as a main operating base.

(2) The term ‘furnished energy’ means energy furnished to a covered military installation in any form and for any purpose, including heating, cooking, and electricity.

SEC. 2832. ACCESS TO DEPARTMENT OF DEFENSE FACILITIES FOR CREDENTIALED TRANSPORTATION WORKERS.

Section 1066 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 113 note) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) ACCESS TO FACILITIES FOR CREDENTIALED TRANSPORTATION WORKERS.—The Secretary of Defense, to the extent practicable, shall make the Transportation Worker Identification Credential and any other similar credential accepted as a valid credential for unescorted access to a work site at a maritime terminal of the Department of Defense; and

(b) may provide that the Transportation Worker Identification Credential and any other similar credential accepted as a valid credential for unescorted access to Department of Defense facilities other than those specified in paragraph (a) is accepted as a valid credential for unescorted access to Department of Defense facilities.

(2) in the section heading, by striking “INSTALLATIONS” and inserting “FACILITIES”.

H5460

CONGRESSIONAL RECORD — HOUSE

July 10, 2019
Subtitle D—Land Conveyances

SEC. 2841. LAND CONVEYANCE, HILL AIR FORCE BASE, UTAH.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force, acting through the Administrator, may authorize the conveyance of a parcel of real property, consisting of approximately 141.52 acres and located at Hill Air Force Base (commonly known as the Defense Nuclear Ordnance Storage Center), and such real property adjacent to the Center as the parties consider to be appropriate, for the purpose of permitting the State to construct a new interchange on Interstate 15.

(b) CONDITION OF CONVEYANCE.—As a condition on the conveyance authorized by subsection (a), the State shall agree to the following:

(1) Payment Required.—The Secretary of the Air Force shall refund the costs, and the amount collected exceeds the costs, shall be credited to the fund or account that was used to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary for such costs incurred, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and other administrative costs related to the conveyance. If amounts collected are in advance of the Secretary incurring actual costs, the Secretary shall reduce the excess amount.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance, or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and shall be in addition to any other amounts, or sums of money, in the same fund or account.

SEC. 2842. RELEASE OF CONDITIONS AND REVERSIONARY INTEREST, CAMP JOSEPH T. ROBINSON, ARKANSAS.

(a) RELEASE OF CONDITIONS AND RETAINED INTEREST.—With respect to a parcel of real property at Camp Joseph T. Robinson, consisting of approximately 141.52 acres and conveyed by the United States to the State of Arkansas pursuant to the Act entitled “An Act authorizing the Secretary of the Army to convey to the State of Arkansas, T. Robinson to the State of Arkansas”, approved June 30, 1950 (64 Stat. 311, chapter 429), the Secretary of the Army may release, without consideration, the parcel of real property described in subsection (a) to the State of Arkansas (in this section referred to as the “State”) subject to the conveyance under subsection (a), the State shall agree to the following:

(1) Payment Required.—The Secretary shall refund the costs actually incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary for such costs incurred, to carry out the conveyance under subsection (a). The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force.

(2) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers to be appropriate, for the purpose of protecting the interests of the United States.

(b) CONDITION OF RELEASE.—As a condition on the release of the terms and conditions and retained interests under subsection (a), the State shall agree to the following:

(1) Payment Required.—Upon the release of the terms and conditions and retained interests under subsection (a), the State shall agree to the following:

(2) Additional Payment Required.—In the manner and subject to the conditions of paragraph (1), the State shall agree to the following:

(3) That the State shall coordinate any demolition, cleanup, remediation, design, redevelopment, and construction activities performed pursuant to section 2942(b)(2) of the Military Land Withdrawals Act (as amended), and such additional terms and conditions as the parties consider to be appropriate, for the purpose of carrying out the release. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and shall be in addition to any other amounts, or sums of money, in the same fund or account.

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers to be appropriate, for the purpose of protecting the interests of the United States.

SEC. 2843. MODIFICATION OF AUTHORIZED USES OF CERTAIN PROPERTY ACQUIRED BY THE UNITED STATES IN LOS ANGELES, CALIFORNIA.

(a) IN GENERAL.—Section 2 of Public Law 85–256 (71 Stat. 517) is amended in the first sentence by inserting “for other military purposes” the following: “and for purposes of meeting the needs of the homeless (as that term is defined in section 236 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302)).”

(b) MODIFICATION OF USE.—

(1) APPLICATION.—The State of California shall submit to the Administrator of General Services an application for use of the property conveyed by section 2 of Public Law 85–256 for purposes of meeting the needs of the homeless in compliance with the amendment made by subsection (a).

(2) REVIEW OF APPLICATION.—Not later than 60 days after the date on which the application is submitted pursuant to paragraph (1), the Administrator and the Secretary of Health and Human Services shall jointly determine whether the use of the property described in the application is in furtherance of purposes of meeting the needs of the homeless.

(3) MODIFICATION OF INSTRUMENT OF CONVEYANCE.—If the Administrator and the Secretary jointly determine that the use of the property described in the application is for purposes of meeting the needs of the homeless, the Administrator shall execute and record in the proper office an instrument of modification of the deed of conveyance executed pursuant to Public Law 85–256 in order to authorize such use of the property. The instrument shall include such additional terms and conditions as the Administrator considers appropriate to protect the interests of the United States.

(4) COMPATIBILITY WITH MILITARY PURPOSES.—Before executing any instrument of modification of the deed of conveyance, the Administrator and the Secretary shall notify the public of the start date and the end date of the period established pursuant to section 2944, acting through the Resource Management Group established pursuant to section 2944, of the disposition of the property described in the application is for purposes of meeting the needs of the homeless.

Subtitle E—Military Land Withdrawals

SEC. 2851. PUBLIC NOTICE REGARDING UPCOMING PERIODS OF SECRETARY OF THE NAVY MANAGEMENT OF SHARED USE AREA OF THE JOHNSON VALLEY OFF-HIGHWAY VEHICLE RECREATION AREA.

(a) PUBLIC NOTICE REQUIRED.—Section 2942(b)(2) of the Military Land Withdrawals Act (title XXIX of Public Law 113–66, 127 Stat. 1036) is amended by adding at the end the following new subparagraph:

“(D) PUBLIC NOTICE.—Not later than one year before the date on which a 30-day period of Secretary of the Navy management of the Shared Use Area will start, the Secretary of the Navy, acting through the Resource Management Group established pursuant to section 2944, shall notify the public of the start date and the intention of the Armed Forces to use the Shared Use Area for military training purposes. The Secretary of the Interior, may waive such public notice in the event of an emergent military training requirement.”

(3) ADDITIONAL AMENDMENT.—Subparagraph (D) of section 2942(b)(2) of the Military Land Withdrawals Act of 2013 (title XXIX of
(b) Abolishment of White Sands National Monument.

(1) Abolishment.—Due to the establishment of the National Park, the Monument is abolished.

(2) Incorporation.—The land and interests in land that constitute the Monument are incorporated in, and shall be considered to be part of, the National Park.

(c) References.—Any reference in a law, map, regulation, document, paper, or other record of the United States to White Sands National Monument shall be considered to be a reference to White Sands National Park.

(d) Availability.—Any funds available for the Monument shall be available for the National Park.

(e) Administration.—The Secretary of the Interior shall administer the National Park in accordance with—

(1) this subtitle; and

(2) the laws generally applicable to units of the National Park System, including section 100101(a), chapter 1003, sections 100751(a), 100752, 100753, and 102101, and chapter 3201 of title 54, United States Code.

(f) Effect.—Nothing in this section affects—

(1) any existing rights (including water rights);

(2) permits or contracts issued by the Monument; or

(3) existing agreements, including agreements with the Department of Defense; or

(4) the jurisdiction of the Department of Defense regarding the restricted airspace above the National Park; or

(5) the airshed classification of the National Park under the Clean Air Act (42 U.S.C. 7401 et seq.).

SEC. 2865. TRANSFERS OF ADMINISTRATIVE JURISDICTION RELATED TO THE NATIONAL PARK AND WHITE SANDS MISSILE RANGE.

(a) Transfer of Administrative Jurisdiction to the Secretary of the Interior.—

(1) In General.—Administrative jurisdiction over the land described in paragraph (2) is transferred from the Secretary of the Army to the Secretary of the Interior.

(2) Description of Land.—The land referred to in paragraph (1) consists of the following:

(A) The approximately 5,766 acres of land identified as "Cooperative Use Research Area (CURA) for the purposes of conducting an investigation under that subparagraph.

(3) Apportionment.—Any activities undertaken under this subsection shall be carried out in accordance with—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(B) any other applicable law.

SEC. 2866. BOUNDARY MODIFICATIONS RELATED TO THE NATIONAL PARK AND MISSILE RANGE.

(a) National Park.—

(1) In General.—The Boundary of the National Park is expanded to reflect the boundary depicted on the Map.

(2) Development.—The Secretary of the Army shall—

(i) manage the land described in subparagraph (C) in a manner consistent with the protection of natural and cultural resources within the Missile Range and the National Park and in accordance with section 101(a)(1)(B) of the Sikes Act (16 U.S.C. 670a(q)(1)(B)), division A of subtitle III of title 54, United States Code, and the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.); and

(ii) include the land described in subparagraph (C) in the integrated natural and cultural resource management plan for the Missile Range.

(b) Military Munitions.—The Secretary of the Army shall conduct one or more investigations of military munitions or munitions debris or on any land transferred under subsection (a).

(2) Access.—The Secretary of the Interior shall give access to the Secretary of the Army to the land covered by a request under subparagraph (A) for the purposes of conducting an investigation under that subparagraph.

(C) Limitation.—An investigation conducted under this paragraph shall be subject to applicable appropriation laws.

(3) Applicable Law.—Any activities undertaken under this subsection shall be carried out in accordance with—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(B) any other applicable law.

(c) Any other applicable law.

SEC. 2869. CONGRESSIONAL RECORD — HOUSE

July 10, 2019
(A) IN GENERAL.—The Secretary of the Interior, in coordination with the Secretary of the Army, shall prepare and keep on file for public inspection in the appropriate office of the Secretary of the Interior a map and a legal description of the revised boundary of the National Park.

(B) EFFECT.—The map and legal description under subparagraph (A) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors in the map and legal description.

(3) BOUNDARY SURVEY.—As soon as practicable after the date of the establishment of the National Park and subject to the availability of funds, the Secretary of the Interior shall complete an official boundary survey of the National Park.

(b) MISSILE RANGE.—

(1) IN GENERAL.—The boundary of the Missile Range and the Public Land Order are modified to exclude the land transferred to the Secretary of the Interior under subsection (a) of section 2865 and to include the land transferred to the Secretary of the Army under subsection (b) of such section.

(2) MAP.—The Secretary of the Interior shall prepare a map and legal description depicting the revised boundary of the Missile Range.

(c) CONFORMING AMENDMENT.—Section 2854 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 54 U.S.C. 320202 note), relating to the modification of boundaries of the Monument and the Missile Range, is repealed.

Subtitle G—Other Matters

SEC. 2871. INSTALLATION AND MAINTENANCE OF FIRE EXTINGUISHERS IN DEPARTMENT OF DEFENSE FACILITIES.

The Secretary of Defense shall ensure that portable fire extinguishers are installed and maintained in all Department of Defense facilities in accordance with requirements of national model fire codes developed by the National Fire Protection Association and the International Code Council that require redundancy and extinguishers throughout occupancies regardless of the presence of other suppression systems or alarm systems.

SEC. 2872. DEFINITION OF COMMUNITY INFRASTRUCTURE FOR PURPOSES OF MILITARY CONSTRUCTION AND COMMUNITY PLANNING ASSISTANCE.

Paragraph (4) of section 2391(e) of title 10, United States Code, is amended to read as follows:

“(4)(A) The term ‘community infrastructure’ means a project or facility described in subparagraph (B) that—

(i) is located off of a military installation; and

(ii) is—

(ⅰ) owned by a State or local government; or

(ⅱ) a not-for-profit, member owned utility service.

(B) A project or facility described in this subparagraph is any of the following:

(ⅰ) Any transportation project.

(ⅱ) A school, hospital, police, fire, emergency response, or other community support facility.

(ⅲ) A water, waste-water, telecommunications, electric, gas, or other utility infrastructure project.”

SEC. 2873. REPORT ON VULNERABILITIES FROM SEA LEVEL RISE TO CERTAIN MILITARY INSTALLATIONS LOCATED OUTSIDE THE CONTINENTAL UNITED STATES.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on vulnerabilities from sea level rise to covered installations located outside of the continental United States.

(b) CONTENTS.—For each covered installation, the report required by subsection (a) shall include the following:

(1) An analysis of the impacts to the operations, contingency plans, and readiness of such installation from a sea level rise.

(2) A discussion of mitigation efforts, including dredging, reclaiming land, and island building, that may be necessary due to a sea level rise.

(3) The estimated costs of the efforts discussed under paragraph (2).

(4) An identification of alternative locations for the contingency of operations of such installation if such installation is rendered inoperable.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) COVERED INSTALLATION DEFINED.—In this section, the term ‘covered installation’ means the following military installations:

(1) Naval Support Facility Diego Garcia.

(2) Ronald Reagan Ballistic Missile Defense Test Site.

SEC. 2874. BLACK START EXERCISES AT JOINT BASES.

(a) REQUIREMENT.—Not later than September 30, 2020, the Secretary of Defense shall conduct a black start exercise at three Joint Bases at which such exercise has not previously been conducted, for the purpose of identifying any shortcomings in infrastructure, joint operations, joint coordination, and security that would result from a loss of power at the site.

(b) REPORT.—Not later than June 1, 2020, the Secretary of Defense shall submit to the congressional defense committees a report that contains a discussion of lessons learned from black start exercises conducted by the Secretary of Defense during the period beginning with the first such exercise and ending on December 31, 2019, including the three most recurring issues identified as a result of such exercises with respect to infrastructure, joint coordination efforts, and security.

(c) BLACK START EXERCISE DEFINED.—In this section, the term ‘black start exercise’ means, with respect to a military installation, an exercise in which commercial utility power at the installation is dropped before backup generation assets start, for the purpose of—

(1) testing the ability of the backup systems to start, transfer the load, and carry the load until commercial power is restored;

(2) aligning stakeholders on critical energy requirements to meet mission requirements;

(3) validating mission operation plans, such as continuity of operations plans;

(4) identifying infrastructure interdependencies; and

(5) verifying backup electric power system performance.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) AUTHORIZATION.—Subject to subsection (b), the Secretary of the Army may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cuba</td>
<td>Guantanamo Bay Naval Station</td>
<td>$33,800,000</td>
</tr>
<tr>
<td>Unspecified Europe</td>
<td>European Deterrence Initiative:</td>
<td>$98,342,000</td>
</tr>
<tr>
<td></td>
<td>Various Locations</td>
<td></td>
</tr>
</tbody>
</table>

(b) REPORT REQUIRED AS CONDITION OF AUTHORIZATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report containing a plan to carry out each military construction project authorized in the final item in the table in subsection (a) for an unspecified location for the European Deterrence Initiative. The plan shall

SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) AUTHORIZATION.—Subject to subsection (b), 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>Bahrain</td>
<td>SW Asia</td>
<td>$53,360,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Sigonella</td>
<td>$57,400,000</td>
</tr>
<tr>
<td>Spain</td>
<td>Rota</td>
<td>$56,246,000</td>
</tr>
<tr>
<td></td>
<td>European Deterrence Initiative:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Various Locations</td>
<td></td>
</tr>
</tbody>
</table>

(b) REPORT REQUIRED AS CONDITION OF AUTHORIZATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report containing a plan to carry out each military construction project authorized in the final item in the table in subsection (a) for an unspecified location for the European Deterrence Initiative. The plan shall...
include a Department of Defense Form 1391 for each proposed project. The Secretary may not commence a project until the report has been submitted.

SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) AUTHORIZATION.—Subject to subsection (b), 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>Jordan</td>
<td>Ajoq</td>
<td>$66,000,000</td>
</tr>
<tr>
<td>Spain</td>
<td>Moron</td>
<td>$8,500,000</td>
</tr>
<tr>
<td>Unspecified Europe</td>
<td>European Deterrence Initiative: Various</td>
<td>$231,246,000</td>
</tr>
</tbody>
</table>

(b) REPORT REQUIRED AS CONDITION OF AUTHORIZATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report containing a plan to carry out each military construction project authorized in the final item in the table in subsection (a) for an unspecified location for the European Deterrence Initiative. The plan shall include a Department of Defense Form 1391 for each proposed project. The Secretary may not commence a project until the report has been submitted.

SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may acquire real property and carry out the military construction project for the installation outside the United States, and in the amount, 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>Germersheim</td>
<td>$46,000,000</td>
</tr>
</tbody>
</table>

SEC. 2905. 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 402.

SEC. 2906. AUTHORIZATION OF EMERGENCY MILITARY CONSTRUCTION OF 2019.

Pursuant to section 2802 of title 10, United States Code, the following real property acquisition and military construction projects, including planning and design related to military construction projects, in the following amounts, are authorized:

Navy Authorization

<table>
<thead>
<tr>
<th>State or Location</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>Various construction</td>
<td>$967,210,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station</td>
<td>Planning and Design</td>
<td>$175,456,000</td>
</tr>
<tr>
<td></td>
<td>Cherry Point</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unspecified Worldwide</td>
<td>Unspecified Worldwide Locations</td>
<td></td>
<td>$64,282,000</td>
</tr>
</tbody>
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Air Force Authorization

<table>
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<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Tyndall Air Force Base</td>
<td>Various Construction</td>
<td>$735,752,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>Various Construction</td>
<td>$300,000,000</td>
</tr>
</tbody>
</table>

Army National Guard Authorization

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Panama City</td>
<td>National Guard Readiness Center</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Military Training Area</td>
<td>General Purpose Administrative Building</td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>

(b) REPORT REQUIRED AS CONDITION OF AUTHORIZATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing a plan to carry out the military construction projects authorized by this section. The plan shall include an explanation of how each military construction project will incorporate mitigation measures that reduce the threat from extreme weather events, mean sea level fluctuation, flooding, and any other known environmental threat to resilience, including a list of any areas in which there is a variance from the local building requirements and an explanation of the reason for the variance. The plan shall also include a Department of Defense Form 1391 for each proposed project. The Secretary may not commence a project until the report required from the Secretary has been submitted.

(b) ARMY NATIONAL GUARD AUTHORIZATION.—Pursuant to section 2805 of title 10, United States Code, unspecified minor construction, in the amount set forth in the following table, is authorized:
DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs and Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2020 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 15-D-301, High Explosive Science and Engineering Facility, Pantex Plant, Amarillo, Texas, $123,000,000.

Project 15-D-611, Emergency Operations Center, Sandia National Laboratories, Albuquerque, New Mexico, $4,840,000.

Project 15-D-612, Emergency Operations Center, Lawrence Livermore National Laboratory, Livermore, California, $5,000,000.

Project 18-D-150, Surplus Plutonium Disposition, Savannah River Site, Aiken, South Carolina, $79,000,000.

Project 18-D-650, Tritium Finishing Facility, Savannah River Site, Aiken, South Carolina, $27,000,000.

Project 19-D-931, KL Fuel Development Laboratory, Knolls Atomic Power Laboratory, Schenectady, New York, $23,700,000.

Project 20-D-931, KL Fuel Development Laboratory, Knolls Atomic Power Laboratory, Schenectady, New York, $23,700,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2020 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2020 for defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2020 for nuclear energy as specified in the funding table in section 4701.

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

SEC. 3111. PERSONNEL LEVELS OF THE OFFICE OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.

(a) PERSONNEL LEVELS.—

(1) INCREASE.—Subsection (a) of section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) is amended by striking "1,590" both places it appears and inserting "1,890".

(2) TECHNICAL MODIFICATIONS.—Such subsection is further amended—

(A) in paragraph (1), by striking "By October 1, 2015, the" and inserting "The"; and

(B) in paragraph (2), by striking "2016" and inserting "2020".

(b) PROGRAMS ON SERVICE SUPPORT CONTRACTS.—Subsection (f) of such section is amended—

(1) in the matter preceding paragraph (1), by striking "(1) by striking the "determination date of the report" and inserting "for the most recent fiscal year for which data is available"; and

(2) by striking paragraph (5) and inserting the following new paragraph (5):—

"(5) With respect to each contract identified under paragraph (2)—

(A) identification of each appropriations account that supports and

(B) the amount obligated under the contract during the fiscal year, listed by each such account.

With respect to each appropriations account identified under paragraph (5)(A), the total amount obligated for contracts identified under paragraph (5)."

SEC. 3112. OFFICE OF COST ESTIMATING AND PROGRAM EVALUATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Congressional Budget Office has been persistently below the authorized level.

(b) REPORTING.—Subsection 3221(b)(1) of the National Nuclear Security Administration Act (50 U.S.C. 2411(b)(1)) is amended by adding at the end the following new sentence: "The Director shall report directly to the Administrator.".

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall provide to the congressional defense committees a briefing on the plan of the Administrator to fully staff the Office of Cost Estimating and Program Evaluation of the National Nuclear Security Administration pursuant to section 3221(f) of the National Nuclear Security Administration Act (50 U.S.C. 2411(f)).

SEC. 3113. CLARIFICATION OF CERTAIN STOCKPILE RESPONSIVENESS PROGRAM OBJECTIVES.

Section 4220(c) of the Atomic Energy Defense Act (50 U.S.C. 2530b(c)) is amended—

(1) in paragraph (1), by striking "capabilities required, including prototypes" and inserting "capabilities as required, such as through the use of prototypes"; and

(2) in paragraph (2)—

(A) by striking "in consultation with the Director of National Intelligence" and inserting "in coordination with the Director of National Intelligence"; and

(B) by inserting "if needed to meet intelligence requirements" after "foreign countries".

SEC. 3114. MODIFICATION TO PLUTONIUM PIT PRODUCTION CAPACITY.

(a) FINDING AND SENSE OF CONGRESS.—

(1) FINDING.—Congress finds that a recent study by the Institute of Defense Analyses, "A key milestone will be achieving the plutonium production capacity..." and Congress that the National Nuclear Security Administration should prioritize achieving produc-

(b) ACTIVITIES.—In carrying out the program under subsection (a), the Administrator for Nuclear Security shall provide to the congressional defense committees a briefing on the plan of the Administrator to fully staff the Office of Cost Estimating and Program Evaluation of the National Nuclear Security Administration pursuant to section 3221(f) of the National Nuclear Security Administration Act (50 U.S.C. 2411(f)).

SEC. 3115. ELIMINATION OF LIMITATION ON AVAILABILITY OF FUNDING FOR ACCELERATION OF NUCLEAR WEAPONS DISMANTLEMENT.

Section 3115 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–338; 130 Stat. 2765) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

SEC. 3116. PROGRAM FOR RESEARCH AND DEVELOPMENT OF ADVANCED NAVAL NUCLEAR FUEL SYSTEM BASED ON LOW-ENRICHED URAM.

(a) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall establish a program to assess the viability of using low-enriched uranium in naval nuclear propulsion reactors, including such reactors located on and used on naval vessels and submarines, that meet the requirements of the Navy.

(b) ACTIVITIES.—In carrying out the program under subsection (a), the Administrator shall carry out activities described in section 3116 of the National Nuclear Security Administration Act (50 U.S.C. 2411) to—

(1) assess the viability of using low-enriched uranium in naval nuclear propulsion reactors, including such reactors located on and used on naval vessels and submarines, that meet the requirements of the Navy.

(2) manufacture of candidate advanced low-enriched uranium fuels; and

(3) irradiation tests and post-irradiation examination of these fuels; and

(4) modification of procurement and infrastructure to support these activities.

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, and in consultation with the Director of Naval Intelligence, the Administrator shall submit to the congressional defense committees a report on the status and plan for the activities under subsection (a), including the funding requirements associated with developing a low-enriched uranium fuel.

SEC. 3117. REPLACEMENT OF W78 WARHEAD.

(a) ANALYSIS OF ALTERNATIVES.—

(1) IN GENERAL.—The Administrator for Nuclear Security shall conduct an analysis of alternatives with respect to replacing the W78 warhead.

(2) STUDY.—Such analysis shall describe the technical risks and costs for each option to replace the W78 warhead.

(b) REVIEW.—The Director for Cost Estimating and Program Evaluation of the National Nuclear Security Administration shall review the analysis of alternatives under paragraph (1).
(3) REPORT.—Not later than 150 days after the date of the enactment of this Act, the Administrator shall submit to the congressional defense committees a report on the replacement of the W78 warhead. Such report shall include the analysis of alternatives under paragraph (1) and the review under paragraph (2).

(b) The funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for the National Nuclear Security Administration for the modernization of the W78 warhead, not more than 75 percent may be obligated or expended until the date on which the report is submitted under subsection (a)(3).

(c) PRELIMINARY STUDY.—(1) IN GENERAL.—The Administrator shall seek to enter into an arrangement with the private sector, including universities, to conduct a study of the plan of the Administrator to replace the W78 warhead. Such study shall include—

(i) an assessment of the risks to certification; and,

(ii) the need for planned upgrades to such warhead.

(2) IN THE HOUSE.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the congressional defense committees the study under paragraph (1), without change.

SEC. 3120. NATIONAL LABORATORY JOBS ACCESS PROGRAM

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary may establish a program known as the “Department of Energy National Lab Jobs ACCESS Program”, under which the Secretary may award, on a competitive basis, 5-year grants to eligible entities described in subsection (c) for the Federal share of the costs of technical, skills-based preapprenticeship and apprenticeship programs that provide employer-driven or recognized postsecondary credentials during the grant period.

(b) IN GENERAL.—Any program funded by a grant awarded under this section shall develop and deliver customized and competency-based training that—

(i) leads to recognized postsecondary credentials for secondary school and postsecondary students;

(ii) is focused on skills and qualifications needed, as determined by the Department of Energy in consultation with the national laboratories, to meet the immediate and on-going needs of traditional and emerging technician positions at the National Laboratories, to meet the immediate and on-going needs of the workforce and the nuclear security enterprise of technical and scientific, skills-based preapprenticeship and apprenticeship programs that provide employer-driven or recognized postsecondary credentials during the grant period;

(iii) works with the Secretary of Defense, Secretary of Veteran Affairs, or veterans organizations to transition members of the Armed Forces into apprenticeship or preapprenticeship programs in a relevant sector;

(iv) plans to use the grant to carry out the training described in subsection (b) with an entity that receives State funding or is operated by a State agency; and

(v) plans to use the grant to carry out the training described in subsection (b) for—

(A) young adults ages 16 to 24 inclusive; or

(B) individuals with barriers to employment.

(5) COMMUNITY COLLEGE.—The term “community college” has the meaning given the term “junior or community college” in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1001).

(6) ELIGIBLE SPONSOR.—The term “eligible sponsor” means an apprenticeship registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”); 30 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

(7) ELIGIBLE SPONSOR.—The term “eligible sponsor” means a public organization or an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of that Code, that—

(A) with respect to an apprenticeship program, administers such programs through a partnership that may include—

(i) an industry or sector partnership;

(ii) an employer or industry association;

(iii) a labor-management organization;

(iv) a local workforce development board or State workforce development board;

(v) a 2- or 4-year institution of higher education that offers an educational program leading to an associate’s or bachelor’s degree in conjunction with a certificate of completion of an apprenticeship; or

(vi) the Armed Forces (including the National Guard and Reserves);

(vii) a community-based organization; or

(viii) an economic development agency, and

(B) in respect to a preapprenticeship program, is a local educational agency, a secondary school, an area career and technical college;
education school, a provider of adult education, a State workforce development board, a local workforce development board, or a community-based organization, that administers such programs with any required coordination and necessary approvals from the Secretary of Labor or a State department of labor.

(8) INSTITUTION OF HIGHER EDUCATION.—The term "institutions of higher education" has the meaning given in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(9) LOCAL WORKFORCE DEVELOPMENT BOARD.—The term "local workforce development board" has the meaning given the term "local board" in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(10) NATIONAL LABORATORY.—The term "National Laboratory" has the meaning given in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 1581).

(11) PROVIDER OF ADULT EDUCATION.—The term "provider of adult education" has the meaning given that term in section 201 of the Adult Education and Literacy Act (29 U.S.C. 3272).

(12) RELATED INSTRUCTION.—The term "related instruction" means an organized and systematic instruction designed to provide an apprentice with the knowledge of the technical subjects related to the occupation of the apprentice.

(13) SECRETARY.—The term "Secretary" means the Secretary of Energy, in consultation with the Secretary of Labor, except as otherwise specified in this Act.

(14) STATE WORKFORCE DEVELOPMENT BOARD.—The term "State workforce development board" has the meaning given the term "State board" in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(15) WORKFORCE INTERMEDIARY.—The term "workforce intermediary"—

(A) means an organization that proactively addresses the workforce needs using a dual customer approach, which considers the needs of both employees and employers; and

(B) may include a community organization, an employer organization, a community college, a temporary staffing agency, a State workforce development board, a local workforce development board, or a labor organization.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2020, $29,550,000 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. IMPROVEMENTS TO DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

(a) STAFF.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the Defense Nuclear Facilities Safety Board is not adequately staffed, particularly given the ongoing increase in defense nuclear activities during the decade following the date of the enactment of this Act.

(2) EXECUTION OF OPERATIONS.—

(A) ESTABLISHMENT OF POSITION.—Subsection (b) of section 313 of the Atomic Energy Act of 1946 (42 U.S.C. 2286b) is amended by adding at the end the following new paragraph:

"(3)(A) The Board shall have an Executive Director of Operations who shall be appointed under section 311(c)(7)."

(B) The Executive Director of Operations shall report to the Chairman.

"(C) The Executive Director of Operations shall be the senior employee of the Board responsible—

(i) general administration and technical matters;

(ii) ensuring that the members of the Board are fully and currently informed with respect to matters for which the members are responsible; and

(iii) the functions delegated by the Chairman pursuant to section 311(c)(3)(B)."

(B) DELEGATION OF FUNCTIONS.—Paragraph (3) of section 311(c) of such Act (42 U.S.C. 2286(c)) is amended—

(i) by striking "The Chairman" and inserting "(A) The Chairman"; and

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

"(B) In carrying out subparagraph (A), the Chairman shall delegate to the Executive Director of Operations established under section 313(b)(3) the following functions:

(i) Administrative functions of the Board,

(ii) Appointment and supervision of employees of the Board not specified under paragraph (7),

(iii) Distribution of business among the employers and administrative units and offices of the Board,

(iv) Preparation of—

(I) proposals for the reorganization of the administrative units or offices of the Board,

(II) the budget estimate for the Board; and

(III) the proposed distribution of funds according to purposes approved by the Board,".

(3) APPOINTMENT AND REMOVAL POWERS.—Paragraph (7) of such section 311(c) is amended to read as follows:

"(7)(A) The Chairman, subject to the approval of the Board, shall appoint the senior employees described in subparagraph (C). Any member of the Board may propose to the Chairman an individual to be so appointed.

(B) The Chairman, subject to the approval of the Board, may include a community organization, an employer organization, a community college, a temporary staffing agency, a State workforce development board, a local workforce development board, or a labor organization.

TITLE XXXIII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3301. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2020, $14,000,000 for the purpose of carrying out activities under chapter 869 of title 10, United States Code, relating to the naval petroleum reserves.

(B) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME MATTERS

Subtitle A—Maritime Administration

SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

There are authorized to be appropriated to the Department of Transportation for fiscal year 2020, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States merchant marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $81,944,000, of which—

(A) $77,944,000 shall be for Academic operations; and

(B) $4,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $39,440,000, of which—

(A) $2,400,000 shall remain available until September 30, 2020, for the Student Incentive Program;

(B) $30,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels; and

(C) $6,000,000 shall remain available until expended for direct payments to such academies.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $35,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $5,000,000.

(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $5,000,000, which shall remain available until expended.

(6) For expenses necessary to maintain and preserve a United States flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $300,000,000.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, $300,000,000, of which—

(A) $39,000,000 may be used for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) $30,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide small shipyards and maritime communities grants under section 54103 of title 46, United States Code, $5,000,000.

SEC. 3502. REAUTHORIZATION OF MARITIME SECURITY PROGRAM.

(a) AWARD OF OPERATING AGREEMENTS.—Sec- tion 33103 of title 46, United States Code, is amended by striking "2025" each place it appears and inserting "2025".
SEC. 3503. MARITIME OCCUPATIONAL SAFETY AND HEALTH ADVISORY COMMITTEE.

Section 7 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653) is amended by adding at the end the following:

"(d) There is established a Maritime Occupational Safety and Health Advisory Committee, which shall provide advice to the Secretary on matters pertaining to the administration of this Act relating to the maritime industry. The composition of such advisory committee shall be consistent with the advisory committees established under subsection (b). A member of the advisory committee who is otherwise qualified may continue to serve until a successor is appointed. The Secretary may promulgate or amend regulations as necessary to implement this subsection."

Subtitle B—Tanker Security Fleet

SEC. 3504. TANKER SECURITY FLEET.

(a) IN GENERAL.—Subtitle VII of title 46, United States Code, is amended by adding at the end the following:

"CHAPTER 707—TANKER SECURITY FLEET

"70701. Definitions.

"70702. Establishment of the Tanker Security Fleet.

"70703. Vessel standards.

"70704. Award of operating agreements.

"70705. Eligibility of vessels.
“... (iv) makes the certification described in paragraph (2)(A)(ii)(I)(III) and (v) in the case of a vessel described in paragraph (2)(B), enters into an agreement referred to in the preceding sentence and—

(B) the Secretary of Transportation and the Secretary of Defense notify the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives that they have accepted the certification required under subparagraph (A)(iv), and have reviewed and agree that there are no legal, operational, or other impediments that would prohibit the owner or operator of the vessel from performing its obligations under an operating agreement under this chapter.

(4) VESSELS OWNED BY DOCUMENTATION CITIZENS AND CHARTERED TO SECTION 5001 CITIZENS.—A vessel meets the requirements of this paragraph if, during the period of an operating agreement under this chapter, the vessel will be—

(A) owned by a person who is eligible to document a vessel under chapter 121 of this title; and

(B) demise chartered to a person that is a citizen of the United States under section 36501 of this title.

(d) REQUEST BY SECRETARY OF DEFENSE.—The Secretary of Defense shall request that the Commandant of the Coast Guard issue any waiver under section 5001 of this title that the Secretary of Defense determines is necessary for purposes of this chapter.

(e) VESSEL STANDARDS.—

(1) CERTIFICATE OF INSPECTION.—A vessel used to provide oceangoing transportation that the Commandant of the Coast Guard determines meets the criteria of subsection (b) which, on the date of enactment of this section, is not documented under chapter 121 of this title, shall be eligible for a certificate of inspection if the Commandant of the Coast Guard determines that—

(A) the vessel is classed by and designed in accordance with the rules of the American Bureau of Shipping, or another classification society accepted by the Commandant of the Coast Guard;

(B) the vessel complies with applicable international agreements and associated guidelines, as determined by the country in which the vessel was documented immediately before becoming a documented vessel (as defined in that section); and

(C) the country has not been identified by the Secretary as inadequately enforcing international vessel regulations as to that vessel.

(2) RELIANCE ON CLASSIFICATION SOCIETY.—

(A) IN GENERAL.—The Commandant of the Coast Guard may rely on a certificate from the American Bureau of Shipping or, subject to subparagraph (B), another classification society accepted by the Commandant of the Coast Guard, to establish that a vessel is in compliance with the requirements of paragraph (1).

(B) FOREIGN CLASSIFICATION SOCIETY.—The Commandant of the Coast Guard may equitably enforce international vessel regulations as to that vessel.

(3) REINSPECTION.—If an operating agreement under this chapter has been received for a vessel that is chartered to a person that is a citizen of a foreign country in which the society is headquartered provides access on a reciprocal basis to the American Bureau of Shipping; and

(4) VESSELS OWNED BY DOCUMENTATION CITIZEN AND CHARTERED TO SECTION 5001 CITIZEN.—A vessel meets the requirements of this paragraph if, during the period of an operating agreement under this chapter, the vessel will be—

(A) owned by a person who is eligible to document a vessel under chapter 121 of this title; and

(B) demise chartered to a person that is a citizen of the United States under section 36501 of this title.

(2) RELIANCE ON CLASSIFICATION SOCIETY.—

(A) IN GENERAL.—The Secretary of Transportation shall accept for a vessel that is chartered to a person that is a citizen of the United States under section 36501 of this title; or

(B) RELIANCE ON FOREIGN CLASSIFICATION SOCIETY.—For purposes of subparagraph (A), in the case of a vessel that is subject to a charter that terminates by its own terms on September 30, 2005, the Secretary may accept certification from a foreign classification society accepted by the Secretary under this paragraph only if—

(A) to the extent that the government of the foreign country in which the society is headquartered provides access on a reciprocal basis to the American Bureau of Shipping; and

(B) if the foreign classification society has offices and maintains records in the United States.

§70704. Award of operating agreements

(a) IN GENERAL.—The Secretary of Transportation shall award, as a condition of including a vessel in the Fleet, an operating agreement to an owner or operator of the vessel entered into an operating agreement with the Secretary under this section.

(b) PROCEDURE FOR APPLICATIONS.—

(1) PARTICIPATING FLEET VESSELS.—(A) IN GENERAL.—The Secretary of Transportation shall accept an application for an operating agreement for a participating Fleet vessel under the priority under paragraph (2) only from a person that has authority to enter into an operating agreement under this chapter.

(B) VESSEL UNDER DEMISE CHARTER.—For purposes of subparagraph (A), in the case of a vessel that is subject to a demise charter that terminates by its own terms on September 30, 2005, and that is chartered to a person that has authority to enter into an operating agreement under this chapter, the Secretary may accept a charter for the vessel only if—

(i) the owner or operator notifies the Secretary, by not later than two years after the date on which the vessel begins operating under the agreement, that the owner or operator of the vessel covered by the agreement intends to terminate the agreement under this subparagraph; and

(ii) during the period of an operating agreement under this chapter that applies to the replacement vessel, the replacement vessel will be—

(aa) owned and operated by one or more persons that are citizens of the United States under section 36501 of this title; or

(bb) owned by a person who is eligible to document the vessel under chapter 121 of this title, and operated by a person that is a citizen of the United States under section 36501 of this title.

(d) NONRENEWAL FOR LACK OF FUNDS.—

(A) IN GENERAL.—If sufficient funds are not made available to carry out an operating agreement under this chapter—

(B) VESSELS UNDER CHARTER TO THE UNITED STATES.—The owner or operator of a vessel under charter to the United States is eligible to receive payments pursuant to any operating agreement that covers such vessel.

(C) TERMINATION.—

(1) TERMINATION BY SECRETARY FOR LACK OF OWNER OR OPERATOR COMPLIANCE.—If the owner or operator with respect to an operating agreement manually fails to comply with the terms of the agreement—

(A) the Secretary shall notify the owner or operator and provide a reasonable opportunity to comply with the operating agreement; and

(B) the Secretary shall terminate the operating agreement if the owner or operator fails to achieve compliance.

(2) TERMINATION BY OWNER OR OPERATOR.—

(A) IN GENERAL.—If an owner or operator provides notice of the intent to terminate an operating agreement under this chapter on a date that is not later than the date specified by the owner or operator on the date specified by the owner or operator on the date specified by the owner or operator on the date specified by the owner or operator on the date specified by the owner or operator on the date specified by the owner or operator.

(B) REPLACEMENT.—An operating agreement will not be renewed with respect to a vessel that will terminate on the date that is three years after the date on which the vessel begins operating under the agreement, if—

(i) the owner or operator notifies the Secretary, by not later than two years after the date the vessel begins operating under the agreement, that the owner or operator intends to terminate the agreement under this subparagraph; and

(ii) the Secretary of Transportation, in coordination with the Secretary of Defense, determines that—

(a) the Secretary may enter into an operating agreement that covers such vessel.

(B) REPLACEMENT.—An operating agreement will not be renewed with respect to a vessel that will terminate on the date that is three years after the date on which the vessel begins operating under the agreement, if—

(i) the owner or operator notifies the Secretary, by not later than two years after the date the vessel begins operating under the agreement, that the owner or operator intends to terminate the agreement under this subparagraph; and

(ii) the Secretary of Transportation, in coordination with the Secretary of Defense, determines that—

(a) the Secretary may enter into an operating agreement that covers such vessel.

(C) TERMINATION.—

(1) TERMINATION BY SECRETARY FOR LACK OF OWNER OR OPERATOR COMPLIANCE.—If the owner or operator with respect to an operating agreement manually fails to comply with the terms of the agreement—

(A) the Secretary shall notify the owner or operator and provide a reasonable opportunity to comply with the operating agreement; and

(B) the Secretary shall terminate the operating agreement if the owner or operator fails to achieve compliance.

(2) TERMINATION BY OWNER OR OPERATOR.—

(A) IN GENERAL.—If an owner or operator provides notice of the intent to terminate an operating agreement under this chapter on a date that is not later than the date specified by the owner or operator.

(B) REPLACEMENT.—An operating agreement will not be renewed with respect to a vessel that will terminate on the date that is three years after the date on which the vessel begins operating under the agreement, if—

(i) the owner or operator notifies the Secretary, by not later than two years after the date the vessel begins operating under the agreement, that the owner or operator intends to terminate the agreement under this subparagraph; and

(ii) the Secretary of Transportation, in coordination with the Secretary of Defense, determines that—

(a) the Secretary may enter into an operating agreement that covers such vessel.

§70705. Effectiveness of operating agreements
paragraph (1), then the owner or operator of the vessel is released from any further obligation under the operating agreement as of the date of such termination or nonrenewal.

(d) TRANSFER OF OPERATING AGREEMENT.—

(1) IN GENERAL.—No owner or operator of a vessel covered by an operating agreement under this chapter may transfer and register such vessel under a foreign registry to the Secretary and the Secretary of Defense, notwithstanding section 70701 of this title.

(2) REQUIREMENTS.—If chapter 563 of this title is applicable to a vessel after registration, then the vessel is available to be requisitioned by the Secretary pursuant to chapter 563 of this title.

§70706. Obligations and rights under operating agreements

(a) OPERATION OF VESSEL.—An operating agreement under this chapter shall require that, during the period the vessel covered by the agreement is operating under the agreement the vessel shall—

(1) be operated in the United States foreign commerce, mixed United States foreign commerce and domestic trade allowed under a registry endorsement issued under section 12111 of this title, foreign-to-foreign commerce, or under a endorsement issued under section 70608 of this title.

(2) not be operated in the coastwise trade except as described in paragraph (1); and

(3) be documented under chapter 121 of this title.

(b) OPERATING AGREEMENT IS AN OBLIGATION OF THE UNITED STATES GOVERNMENT.—An operating agreement under this chapter constitutes a contractual obligation of the United States Government to pay the amounts provided for in the agreement to the extent of actual appropriations.

§70707. Obligations of owner or operator.

(1) IN GENERAL.—The owner or operator of a vessel covered by an operating agreement under this chapter shall agree, as a condition of such agreement, to comply with the requirements described in paragraph (2) until the termination date specified in the agreement, even in the case of early termination of the agreement under section 70706(c) of this title. This subsection shall not apply in the case of an operating agreement terminated for lack of funds under section 70706(d) of this title.

(2) REQUIREMENTS.—The requirements described in this paragraph are the following:

(A) To continue the documentation of the vessel of this title.

(B) To be bound by the requirements of section 70706 of this title.

(C) That all terms and conditions of an emergency preparedness agreement entered into under section 70706 of this title shall remain in effect, except that the terms of such emergency preparedness agreement may be modified by the mutual consent of the owner or operator, the Secretary, and the Secretary of Defense as provided in this section.

(d) TRANSFER OF OPERATING AGREEMENTS.—

The owner or operator of a vessel covered by an operating agreement under this chapter may transfer an agreement (including all rights and obligations under the agreement) to another person that is not required to enter into that operating agreement under this chapter, if the transfer is approved by the Secretary of Transportation and the Secretary of Defense.

(e) REPLACEMENT OF VESSELS COVERED BY AGREEMENTS.—A owner or operator may replace a vessel covered by an operating agreement with another vessel that is eligible to be included in the Fleet under section 70702(b), if the Secretary of Transportation, in coordination with the Secretary of Defense, approves the replacement of the vessel. In selecting a replacement vessel, the owner or operator shall give primary consideration to—

(1) the commercial viability of the vessel;

(2) the market value of the vessel with respect to the operating requirements of the owner or operator; and

(3) ensuring that the commercial and military utility of any replacement vessel is not less than that of the initial vessel.

§70707. Payments

(a) ANNUAL PAYMENT.—Subject to the availability of appropriations for such purpose and the other provisions of this chapter, the Secretary shall pay to the owner or operator of a vessel covered by an operating agreement under this chapter an amount not less than $80,000 for each vessel covered by the agreement for each fiscal year that the vessel is covered by the agreement. Such amount shall be paid in equal monthly installments on the last day of each month. The amount payable under this subsection may not be reduced except as provided by this section.

(b) CERTIFICATION REQUIRED FOR PAYMENT.—As a condition of receiving payment under this section for a fiscal year for a vessel, the owner or operator for the vessel shall certify, in accordance with regulations issued by the Secretary, that the vessel has been and will be operated in accordance with section 70706 of this title for at least 320 days during the fiscal year. Days during which the vessel is drydocked, surveyed, inspected, or repaired shall be considered days of operation for purposes of this subsection.

(c) GENERAL REQUIREMENTS.—The Secretary may not make any payment under this chapter for a vessel with respect to any days for which the vessel is—

(1) not operated or maintained in accordance with an operating agreement under this chapter; or

(2) more than 25 years of age.

(d) REDUCTIONS IN PAYMENTS.—With respect to payments under this chapter for a vessel covered by an operating agreement, the Secretary—

(1) except as provided in paragraph (2), may not reduce such a payment for the operation of the vessel in carrying military or other preference cargoes pursuant to section 55302(a), 55304, 55305, or 55314 of this title, or any other cargo preference law of the United States;

(2) may not make such a payment for any day that the vessel is engaged in transporting more than 1,590 tons of civilian bulk preference cargoes pursuant to section 55302(a), 55305, or 55314 of this title, section 90(a) or (b) of the Merchant Marine Act, 1936 (46 App. U.S.C. 705(a), 1171(b), and 1171(f)), that is bulk cargo; and

(3) shall make a pro rata reduction for each day less than 320 in a fiscal year that the vessel is not operated in accordance with section 70706 of this title.

(e) LIMITATIONS REGARDING NONCONTIGUOUS DOMESTIC TRADE.

(1) IN GENERAL.—No owner or operator shall receive payments pursuant to this chapter during a period in which it participates in noncontiguous domestic trade.

(2) LIMITATION ON APPLICATION.—Paragraph (1) shall not apply to a owner or operator that is a citizen of the United States within the meaning of section 70706(a) applying the 75 percent ownership requirement of that section.

(f) PARTICIPATION AFTER EXPIRATION OF OPERATING AGREEMENT.

(1) An owner or operator may operate or employ in foreign commerce a foreign-flag vessel or vessel of the United States capacity that is actuated by the Secretary of Defense during time of war or national emergency, or whenever determined by the Secretary of Defense to be necessary for national security or contingency operation (as that term is defined in section 101 of title 10), the owner or operator shall make available commercial transportation resources (including vessels, terminal facilities, management services, and other related services, or any agreed portion of such nonvessel resources for activation as the Secretary of Defense may determine to be necessary, seeking to minimize disruption of the owner or operator’s service to commercial customers.

(c) COMPENSATION.—

(1) IN GENERAL.—Each emergency preparedness agreement under this section shall provide that the Secretary of Defense shall pay fair and reasonable compensation for all commercial transportation resources provided pursuant to this section.

(g) SPECIFIC REQUIREMENTS.

(1) A vessel or vessel capacity required under this subsection—

(A) shall not be less than the owner or operator’s commercial market charges for like transportation resources;

(B) shall be fair and reasonable considering all circumstances;

(c) shall be provided from the time that a vessel or resource is required by the Secretary of Defense until the time it is delivered to the owner or operator and is available to reenter commercial service; and

(d) shall be in addition to and shall not in any way reflect amounts payable under section 70707 of this title.

§70708. National security requirements

(a) EMERGENCY PREPAREDNESS AGREEMENT REQUIRED.—The Secretary of Transportation, in coordination with the Secretary of Defense, shall establish an emergency preparedness program that includes an agreement with the owner or operator of a vessel covered by an operating agreement under this chapter shall agree, as a condition of the operating agreement, to enter into an emergency preparedness agreement with the Secretary. Each such emergency preparedness agreement shall be entered into as promptly as practicable after the operator has entered into the operating agreement.

(b) TERMS OF AGREEMENT.—The terms of an agreement under this section shall—

(1) provide that upon request by the Secretary of Defense during time of war or national emergency, or whenever determined by the Secretary of Defense to be necessary for national security or contingency operation (as that term is defined in section 101 of title 10), the owner or operator shall make available commercial transportation resources (including vessels) described in subsection (d) to the Secretary of Defense;

(2) include such additional terms as may be established by the Secretary of Transportation and the Secretary of Defense; and

(3) shall allow for the modification or addition of terms upon agreement by the Secretary of Transportation and the owner or operator and the approval by the Secretary of Defense.

(c) PARTICIPATION AFTER EXPIRATION OF OPERATING AGREEMENT.—Except as provided by section 70706 of this title, the Secretary may not, through an emergency preparedness agreement or an operating agreement, that an owner or operator of a vessel covered by an operating agreement continue to participate in an emergency preparedness agreement after the operating agreement has expired according to its terms or otherwise. After the expiration of an emergency preparedness agreement, a owner or operator may voluntarily continue to participate in the agreement.

(d) RESOURCES MADE AVAILABLE.—The commercial transportation resources to be made available under an emergency preparedness agreement may include vessels, vessel capacity, terminals, facilities, management services, and other related services, or any agreed portion of such nonvessel resources for activation as the Secretary of Defense may determine to be necessary, seeking to minimize disruption of the owner or operator’s service to commercial customers.

(e) COMPENSATION.—

(1) IN GENERAL.—Each emergency preparedness agreement under this section shall provide that the Secretary of Defense shall pay fair and reasonable compensation for all commercial transportation resources provided pursuant to this section.

(f) SPECIFIC REQUIREMENTS.

(1) A vessel or vessel capacity required under this subsection—

(A) shall not be less than the owner or operator’s commercial market charges for like transportation resources;

(B) shall be fair and reasonable considering all circumstances;

(c) shall be provided from the time that a vessel or resource is required by the Secretary of Defense until the time it is delivered to the owner or operator and is available to reenter commercial service; and

(d) shall be in addition to and shall not in any way reflect amounts payable under section 70707 of this title.
title and section 2631 of title 10 to the same extent as the eligibility of the vessel or vessel capacity replaced.

(3) In General.—All commercial transportation resources activated under an emergency preparedness agreement shall, upon termination of the period of activation, be redeployed to the owner or operator in the same good order and condition as when received, less ordinary wear and tear, or the Secretary of Defense shall fully compensate the owner or operator for any necessary repair or replacement.

(2) LIMITATION ON UNITED STATES LIABILITY.—Except as may be expressly agreed in an emergency preparedness agreement, or as otherwise provided by the Government, such Government shall not be liable for disruption of an owner or operator’s commercial business or other consequential damages to an owner or operator arising from the activation of commercial transportation resources under an emergency preparedness agreement.

§70709. Regulatory relief

(a) OPERATION IN FOREIGN COMMERCE.—An owner or operator for a vessel included in an operating agreement under this chapter may operate the vessel in foreign commerce of the United States without restriction.

(b) OTHER RESTRICTIONS.—The restrictions of section 55306(a) of this title concerning the building, rebuilding, or documentation of a vessel in a foreign country shall not apply to a vessel for any day the operator of the vessel is receiving payments for the operation of that vessel under an operating agreement under this chapter.

(c) TELECOMMUNICATIONS EQUIPMENT.—The telecommunications and other electronic equipment on an existing vessel that is redocumented under the laws of the United States for operation under an operating agreement under this chapter shall be deemed to satisfy all Federal Communications Commission equipment certification requirements, if—

(1) such equipment complies with all applicable international agreements and associated guidelines as determined by the country in which the vessel was documented immediately before becoming documented under the laws of the United States;

(2) that country has not been identified by the Secretary as inadequately enforcing international regulations as to that vessel; and

(3) at the end of its useful life, such equipment shall be replaced with equipment that meets Federal Communications Commission equipment certification standards.

§70710. Special rule regarding age of participating Fleet vessels

Any age restriction under section 70702(b)(4) of this title shall not apply to a participating Fleet vessel during the 30-month period beginning on the date the vessel begins operation under an operating agreement under this chapter, if the Secretary of Transportation determines that the vessel has entered into an arrangement to obtain and operate under the operating agreement for the participating Fleet vessel a replacement vessel that, upon commencement of such operation, will be eligible to be included in the Fleet under section 70702(b) of this title.

§70711. Regulations

The Secretary of Transportation and the Secretary of Defense may each prescribe rules as necessary to carry out their respective responsibilities under this chapter.

§70712. Authorization of appropriations

There is authorized to be appropriated for payments under section 70707, $60,000,000 for each of fiscal years 2021 through 2035, to remain available until expended.

§70713. Acquisition of Fleet vessels

(a) IN GENERAL.—Upon replacement of a Fleet vessel under an operating agreement under this chapter, and subject to agreement by the owner or operator of the vessel, the Secretary of Transportation is authorized, subject to agreement by the Secretary of Defense, to acquire the vessel being replaced for inclusion in the National Defense Reserve Fleet.

(b) REQUIREMENTS.—To be eligible for acquisition by the Secretary of Transportation under this section a vessel shall—

(1) have been covered by an operating agreement under this chapter for not less than three years; and

(2) meet recapitalization requirements for the Ready Reserve Force.

(c) FAIR MARKET VALUE.—A fair market value shall be established by the Maritime Administration for acquisition of an eligible vessel under this section.

(d) APPROPRIATIONS.—Vessel acquisitions under this section shall be subject to the availability of appropriations. Amounts made available to carry out this section shall be derived from amounts authorized to be appropriated for the National Defense Reserve Fleet. Amounts authorized to be appropriated to carry out the Maritime Security Program may not be used to carry out the requirements of this section.

(2) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2804(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(3) 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 1512 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(4) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND 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.

SEC. 4101. PROCUREMENT.

(2) PROCUREMENT

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**SEC. 4101. PROCUREMENT (In Thousands of Dollars)**

**MODIFICATION OF AIRCRAFT**

**SPARES AND REPAIR PARTS**

**CONGRESSIONAL RECORD — HOUSE**

July 10, 2019
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**PROCUREMENT OF AMMUNITION, ARMY**

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**MISCELLANEOUS**
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**Total Procurement of Ammunition, Army: 2,694,548, 2,554,064**
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**TOTAL AIRCRAFT PROCUREMENT, NAVY**

18,522,204 | 18,821,764

**OTHER AIRCRAFT**

**WEAPONS PROCUREMENT, NAVY**

**MODIFICATION OF MISSILES**

1,177,251 | 1,157,651

**SUPPORT EQUIPMENT & FACILITIES**

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**TOTAL WEAPONS PROCUREMENT, NAVY**

**CONGRESSIONAL RECORD — HOUSE**

July 10, 2019

**SEC. 4101. PROCUREMENT**

*(In Thousands of Dollars)*

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**PROGRAMMING OF AMMO, NAVY & MC**

**NAVY AMMUNITION**

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**CONGRESSIONAL RECORD — HOUSE**

**SEC. 4101. PROCUREMENT**

(In Thousands of Dollars)
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**AIRCRAFT PROCUREMENT, AIR FORCE**

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### SEC. 4101. PROCUREMENT

#### (In Thousands of Dollars)

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## SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

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**TOTAL OTHER PROCUREMENT, ARMY**

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### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

**In Thousands of Dollars**

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### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

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#### NATIONAL GUARD AND RESERVE EQUIPMENT

**UNDISTRIBUTED**

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**TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT**

|  | 415,000 |

### TOTAL PROCUREMENT

|  | 9,688,058 |
|  | 9,900,608 |

### TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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#### APPLIED RESEARCH

| 010  | LETHALITY TECHNOLOGY                          | 26,961           | 26,961          |
| 011  | ARMY APPLIED RESEARCH                         | 25,319           | 25,319          |
| 012  | SOLDIER LETHALITY TECHNOLOGY                  | 115,274          | 125,274         |
| 013  | EXPEDITIONARY mobile base camp technology     | 35,199           | 45,199          |
|      | HEROES program                                |                  |                 |
| 014  | NEXT GENERATION COMBAT VEHICLE TECHNOLOGY    | 219,047          | 225,047         |
|      | High performance polymers research            |                  |                 |
|      | Manufacturing research technology              |                  |                 |
| 015  | NETWORK C4I TECHNOLOGY                        | 114,516          | 120,516         |
|      | Structural thermoplastics                      |                  |                 |
|      | Assured PNT lab                               |                  |                 |
| 016  | LONG RANGE PRECISION FIRES TECHNOLOGY         | 74,327           | 79,327          |
|      | NextGen propulsion cycle artillery range extension | [5,000]         |
| 017  | FUTURE VERTICLE LIFT TECHNOLOGY               | 93,601           | 96,601          |
|      |                                         |                  |                 |
| 018  | AIR AND MISSILE DEFENSE TECHNOLOGY            | 50,771           | 50,771          |
| 020  | C4I APPLIED CYBER                             | 18,947           | 18,947          |
| 023  | ADVANCED WEAPONS TECHNOLOGY                   | 5,000            |                 |
| 037  | MILITARY ENGINEERING TECHNOLOGY               | 5,000            |                 |
| 038  | MANPOWER/PERSOEL/TRAINING TECHNOLOGY          | 20,873           | 20,873          |
| 040  | MEDICAL TECHNOLOGY                            | 99,155           | 102,155         |
|      |                                         |                  |                 |
|      | SUBTOTAL APPLIED RESEARCH                     | 893,990          | 946,490         |

#### ADVANCED TECHNOLOGY DEVELOPMENT

| 041  | WARFIGHTER ADVANCED TECHNOLOGY                | 5,000            |                 |
| 042  | MEDICAL ADVANCED TECHNOLOGY                  | 5,000            |                 |
| 047  | MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY | 42,030          |
| 050  | ARMED FORCES ADVANCED TECHNOLOGY INTELLIGENCE | 11,038           | 11,038          |
| 051  | SOLDIER LETHALITY ADVANCED TECHNOLOGY         | 118,468          | 128,468         |
|      | Microlattice technology for combat helmet improvements | [5,000]         |
| 052  | GROUND ADVANCED TECHNOLOGY                    | 12,593           | 17,593          |
|      | Ground advanced technology for cold regions  |                  |                 |
| 059  | C4I CYBER ADVANCED DEVELOPMENT                | 13,769           | 13,769          |
| 060  | HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM | 184,755         |
|      | Program increase                             | [40,000]         |
| 061  | NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY | 160,035        |
| 062  | NETWORK C4I ADVANCED TECHNOLOGY               | 106,899          | 106,899         |
| 063  | LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY | 174,386          |
|      | Program increase—hydrogen fuel cells         |                  |                 |
|      | Underexecution                              |                  | [1,000]         |

### TOTAL PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

|  | 9,688,058 |
|  | 9,900,608 |
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

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### SYSTEM DEVELOPMENT & DEMONSTRATION

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**RDT&E MANAGEMENT SUPPORT**

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**SUBTOTAL RDT&E MANAGEMENT SUPPORT**

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**SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | 1,978,826 | 1,929,326 |

**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY** | 12,192,771 | 12,011,021 |

**RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY**

**BASIC RESEARCH**

001 060103N | UNIVERSITY RESEARCH INITIATIVES | 116,850 | 126,850 |
| Advanced radar research | | | (5,000) |
| Defense University research initiatives | | | (5,000) |

006 060152N | IN-HOUSE LABORATORY INDEPENDENT RESEARCH | 19,121 | 19,121 |

003 060153N | DEFENSE RESEARCH | 470,097 | 470,097 |

**SUBTOTAL BASIC RESEARCH** | 605,978 | 615,978 |

**APPLIED RESEARCH**

004 060214N | POWER PROJECTION APPLIED RESEARCH | 18,546 | 25,546 |
| Hypersonic testing facilities | | | (7,000) |

005 060213N | FORCIR PROTECTION APPLIED RESEARCH | 119,517 | 162,517 |
| Autonomous vehicle collaboration across maritime domains | | | (10,000) |
| Cyber-physical research | | | (5,000) |
| Energy resilience | | | (5,000) |
| Hybrid composite struct. res. enhanced mobility | | | (5,000) |
| Navy power and energy systems technology | | | (5,000) |
| Directed energy and blue-carbon capture and blue-carbon research | | | (10,000) |

006 060213M | MARINE CORPS LANDING FORCE TECHNOLOGY | 56,604 | 61,604 |
| Interdisciplinary expeditionary cybersecurity research | | | (5,000) |

006 060235N | COMMON PICTURE APPLIED RESEARCH | 49,297 | 49,297 |

008 060228N | WARFIGHTER SUSTAINMENT APPLIED RESEARCH | 63,825 | 68,825 |
| Warfighter safety and performance | | | (15,000) |

009 060221N | ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH | 83,497 | 83,497 |

010 0602453N | OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH | 63,894 | 63,894 |

011 060261M | NAVY NON-LETHAL RESEARCH | 6,346 | 6,346 |

012 060274N | UNDERSEA WARFARE APPLIED RESEARCH | 57,075 | 77,075 |
<p>| Academic partnerships for undersea vehicle research | | | (10,000) |</p>
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## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

### (In Thousands of Dollars)

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### Excess to need

- [–21,000]

### Underexecution

- [–81,000]

### Unjustified request

- [–7,160]

### Excess to need

- [–10,000]

---

### SYSTEM DEVELOPMENT & DEMONSTRATION

**Authorized**: $5,559,062

**House**: $5,204,732

- **096 0603208N** TRAINING SYSTEM AIRCRAFT: $15,514
- **097 0604122N** OTHER HELO DEVELOPMENT: $28,835
- **098 0604213M** AV-8B AIRCRAFT—ENG DEV: $27,441
- **100 0604215N** STANDARDS DEVELOPMENT: $3,642
- **101 0604216N** MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT: $19,196
- **104 0604230N** WARFARE SUPPORT SYSTEM: $8,601
- **105 0604231N** TACTICAL COMMAND SYSTEM: $77,232
- **106 0604234N** ADVANCED HAWKEYE: $232,752
- **107 0604243M** H-1 UPGRADES: $65,359
- **109 0604261N** ACOUSTIC SEARCH SENSORS: $47,013
- **110 0604262N** V-22A: $185,105
- **111 0604264N** AIR CREW SYSTEMS DEVELOPMENT: $21,172
- **112 0604268N** EA-18: $143,585
- **113 0604270N** ELECTRONICWARFARE DEVELOPMENT: $116,811
- **114 0604273M** EXECUTIVE HELO DEVELOPMENT: $187,436
- **116 0604274N** NEXT GENERATION JAMMER (NGJ): $524,261
- **117 0604280N** JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY): $192,345
- **118 0604282N** NEXT GENERATION JAMMER (NGJ) INCREMENT II: $111,068
- **119 0604277N** SURFACE COMBATANT COMBAT SYSTEM ENGINEERING: $415,625
- **120 0604311N** LPD-17 CLASS SYSTEMS INTEGRATION: $640
- **121 0604250N** SMALL DIAMETER BOMB (SDB): $50,096
- **122 0604366N** STANDARD MISSILE IMPROVEMENTS: $232,391
- **123 0604371N** AIRBORNE MCM: $10,916
- **124 0604378N** NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING: $33,379
- **125 0604501N** ADVANCED ABOVE WATER SENSORS: $34,554
- **126 0604530N** SSN-688 AND TRIDENT MODERNIZATION: $84,663
- **127 0604548N** AIR CONTROL: $44,923
- **128 0604512N** SHIPBOARD AVIATION SYSTEMS: $10,632
- **129 0604518N** COMBAT INFORMATION CENTER CONVERSION: $16,094
- **130 0604522N** ALC PIN AND MISSILE DEFENSE-Radar (AMDR) SYSTEM: $55,349
- **131 0604523N** ADVANCED ARRESTING GEAR (AAD): $131,490
- **132 0604558N** NEW DEPLOYMENT NSS: $121,010
- **133 0604562N** SUBMARINE TACTICAL WARFARE: $62,426
- **134 0604567N** SHIP CONTRACT DESIGN/LIVE FIRE T&E: $46,809

**Under execution**: $[–81,000]

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### TRAINING SYSTEMS DEVELOPMENT

**Authorized**: $187,436

**House**: $187,436

**Early to need**: $[–1,500]

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### JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)

**Authorized**: $192,345

**House**: $190,845

**Under execution**: $[–1,500]

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### CONGRESSIONAL RECORD — HOUSE

H5497

July 10, 2019
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**H5498 CONGRESSIONAL RECORD — HOUSE**

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

**(In Thousands of Dollars)**
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**SYSTEM DEVELOPMENT & DEMONSTRATION**

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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Program increase for Gorgon Stare sensor enhancements | \[–10,000\] |

Unjustified F-35F requirements | \[–14,000\] |

Advanced concept development—NC3 demonstration and evaluation | \[–15,000\] |
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Unjustified request: \(-17,850\)

259  | 030521F        | NETWORK-CENTRIC COLLABORATIVE TARGETING | 10,757 | 10,757 |

260  | 0305238F       | NATO AGS | 32,567 | 32,567 |

261  | 0305240F       | SUPPORT TO INGS ENTERPRISE | 37,774 | 37,774 |

262  | 0305900F       | INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES | 13,515 | 13,515 |

263  | 0305881F       | RAPID CYBER ACQUISITION | 4,383 | 4,383 |

264  | 0305884F       | PERSONNEL RECOVERY COMMAND & CTRL (PRC2) | 2,133 | 2,133 |

265  | 030577F        | INTELLIGENCE INFORMATION SYSTEMS DEVELOPMENT | 6,514 | 6,514 |

266  | 0401115F       | C-130 AILIFT SQUADRON | 140,425 | 140,425 |

267  | 0401119F       | C-5 AILIFT SQUADRONS (IF) | 10,223 | 10,223 |

268  | 0401130F       | C-17 AIRCRAFT (IF) | 25,101 | 25,101 |

269  | 0401132F       | C-130 PROGRAM | 8,640 | 8,640 |

270  | 0401134F       | LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) | 5,424 | 5,424 |

271  | 0401219F       | KC-10S | 20 | 20 |

272  | 0401318F       | CV-22 | 17,906 | 17,906 |

273  | 0408011F       | SPECIAL TACTICS / COMBAT CONTROL | 3,029 | 3,029 |

274  | 07020F         | DEPOT MAINTENANCE (NON-IF) | 1,890 | 1,890 |

275  | 07080F         | MAINTENANCE, REPAIR & OVERHAUL SYSTEM | 10,311 | 10,311 |

276  | 070819F        | LOGISTICS INFORMATION TECHNOLOGY (LOGIT) | 16,065 | 16,065 |

277  | 0708611F       | SUPPORT SYSTEMS DEVELOPMENT | 539 | 539 |

278  | 0804743F       | OTHER FLIGHT TRAINING | 2,057 | 2,057 |

279  | 080816F        | OTHER PERSONNEL ACTIVITIES | 10 | 10 |

280  | 0901218F       | CIVILIAN COMPENSATION PROGRAM | 3,009 | 3,009 |

281  | 0901220F       | PERSONNEL ADMINISTRATION | 6,476 | 6,476 |

282  | 0901228F       | AIR FORCE STUDIES AND ANALYSIS AGENCY | 7,543 | 7,543 |

283  | 0901538F       | FINANCIAL MANAGER SYSTEMS DEVELOPMENT | 6,732 | 6,732 |

284  | 090554F        | DEFENSE ENTERPRISE ACNTING AND MGT SYS (DEAMS) | 46,789 | 46,789 |

285  | 1201017F       | GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN) | 3,647 | 3,647 |

286  | 1201921F       | SERVICE SUPPORT TO SPACECOM SPACE ACTIVITIES | 988 | 988 |

287  | 1203001F       | FAMILY OF ADVANCED BLOS TERMINALS (FAB-T) | 197,388 | 197,388 |

288  | 1203110F       | SATELLITE CONTROL NETWORK (SPACE) | 61,891 | 54,291 |

Underexecution of funds and unjustified growth: \(-7,600\)

289  | 1203127F       | SPACE AND MISSILE TEST AND EVALUATION CENTER | 4,566 | 4,566 |

290  | 1203147F       | SPACECATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT | 43,292 | 43,292 |

291  | 1203265F       | SPACE LIFT RANGE SYSTEM (SPACE) | 19,837 | 19,837 |

292  | 1203266F       | GPS III SPACE SEGMENT | 42,440 | 42,440 |

293  | 1203400F       | SPACE SUPERIORITY INTELLIGENCE | 14,428 | 14,428 |

294  | 1203614F       | JSOC MISSION SYSTEM | 72,762 | 72,262 |

295  | 1203620F       | NATIONAL SPACE DEFENSE CENTER | 2,653 | 2,653 |

296  | 1203873F       | BALLISTIC MISSILE DEFENSE RADARS | 15,881 | 15,881 |

297  | 1203913F       | NUDET DETECTION SYSTEM (SPACE) | 49,300 | 49,300 |

298  | 1206423F       | SPACE SITUATION OPERATIONS | 17,774 | 17,774 |

299  | 120643F        | GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL CENTER | 445,302 | 445,302 |

300  | 120670F        | ENTERPRISE GROUND SERVICES | 138,870 | 128,670 |

301  | 120680F        | Unjustified growth | 18,351,506 | 17,908,506 |

302  | 120689F        | CLASSIFIED PROGRAM | 18,351,506 | 17,908,506 |

303  | 120690F        | Classified reduction | 18,351,506 | 17,908,506 |

SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT | 24,851,488 | 24,263,329 |

TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF | 45,938,121 | 44,111,784 |

RESEARCH, DEVELOPMENT, TEST & EVAL, DW BASIC RESEARCH | 26,000 | 26,000 |

DTRA BASIC RESEARCH | 26,000 | 26,000 |

DEFENSE RESEARCH SCIENTES | 432,284 | 432,284 |

BASIC RESEARCH INITIATIVES | 48,874 | 58,874 |

Program increase | [10,000] |

BASIC OPERATIONAL MEDICAL RESEARCH | 54,122 | 54,122 |

BASIC RESEARCH INITIATIVES | 92,074 | 112,074 |

NATIONAL DEFENSE EDUCATION PROGRAM | 2,133 | 2,133 |

Civics education grant program | [20,000] |

HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS | 30,708 | 30,708 |

Program decrease | [5,000] |

Chemical and Biological Defense Program | 45,238 | 45,238 |

Program increase | [25,000] |

CYBER SECURITY RESEARCH | 15,118 | 15,118 |
### Table: Fiscal Year 2020 Research, Development, Test, and Evaluation Budget

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### ADVANCED TECHNOLOGY DEVELOPMENT

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### ADVANCED TECHNOLOGY DEVELOPMENT

- Counterterrorism detection technologies
- Study of Terrorism and Responses to Terrorism

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### SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT

**3,742,088**  **3,798,588**

### ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES

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### SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT

**3,742,088**  **3,798,588**
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**SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES** | 9,797,493 | 9,496,189

| 133 | 060410DZ | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RD&D & SDD | 11,276 | 11,276 |
| 132 | 060410DZ | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RD&D | 107,000 | 107,000 |
| 131 | 060409D | PRODUCTION OF THE GLOBAL STRIKE CAPABILITY DEVELOPMENT | 70,000 | 70,000 |
| 130 | 060409D | PRODUCTION OF THE GLOBAL STRIKE CAPABILITY DEVELOPMENT | 384,047 | 384,047 |
| 129 | 060409D | JOINT FAMILY DISTRIBUTIONAL INFORMATION SYSTEM (JFDIS) | 49,102 | 49,102 |
| 128 | 060409D | CYBER MATURE MODEL CERTIFICATION PROGRAM | 13,000 | 13,000 |
| 127 | 060509BR | COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT | 13,000 | 13,000 |
| 126 | 060509BR | INFORMATION TECHNOLOGY DEVELOPMENT | 3,070 | 3,070 |
| 125 | 060509SE | HOMELAND SECURITY PERSONNEL INITIATIVE | 7,295 | 7,295 |
| 124 | 060509SE | DEFENSE EXPORTABILITY PROGRAM | 17,615 | 7,615 |
| 123 | 060509SE | OUSD(C) IT DEVELOPMENT INITIATIVES | 15,653 | 15,653 |
| 122 | 060509SE | DEPARTMENT OF DEFENSE AND DEMONSTRATION | 2,379 | 2,379 |
| 121 | 060509SE | COMPLEX POLICY AND INTEGRATION | 1,618 | 1,618 |
| 120 | 060509SE | DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM | 27,944 | 27,944 |

**SYSTEM DEVELOPMENT AND DEMONSTRATION** | 13,331 | 13,331
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

(On Thousands of Dollars)

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### MANAGEMENT SUPPORT

141 06038293 | JOINT CAPABILITY EXPERIMENTATION | 13,000 | 13,000 |
142 0604740D4Z | DEFENSE READINESS REPORTING SYSTEM (DRRS) | 9,724 | 9,724 |
143 0604873D4Z | Joint Systems Architecture Development | 9,593 | 9,593 |
144 0604904D4Z | Center for Evaluation and Investment Development Tests | 269,267 | 269,267 |
|      | Undistributed | -20,000 |
145 0604920D4Z | ASSESSMENTS AND EVALUATIONS | 30,834 | 30,834 |
146 0605001E | MISSION SUPPORT | 68,498 | 68,498 |
147 060500D3Z | JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC) | 83,091 | 83,091 |
148 0605010D4Z | TECHNICAL STUDIES, SUPPORT AND ANALYSIS | 18,079 | 18,079 |
149 0605126J | JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIMADO) | 70,038 | 70,038 |
150 0605120D4Z | SYSTEMS ENGINEERING | 37,140 | 37,140 |
151 0605121D4Z | STUDIES AND ANALYSIS SUPPORT—OSD | 4,759 | 4,759 |
152 0605126D4Z | NUCLEAR MATTERS–PHYSICAL SECURITY | 8,307 | 8,307 |
153 0605170D4Z | SUPPORT TO NETWORKS AND INFORMATION INTEGRATION | 9,441 | 9,441 |
154 0605195K | GENERAL SUPPORT TO USD (INTELLIGENCE) | 1,790 | 1,790 |
155 0605284D8Z | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 110,363 | 110,363 |
156 0605290D4Z | SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER | 3,568 | 3,568 |
157 0605790D4Z | MAINTAINING TECHNOLOGY ADVANTAGE | 19,936 | 19,936 |
158 0605791D4Z | DEFENSE TECHNOLOGY ANALYSIS | 16,875 | 19,875 |
159 0605800K4A | DEFENSE TECHNICAL INFORMATION CENTER (DTIC) | 57,716 | 57,716 |
160 0605801D4Z | SUPPORT FOR DOD ENLISTMENT, TESTING AND EVALUATION | 34,448 | 34,448 |
161 0605804D4Z | DEVELOPMENT TEST AND EVALUATION | 22,203 | 22,203 |
162 0605808K4E | MANAGEMENT HQ—R&D | 13,268 | 13,268 |
163 0606099D4Z | BUDGET AND PROGRAM ASSESSMENTS | 8,017 | 8,017 |
164 0606250D4Z | ODNI TECHNOLOGY AND RESOURCE ANALYSIS | 3,194 | 3,194 |
165 0606589D4W | DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT | 1,000 | 1,000 |
166 0602435D4Z | DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI) | 3,037 | 3,037 |
167 0204571J | JOINT STAFF ANALYTICAL SUPPORT | 9,216 | 9,216 |
168 03031661 | SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES | 553 | 553 |
169 0303206D4Z | DEFENSE MILITARY DESTRUCTION PROGRAM OFFICE (DMDO) | 1,014 | 1,014 |
170 0305172K | COMBINED ADVANCED APPLICATIONS | 58,667 | 58,667 |
171 0305245D4Z | INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS | 21,081 | 21,081 |
172 0307584D4Z | ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS | 221,235 | 221,235 |
173 0804763 | COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CEET2)—NON-MHA | 40,073 | 40,073 |
174 0808641E | DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI) | 100 | 100 |
175 09015983 | MANAGEMENT HQ—MDA | 27,065 | 27,065 |
176 0903235K | JOINT SERVICE PROVIDER (JSP) | 3,090 | 3,090 |
177 099999999 | CLASSIFIED PROGRAMS | 51,471 | 51,471 |

**SUBTOTAL MANAGEMENT SUPPORT** | **1,354,628** | **1,337,628** |

### OPERATIONAL SYSTEM DEVELOPMENT

**UNDEPRECATED**

195 0604130V | ENTERPRISE SECURITY SYSTEM (ESS) | 7,945 | 7,945 |
196 0604532K | JOINT ARTIFICIAL INTELLIGENCE | 206,834 | 166,834 |
| Early to need | (42,000) |
197 0605177T | REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA | 1,947 | 1,947 |
198 0605147T | OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS) | 310 | 310 |
199 0607210D4Z | INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT | 10,651 | 10,651 |
| Composite manufacturing technology | (5,000) |
| Lithium ion batteries | (14,000) |
200 0607310D4Z | CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT | 12,734 | 12,734 |
201 0607327T | GLOBAL THREAT SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCM). | 14,800 | 14,800 |
202 0607340BP | CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT) | 54,023 | 54,023 |
| 203 0208043 | PLANNING AND DECISION AID SYSTEM (PDAS) | 4,537 | 4,537 |
| 204 0208045K | C4I INTEROPERABILITY | 64,122 | 64,122 |
| 210 0302019K | DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION | 15,793 | 15,798 |
| 211 0305031K | LONG-Haul COMMUNICATIONS—DCS | 11,666 | 11,166 |
| 212 0303131K | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MMECN) | 17,833 | 17,833 |
| 213 0303136G | KEY MANAGEMENT INFRASTRUCTURE (KMI) | 54,516 | 54,516 |
| 214 0303140D8 | INFORMATION SYSTEMS SECURITY PROGRAM | 67,631 | 6,631 |
| 215 0303140D8 | Cyber institutes for senior military colleges | (12,000) |
| Implementation of Cyber Excepted Service | (10,000) |
| Realignment to DISA for Sharkseer | (1,882) |
| Realignment for Sharkseer | (1,882) |
| 217 0303140K | INFORMATION SYSTEMS SECURITY PROGRAM | 42,796 | 42,796 |
| 218 0303150K | GLOBAL COMMAND AND CONTROL SYSTEM | 25,218 | 25,218 |
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### (In Thousands of Dollars)

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#### SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT

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Transfer to NRO for weather satellite procurement to mitigate weather capability gaps risk in 2022-23.

#### SUBTOTAL UNDISTRIBUTED

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### SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEA CON- TINGENCY OPERATIONS.

#### (In Thousands of Dollars)

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#### SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING

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#### SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING

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#### SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING

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### SEC. 4301. OPERATION AND MAINTENANCE

#### (In Thousands of Dollars)

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### TITLE XLIII—OPERATION AND MAINTENANCE

#### SEC. 4301. OPERATION AND MAINTENANCE

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## SEC. 4301. OPERATION AND MAINTENANCE

**(In Thousands of Dollars)**

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## TRAINING AND RECRUITING
## SEC. 4301. OPERATION AND MAINTENANCE

**CONGRESSIONAL RECORD — HOUSE**

**H5515**

### (In Thousands of Dollars)

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**US COURT OF APPEALS FOR ARMED FORCES, DEF**

**ADMINISTRATION AND ASSOCIATED ACTIVITIES**

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**TOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF**

**DOD ACQUISITION WORKFORCE DEVELOPMENT FUND**

**ACQUISITION WORKFORCE DEVELOPMENT**

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**TOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND**

**OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID**

**HUMANITARIAN ASSISTANCE**

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### SEC. 4301. OPERATION AND MAINTENANCE

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#### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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<th>Item</th>
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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)

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#### ADMIN & SRVWD ACTIVITIES

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#### SUBTOTAL ADMIN & SRVWD ACTIVITIES | 2,749,759 | 2,749,759 |

#### TOTAL OPERATION & MAINTENANCE, ARMY | 18,772,938 | 19,867,938 |

#### OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES

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#### SUBTOTAL OPERATING FORCES | 37,952 | 37,952 |

#### TOTAL OPERATION & MAINTENANCE, ARMY RES | 37,952 | 37,952 |

#### OPERATION & MAINTENANCE, ARNG OPERATING FORCES

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#### SUBTOTAL OPERATING FORCES | 83,088 | 83,088 |

#### ADMIN & SRVWD ACTIVITIES

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#### SUBTOTAL ADMIN & SRVWD ACTIVITIES | 203 | 203 |

#### TOTAL OPERATION & MAINTENANCE, ARNG | 83,291 | 83,291 |

#### AFGHAN NATIONAL ARMY

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#### SUBTOTAL AFGHAN NATIONAL ARMY | 1,559,658 | 1,589,658 |

#### AFGHAN NATIONAL POLICE

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#### SUBTOTAL AFGHAN NATIONAL POLICE | 660,357 | 660,357 |

#### AFGHAN AIR FORCE

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#### SUBTOTAL AFGHAN AIR FORCE | 1,825,515 | 1,825,515 |

#### AFGHAN SPECIAL SECURITY FORCES

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#### SUBTOTAL AFGHAN SPECIAL SECURITY FORCES | 728,448 | 728,448 |

#### UNDISTRIBUTED

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(In Thousands of Dollars)
## SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

### (In Thousands of Dollars)

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<td>DEFENSE MEDIA ACTIVITY</td>
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### TITLE XLV—MILITARY PERSONNEL

## SEC. 4401. MILITARY PERSONNEL

### (In Thousands of Dollars)

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<td>Historical unobligated balances</td>
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## SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS

### (In Thousands of Dollars)

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### TITLE XLV—OTHER AUTHORIZATIONS

## SEC. 4501. OTHER AUTHORIZATIONS

### (In Thousands of Dollars)

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<td>INDUSTRIAL OPERATIONS</td>
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### BASE OPERATIONS/COMMUNICATIONS
- **Consolidated Health Support**: 1,975,536
- **R&D Research**: 12,621
  - **R&D Engineering Development**: 143,527
  - **R&D Advanced Development**: 279,766
  - **R&D Exploratory Development**: 279,766
- **Procurement Joint Operational Medicine Information System**: 314
- **Procurement Replacement & Modernization**: 225,774
- **R&D Management and Support**: 67,219
- **Supply Chain Management—Def**: 49,085
- **Total Working Capital Fund, Air Force**: 92,499
- **Total Working Capital Fund, Defense-Wide**: 49,085
- **Total Working Capital Fund, DECA**: 995,030

### EDUCATION AND TRAINING
- **Total**: 793,810

### NATIONAL DEFENSE SEALIFT FUND
- **Lg Med Spd Ro/Ro Maintenance**: 264,751
- **DOD Mobilization Alterations**: 9,590
  - Realignments from Operations and Maintenance, Navy: (9,590)
- **Total**: 723,252

### WCF, DEF COUNTERINTELLIGENCE & SECURITY AGENCY
- **Total**: 200,000

### CHEM AGENTS & MUNITIONS DESTRUCTION
- **Procurement**: 2,218
- **Total**: 983,499

### DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF
- **Drug Demand Reduction Program**: 120,922
- **National Guard Counter-Drug Program**: 865,930
- **National Guard Counter-Drug Schools**: 5,371
- **Total**: 875,930

### OFFICE OF THE INSPECTOR GENERAL
- **Total**: 359,022

### DEFENSE HEALTH PROGRAM
- **In-House Care**: 9,570,615
  - PFAS exposure blood testing for DoD firefighters: 7,000
  - TRICARE lead level screening and testing for children: 5,000
- **R&D Research**: 12,621
- **R&D Exploratory Development**: 279,766
- **R&D Advanced Development**: 279,766
- **R&D Demonstration/Validation**: 128,055
- **R&D Engineering Development**: 145,527
- **Procurement Initial Outfitting**: 26,135
- **Procurement Replacement & Modernization**: 10,000
- **Procurement Joint Operational Medicine Information System**: 314
- **Procurement Solidarity Health System—Desktop to Datacenter**: 129,091
- **Total**: 32,998,687

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**FY 2020 Request**

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### SEC. 4501. OTHER AUTHORIZATIONS

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### SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

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### TITLE XLVI—MILITARY CONSTRUCTION

**SEC. 4601. MILITARY CONSTRUCTION**

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### SEC. 4601. MILITARY CONSTRUCTION
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### SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
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<td>Army</td>
<td>Guantanamo Bay Naval Station</td>
<td>OCO: Detention Legal Office and Comms Ctr</td>
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<td>9,200,000</td>
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<td>Bahrain</td>
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<td>SW Asia</td>
<td>Electrical System Upgrade</td>
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<td>Italy</td>
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<td>Spain</td>
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<tr>
<td>Navy</td>
<td>Rota</td>
<td>EDI: In-Transit Munitions Facility</td>
<td>9,960</td>
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<td>Rota</td>
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<td>Navy</td>
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<td>Navy</td>
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<tr>
<td>Iceland</td>
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<tr>
<td>AF</td>
<td>Keeflavik</td>
<td>EDI-Airfield Upgrades—Dangerous Cargo Pad</td>
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<td>Jordan</td>
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<td>Various Worldwide Locations</td>
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<td>Germany</td>
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<tr>
<td>Def-Wide</td>
<td>Gemersheim</td>
<td>EDI: Logistics Distribution Center Annex</td>
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### TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
#### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
#### (In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td>Discretionary Summary By Appropriation</td>
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<td>Energy And Water Development, And Related Agencies</td>
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<td>Appropriation Summary: Energy Programs</td>
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<td>Nuclear Energy</td>
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<td>Atomic Energy Defense Activities</td>
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<tr>
<td>National nuclear security administration:</td>
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<td>Weapons activities</td>
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<td>11,807,074</td>
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<td>Defense nuclear nonproliferation</td>
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<td>2,065,057</td>
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<td>Naval reactors</td>
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<td>Federal salaries and expenses</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>
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<th>House Authorized</th>
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<tbody>
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<td><strong>Total, National nuclear security administration</strong></td>
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<td>Environmental and other defense activities:</td>
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<td>Defense environmental cleanup</td>
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<td>Other defense activities</td>
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<td>Defense nuclear waste disposal</td>
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<tr>
<td><strong>Total, Environmental &amp; other defense activities</strong></td>
<td>6,567,840</td>
<td>6,651,340</td>
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<tr>
<td><strong>Total, Atomic Energy Defense Activities</strong></td>
<td>23,082,840</td>
<td>22,635,443</td>
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<tr>
<td><strong>Total, Discretionary Funding</strong></td>
<td>23,190,648</td>
<td>22,643,451</td>
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</table>

#### Nuclear Energy

- Idaho sitewide safeguards and security: 137,808
- **Total, Nuclear Energy**: 137,808

#### Weapons Activities

**Directed stockpile work**

<table>
<thead>
<tr>
<th>Life extension programs and major alterations</th>
<th>FY 2020 Request</th>
<th>House Authorized</th>
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</thead>
<tbody>
<tr>
<td>B61-12 Life extension program</td>
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<td>792,611</td>
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<tr>
<td>W76-2 Modification program</td>
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<td>W88 Alt 370</td>
<td>304,186</td>
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<tr>
<td>W80-4 Life extension program</td>
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<tr>
<td>W87-1 Modification Program (formerly IW1)</td>
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<tr>
<td><strong>Total, Life extension programs and major alterations</strong></td>
<td>2,117,359</td>
<td>2,048,348</td>
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</tbody>
</table>

**Stockpile systems**

- B61 Stockpile systems: 71,232
- W76 Stockpile systems: 89,004
- W88 Stockpile systems: 81,299
- W80 Stockpile systems: 85,811
- B83 Stockpile systems: 51,543
- **Total, Stockpile systems**: 635,766

**Weapons dismantlement and disposition**

- Operations and maintenance: 47,500

**Stockpile services**

<table>
<thead>
<tr>
<th>FY 2020 Request</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>543,964</td>
<td>510,000</td>
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<tr>
<td>39,339</td>
<td>36,150</td>
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<tr>
<td>236,235</td>
<td>201,840</td>
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<tr>
<td>305,000</td>
<td>305,000</td>
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<tr>
<td><strong>Total, Stockpile services</strong></td>
<td>1,124,538</td>
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</tbody>
</table>

**Strategic materials**

- Uranium sustainment: 94,146
- Plutonium sustainment: 712,440
- Tritium sustainment: 269,000
- Lithium sustainment: 28,800
- Domestic uranium enrichment: 140,000
- **Total, Strategic materials**: 1,501,194

**Total, Directed stockpile work**

- 5,426,357

**Research, development, test and evaluation (RDT&E)**

**Science**

- Advanced certification: 57,710
- Primary assessment technologies: 95,169
- Dynamic materials properties: 133,800
- Advanced radiography: 32,544
- Secondary assessment technologies: 77,553
- Academic alliances and partnerships: 44,625
- **Total, Science**: 586,561

**Engineering**

- Enhanced surety: 46,500
- Delivery Environments (formerly Weapons Systems Engineering Assessment Technology): 35,945
- Nuclear surety: 53,932
- Enhanced surveillance: 57,747
- **Total, Engineering**: 586,561

**Unjustified program growth**

- [–33,964]
- [–29,122]
- [–5,607]
- [–3,189]
- [–34,395]
- [–34,976]
### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

#### In Thousands of Dollars

<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>House Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total, Engineering</strong></td>
<td>233,954</td>
<td>179,425</td>
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<tr>
<td><strong>Inertial confinement fusion ignition and high yield</strong></td>
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<td></td>
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<tr>
<td>Ignition and Other Stockpile Programs</td>
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<td>55,649</td>
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<tr>
<td>Diagnostics, cryogenics and experimental support</td>
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<td>66,128</td>
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<tr>
<td>Pulsed power inertial confinement fusion</td>
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<tr>
<td>Joint program in high energy density laboratory plasmas</td>
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<td>Facility operations and target production</td>
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<td>High energy density R&amp;D</td>
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<tr>
<td>National ignition facility, LLNL</td>
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<tr>
<td>Z Facility, SNL</td>
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<tr>
<td>Omega laser facility, URochester</td>
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<td><strong>Total, Inertial confinement fusion and high yield</strong></td>
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<td>480,595</td>
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<td><strong>Advanced simulation and computing</strong></td>
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<tr>
<td>Advanced simulation and computing</td>
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<td><strong>Construction:</strong></td>
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<td>18-D-620, Exascale Computing Facility Modernization Project, LLNL</td>
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<td><strong>Total, Advanced manufacturing</strong></td>
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<td>17-D-640, Ula Complex Enhancements Project, NNSS</td>
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<td>15-D-612, Emergency Operations Center, LLNL</td>
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<td>15-D-611, Emergency Operations Center, SNL</td>
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<td>06–D–141 Uranium processing facility Y-12, Oak Ridge, TN</td>
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<td>Operations and maintenance</td>
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<td><strong>Total, Defense nuclear security</strong></td>
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<td><strong>Total, Weapons Activities</strong></td>
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#### Defense Nuclear Nonproliferation

**Defense Nuclear Nonproliferation Programs**

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<td>Domestic radiological security</td>
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<tr>
<td><strong>Total, Global material security</strong></td>
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### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

#### (In Thousands of Dollars)

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<td><strong>Total, Material management &amp; minimization</strong></td>
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<td><strong>333,533</strong></td>
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<td>Nonproliferation and arms control</td>
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<td>137,267</td>
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<td>Proliferation detection research</td>
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<td>Additional verification and detection effort</td>
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<td><strong>Nonproliferation Construction:</strong></td>
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<td>16–D–156 Surplus Plutonium Disposition Project</td>
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<td>99–D–143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS</td>
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<td><strong>Total, Defense Nuclear Nonproliferation Programs</strong></td>
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<td><strong>1,651,007</strong></td>
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<tr>
<td>Legacy contractor pensions</td>
<td></td>
<td>13,700</td>
</tr>
<tr>
<td>Nuclear counterterrorism and incident response program</td>
<td></td>
<td>372,095</td>
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<tr>
<td>Unjustified cost growth</td>
<td></td>
<td>(–31,715)</td>
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<tr>
<td><strong>Total, Defense Nuclear Nonproliferation</strong></td>
<td><strong>1,993,302</strong></td>
<td><strong>2,005,087</strong></td>
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</table>

#### Naval Reactors

- **Nuclear reactors development** | 531,205 | 514,951 |
- **Unjustified growth** | | (–16,254) |
- **Columbia-Class reactor systems development** | 75,500 | 75,500 |
- **S8G Prototype refueling** | 155,000 | 155,000 |
- **Nuclear reactors operations and infrastructure** | 553,591 | 553,591 |

#### Construction:

- **20–D–931, KL Fuel Development Laboratory** | 23,700 | 23,700 |
- **19–D–930, KS Overhead Piping** | 20,900 | 20,900 |
- **14–D–901 Spent fuel handling recapitalization project, NRF** | 238,000 | 238,000 |
- **Total, Construction** | **282,600** | **282,600** |
- **Program direction** | 50,500 | 50,500 |

#### **Total, Naval Reactors** | **1,648,396** | **1,632,142** |

### Federal Salaries And Expenses

- **Program direction** | 434,699 | 410,000 |
- **Unjustified growth** | | (–24,699) |

#### **Total, Office Of The Administrator** | **434,699** | **410,000** |

#### Defense Environmental Cleanup

- **Closure sites:**
  - Closure sites administration | 4,987 | 4,987 |

#### Richland:

- River corridor and other cleanup operations | 139,750 | 139,750 |
- Central plateau remediation | 472,949 | 522,949 |
- **Program increase** | | (50,000) |
- **Total, Construction** | **612,700** | **612,700** |
- **Construction:**
  - 18–D–404 WESF Modifications and Capsule Storage | 11,000 | 11,000 |
- **Total, Hanford site** | **628,820** | **678,820** |

#### Office of River Protection:

- **Waste Treatment Immobilization Plant Commissioning** | 15,000 | 15,000 |
- **Rad liquid tank waste stabilization and disposal** | 677,460 | 705,460 |
- **Program increase** | | (28,000) |

#### Construction:

- **18–D–16 Waste treatment and immobilization plant—LBL/Direct feed LAW** | 640,000 | 640,000 |
- **91–D–16 D, High-level waste facility** | 30,000 | 30,000 |
- **01–D–16 E—Pretreatment Facility** | 20,000 | 20,000 |
- **Total, Construction** | **690,000** | **690,000** |
- **ORP Low-level waste offsite disposal** | 10,000 | 10,000 |

#### **Total, Office of River Protection** | **1,392,460** | **1,420,460** |

#### Idaho National Laboratory:

- Idaho cleanup and waste disposition | 331,354 | 331,354 |
- Idaho community and regulatory support | 3,500 | 3,500 |

#### Total, Idaho National Laboratory | **334,854** | **334,854** |

#### NNSA sites and Nevada off-sites

- Lawrence Livermore National Laboratory | 1,727 | 1,727 |
- LLNL Excess facilities R&D | 128,000 | 128,000 |
<table>
<thead>
<tr>
<th>Program</th>
<th>FY 2020 Request</th>
<th>House Authorized</th>
</tr>
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<tbody>
<tr>
<td><strong>Nuclear facility D &amp; D</strong></td>
<td></td>
<td></td>
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<tr>
<td>Separations Process Research Unit</td>
<td>15,300</td>
<td>15,300</td>
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<td>Nevada</td>
<td>60,737</td>
<td>60,737</td>
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<td>Sandia National Laboratories</td>
<td>2,652</td>
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<td>Los Alamos National Laboratory</td>
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<td>Total, NNSA sites and Nevada off-sites</td>
<td>403,878</td>
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<td><strong>Oak Ridge Reservation:</strong></td>
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<tr>
<td>OR Nuclear facility D &amp; D</td>
<td>93,693</td>
<td>93,693</td>
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<td>Total, OR Nuclear facility D &amp; D</td>
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<td>U233 Disposition Program</td>
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<td><strong>OR cleanup and waste disposition</strong></td>
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<td>OR cleanup and waste disposal</td>
<td>82,000</td>
<td>82,000</td>
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<tr>
<td>Construction</td>
<td></td>
<td></td>
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<tr>
<td>17-D-401 On-site waste disposal facility</td>
<td>15,269</td>
<td>15,269</td>
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<td>14-D-403 Outfall 200 Mercury Treatment Facility</td>
<td>49,000</td>
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<td>Total, Construction</td>
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<td><strong>Total, OR cleanup and waste disposition</strong></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><strong>Total, Oak Ridge Reservation</strong></td>
<td>292,781</td>
<td>292,781</td>
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<td><strong>Savannah River Sites:</strong></td>
<td></td>
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<tr>
<td>Savannah River risk management operations</td>
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<td>Program increase</td>
<td>490,613</td>
<td>515,613</td>
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<td><strong>Construction:</strong></td>
<td></td>
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<tr>
<td>18-D-402, Emergency Operations Center</td>
<td>6,792</td>
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<td><strong>Total, risk management operations</strong></td>
<td>497,405</td>
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<td>SR community and regulatory support</td>
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<td>11,249</td>
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<td>Program increase</td>
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<td></td>
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<td>Radioactive liquid tank waste stabilization and disposition</td>
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<tr>
<td>Construction</td>
<td></td>
<td></td>
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<tr>
<td>26-D-402 Advanced Manufacturing Collaborative Facility (AMC)</td>
<td>50,000</td>
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<td>26-D-401 Saltstone Disposal Unit #10, 11, 12</td>
<td>500</td>
<td>500</td>
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<td>18-D-402 Saltstone Disposal Unit #89</td>
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<td>17-D-402 Saltstone Disposal Unit #7</td>
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<td>05-D-403 Salt waste processing facility, Savannah River Site</td>
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<td><strong>Total, Construction</strong></td>
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<td>163,272</td>
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<td><strong>Total, Savannah River site</strong></td>
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<td>1,494,632</td>
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<td><strong>Waste Isolation Pilot Plant</strong></td>
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<td>Waste Isolation Pilot Plant</td>
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<tr>
<td>Construction</td>
<td></td>
<td></td>
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<tr>
<td>15-D-411 Safety significant confinement ventilation system, WIPP</td>
<td>58,054</td>
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<td>15-D-412 Exhaust shaft, WIPP</td>
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<td><strong>Total, Construction</strong></td>
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<td>92,554</td>
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<td><strong>Total, Waste Isolation Pilot Plant</strong></td>
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<td>Program direction</td>
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<td>Program support</td>
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<td>Use of prior year balances</td>
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<td><strong>Total, Defense Environmental Cleanup</strong></td>
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<td>5,616,001</td>
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<td>Other Defense Activities</td>
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<td>Environment, health, safety and security</td>
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<td></td>
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<td>Environment, health, safety and security</td>
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<td>139,628</td>
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<td><strong>Total, Environment, Health, safety and security</strong></td>
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<td>212,509</td>
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<td>Independent enterprise assessments</td>
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<td>24,068</td>
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<td><strong>Total, Independent enterprise assessments</strong></td>
<td>81,279</td>
<td>81,279</td>
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<td>Specialized security activities</td>
<td>254,578</td>
<td>254,578</td>
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<td>Office of Legacy Management</td>
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<td>Legacy management</td>
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<td><strong>Total, Office of Legacy Management</strong></td>
<td>303,029</td>
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<tr>
<td>Defense related administrative support</td>
<td></td>
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</tr>
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</table>
Mr. SMITH of Washington. Mr. Chair, I yield myself 2 minutes.

The CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Ms. STEFANIK. Mr. Chair, I yield in opposition to the amendment. The CHAIR. Ms. STEFANIK. Mr. Chair, I rise in opposition to the amendment. The gentlewoman from New York is recognized for 5 minutes.

Ms. STEFANIK. Mr. Chair, I yield myself such time as I may consume.

Mr. CHAIR. Pursuant to House Resolution 476, the gentleman from Washington (Mr. SMITH) and a Member opposed each will control 5 minutes.

The CHAIR recognizes the gentleman from Washington.

Mr. SMITH of Washington. Mr. Chair, I yield myself 2 minutes.

The text of the amendment is as follows:

Page 696, line 8, strike “Secretary of Defense” and insert “Director of National Intelligence.”

Page 697, line 4, strike “Secretary” and insert “Director.”

The CHAIR. I now call upon the gentleman from Ohio (Mr. SCHIFF) to report an amendment, and I reserve the balance of my time.

Mr. SCHIFF. Mr. Chair, I rise in opposition to the amendment. Mr. CHAIR. Mr. SCHIFF. Mr. Chair, I yield my 2 minutes.

The CHAIR. Pursuant to House Resolution 476, the gentleman from Washington (Mr. SMITH) and a Member opposed each will control 5 minutes.

The CHAIR recognizes the gentleman from Washington.

Mr. SMITH of Washington. Mr. Chair, I yield myself 2 minutes.

This is an amendment that was actually adopted at the committee level, but there was a technical problem with it which we couldn’t get corrected by UC, so we are re-debatting it on the House floor. I think it is appropriate.

Last year, the Trump administration decided to stop reporting on civilian casualties that were caused by our raids. This amendment reinstates that and requires the Director of National Intelligence to report to us on civilian casualties that have resulted in raids that we have done outside of existing combat zones.

We are engaged in many military operations, which we have read about, in places like Somalia, Libya, and Yemen. We think it is appropriate to keep statistics on how effective those raids have been, and one of those measures of effectiveness is the number of civilian casualties that are included in that.

That is what this amendment does. We have gotten the support of the chairman of the Intelligence Committee, Mr. SCHIFF, to do this for both DOD operations and intelligence operations.

I think it is an important transparency measure that will help us better understand the effects of our military policy.

And, I guess, the final thing I would say on this is it is part of an underlying theme. One of the other things that the minority party doesn’t like about our bill is that, again, we want to hold the Pentagon accountable. We think Congress actually has a role in this, which we couldn’t get corrected by UC, so we are re-debatting it on the House floor. I think it is appropriate.

The place we should be debating this is the Intelligence Authorization Act, not the National Defense Authorization Act.

So, there are jurisdictional issues here, which is one of the reasons why I am opposed to this amendment.

Mr. Chair, I urge my colleagues to vote “no,” and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I would simply say that there are reporting requirements; there are not comprehensive reporting requirements. And that is the purpose of this amendment, to make sure we report everything and so that we have all of the information that is available to us.

And, I guess, to a certain extent, if the opposition feels like it is already being done, then why not do it effectively and efficiently. Regrettably, DOD is not in charge of all of the operations involved here.

The Director of National Intelligence would take into account everything we are doing and make sure that we have an accurate picture of that.

Again, I urge support, and I reserve the balance of my time.

Ms. STEFANIK. Mr. Chair, I yield 2 minutes to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Chair, I rise in opposition to this amendment.
I have had the pleasure of serving with Ms. STEFANIK on the House Intelligence Committee, and I couldn’t agree more with the points she has made. As a veteran and as a member of the House Armed Services Committee for the previous three terms and a member of the House Intelligence Committee, I am familiar with the U.S. military as well as with the intelligence community.

This amendment, if adopted, would require the Director of National Intelligence, not the Secretary of Defense, to submit a report to Congress regarding strikes taken against terrorists outside of areas of active hostilities, as well as an assessment of combatant and noncombatant deaths.

This amendment is problematic for several reasons. First, there already exists transparent oversight mechanisms with respect to civilian casualties, and that report is fully available to the public.

Requiring the DNI to conduct a review already completed by the Secretary of Defense is not only wasteful but demonstrates a gross disregard for the DNI’s time that should be spent overseeing the intelligence community’s efforts against U.S. adversaries.

Further, this amendment circumvents the normal legislative process and completely bypassed the House Intelligence Committee.

Tasking the office of the Director of National Intelligence, an organization over which House Intelligence has oversight responsibilities, requires consultation with the House Intelligence Committee. However, we were not given the opportunity to weigh in on this amendment until now.

At the eleventh hour, various cosponsors of this amendment performed a sly bait-and-switch, changing what was voted on by the Armed Services Committee and inserting an organization solely within the House Intelligence’s jurisdiction. To say I am disappointed with that is an understatement.

This amendment is irresponsible and reflects a disregard for the House Intelligence Committee’s equities in this debate.

It failed to navigate the proper jurisdiction process and takes time and resources away from critical national security missions.

So, I understand the desire of this type of well-meaning legislation; however, committees of jurisdiction exist for a reason, and I am surprised that various members of the House Intelligence Committee would flagrantly disregard the implications of ceding our jurisdiction on this matter.

Mr. Chair, I urge my colleagues to vote “no” on this amendment.

Mr. SMITH of Washington. Mr. Chair, I yield myself the balance of my time. Just a couple of quick points: First of all, we did not bypass the committee of jurisdiction. We were in constant consultation with the Intelligence Committee, with their staff, and we had that conversation and worked with them to get this result.

We did not bypass them. In fact, we got a waiver from the Intelligence Committee to have this amendment before our committee.

This amendment takes jurisdiction that this bill has a number of provisions in it, including one on which I worked very closely with the gentleman from New York, that has jurisdiction within the intelligence community. This bill items that have their jurisdiction, but we worked with them and in careful consultation. I really don’t think it is a lot to ask of our national intelligence to look at the very important issue of how our military action, regardless of who is doing it, impacting casualties, both civilian and otherwise.

That is all this amendment does. I think that it is something that we should be doing, regardless, and it is information that will be valuable to this House.

Mr. Chair, I would urge adoption of this amendment, and I yield back the balance of my time.

Ms. STEFANIK. Mr. Chair, I yield 1½ minutes to the gentleman from Nebraska (Mr. BACON).

Mr. BACON. Mr. Chair, I rise today opposing amendment 546 that would use the NDAA to task the Director of National Intelligence with reporting rules for civilian casualties.

As Chairman SMITH knows and, also, Ms. STEFANIK and the ranking member, though I voted for the NDAA in mark-up, I opposed this amendment then, and I still do.

The long story short is that this tasking should be in the Intelligence Authorization Act and not in the Defense Authorization Act.

This tasks the Director of National Intelligence, and, thus, it should be handled by the Intelligence Committee and in the intelligence authorization bill.

We believe in transparency. We believe in doing all we can to minimize civilian casualties. We believe in proportionality. We believe in knowing if we are targeting and handling these operations correctly.

I know from my experience working three decades in the Air Force that our military goes through extensive vetting, extensive legal reviews, and extensive crosschecks before putting a weapon on a target that could threaten civilians.

But let’s be clear: DOD has a full and transparent oversight framework in place for DOD and U.S. military operations.

The FY18 NDAA established a robust civilian casualty reporting mechanism for the U.S. military, and the DOD reporting is fully available to the public.

Even more, there are two additional provisions in this bill that increase the level of CIVCAS reporting and directs an independent assessment of DOD’s reporting and policy.

But, what is important here: This is about DOD and military operations, not the intelligence operations. It is not the DOD’s role to report on the intelligence community.

It is not the role of the NDAA to task the intelligence community.

I recommend voting against this amendment. If we send it to the Intelligence Committee and let them do it the right way, if the Intelligence Committee wants to take it on.

Ms. STEFANIK. Mr. Chair, I yield 30 seconds to the gentleman from Florida (Mr. WALTZ).

Mr. WALTZ. Mr. Chair, there is a distinct difference between oversight and unnecessary micromanagement.

Protection of civilians is a fundamental part of military operations. DOD standsards and policies are some of the most stringent in the world. No force in history has been more committed to limiting harm to civilians than the U.S. military.

As a special operator who has had to make these decisions, we need to be very careful of secondary effects of these types of reports, from putting soldiers unnecessarily in harm’s way, to pilots being overly cautious to protect close air support, to terrorists living another day to kill more civilians, ironically, because of this overreach and overcaution.

Our policies and procedures are sufficient.

Mr. Chair, I urge my colleagues to vote against this amendment.

Ms. STEFANIK. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Washington.

The question was taken; and the Chair announced that the ayes appeared to have it.

Ms. STEFANIK. Mr. Chair, I demand a recorded vote.

Mr. CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. SMITH OF WASHINGTON.

Mr. SMITH of Washington. Mr. Chair, pursuant to House Resolution 476, I offer amendments en bloc.

The CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendments Nos. 2, 4, 5, 7, 8, 13, 15, 16, 18, 22, 28, 30, 36, 41, 42, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, and 190, printed in part B of House Report 116-143, offered by Mr. SMITH of Washington.

AMENDMENT NO. 2 OFFERED BY MS. SPEIER OF CALIFORNIA.

At the end of subtitlle F’ of title V, add the following:

SEC. 560b. COMMISSION OF GRADUATES OF THE MILITARY SERVICE ACADEMIES AS OFFICERS.

(a) MILITARY ACADEMY.—Section 7453(b) of title 10, United States Code, is amended by inserting “may” and inserting “shall”.

(b) NAVAL ACADEMY.—Section 8467 of title 10, United States Code, is amended—

(i) by striking the heading and inserting “Midshipmen: degree and commission on graduation”;

(2)
(2) by inserting “(a)” before “Under” and (3) by adding at the end the following new subsection: “(b) Notwithstanding any other provision of law, a midshipman who completes the prescribed course of instruction shall, upon graduation, be appointed an ensign in the Regular Navy or a second lieutenant in the Marine Corps under section 2053 of this title.”.

(c) AIR FORCE ACADEMY.—Section 9453(b) of title 10, United States Code, is amended by striking “for the purpose of inserting” and inserting “shall”.

AMENDMENT NO. 4 OFFERED BY MR. BROWN OF MARYLAND

At the end of subtitle J of title V, add the following:

SEC. 1. SHORT TITLE.

This subtitle may be cited as the “Return Expenses Paid and Yielded Act” or “REPAY Act”.

SEC. 2. MODIFICATION OF CERTIFICATION AND REPORT REQUIREMENTS RELATING TO WAIVERS OR REDUCTIONS OF NONRECURRING COSTS WITH RESPECT TO SALE OF MAJOR DEFENSE EQUIPMENT AND PRODUCTION ARE WAIVED OR REDUCED UNDER THE ARMS EXPORT CONTROL ACT.

(a) CERTIFICATION.—Section 36(b) of the Arms Export Control Act (22 U.S.C. 277b(b)) is amended by adding at the end the following:

“(7)(A) In the case of any letter of offer to sell any major defense equipment for $10,000,000 or more, in addition to the other information required to be contained in a certification submitted to the Congress under this subsection, or a similar certification given to a foreign country or international organization to which a letter of offer to sell, each such certification shall include information on—

(I) the manner in which a sale would significantly advance standardization with the foreign countries or international organization described in such certification;

(ii) the extent to which the sale’s significances should be considered relative to the existing capabilities of the foreign country or international organization and the manner in which such equipment would enhance the capacity of the foreign country or organization in joint operations; and

(iii) the reason, history and existing capabilities of the foreign country or international organization.”.

(b) REPORT.—Section 36(a) of the Arms Export Control Act (22 U.S.C. 277a(a)) is amended—

(1) in paragraph (11), by striking “and” at the end;

(2) in paragraph (12), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following: “(B) with respect to requests to waive or reduce nonrecurring costs with respect to the sale of major defense equipment for $10,000,000 or more under this Act, a report on—

(A) the total number of such requests that have been approved or denied during the quarter, including the total number of such requests that are currently under review and pending a decision; and

(B) for each such request—

(i) an identification of the foreign country or international organization requesting the waiver or reduction; and

(ii) the total amount of nonrecurring costs to be waived or reduced; and

(iii) a description of the major defense equipment to be purchased; and

(iv) the justification for the waiver or reduction; and

(C) for each such request that is approved, the actual amount of nonrecurring costs that are waived or reduced that are attributable to quantities of the particular defense equipment sold under such request.”.

(c) REPEAL OF WAIVER AUTHORITY IN CASE OF SALES OF MAJOR DEFENSE EQUIPMENT ALSO BEING PROCURED FOR USE BY UNITED STATES ARMED FORCES.—Section 21(e)(2) of the Arms Export Control Act (22 U.S.C. 2761(e)(2)) is amended—

(1) in subparagraph (B)—

(A) in the matter preceding clause (i)—

(i) by striking “The President” and inserting “Except as provided subparagraphs (D) and (E), the President”;

(ii) by striking “that—” and all that follows through “and inserting that imposition”;

(iii) by striking “sale;” and inserting “sale.”;

and

(C) by striking clause (ii); and

(2) by inserting at the end the following new subparagraphs:

“(D) The President may not waive the charge or charges for a proportionate amount of any nonrecurring costs that would otherwise be considered appropriate under paragraph (1)(B) for a particular sale to a country or international organization except for a two-year period that begins on any of the following dates:

(i) The date of approval of a waiver under paragraph (1)(B) of a charge or charges that are valued at $15,000,000 or more under this Act and to the extent to a country or organization;

(ii) The date that is the last day of any five-year period in which the country or organization receives 15 or more waivers of a charge or charges under paragraph (1)(B) with respect to sales to the country or organization.

(iii) The date that is the last day of any five-year period in which the country or organization receives waivers of a charge or charges under paragraph (1)(B) that are valued at $25,000,000 or more under this Act with respect to sales to the country or organization.

(iv) The date in the case of any proposed waiver of the charge or charges which would otherwise be considered appropriate under paragraph (1)(B) for a particular sale to a country or international organization of major defense equipment for $10,000,000 or more under this Act, the President shall submit to the Armed Services Committee of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and to the chairman of the

700

Page 501, line 12, strike “(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter during the two subsequent calendar years, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report identifying the number of individuals (disaggregated by the term and type of waiver)”.

Page 439, strike line 1 through line 17.

Page 501, strike line 12 through line 21.

AMENDMENT NO. 8 OFFERED BY MS. SPEIER OF CALIFORNIA

Page 339, after line 15, insert the following new subsection:

(c) CARE RELATED TO PREVENTION OF PREMATURE DELIVERY.—Subtitle F of title 10, United States Code, as redesignated by subsection (a)(2) of this section, is further amended by inserting before the period at the end the following: “(including all methods of contraception approved by the Food and Drug Administration, contraceptive care (including with respect to insertion, removal, and follow up), sterilization procedures, and patient education and counseling in connection therewith.”.

AMENDMENT NO. 7 OFFERED BY MS. SPEIER OF CALIFORNIA

Page 439, line 8, strike “(a) IN GENERAL.—

Page 439, strike line 14 through line 17.

Page 501, line 12, strike “(a) IN GENERAL.—

Page 501, strike line 18 through line 21.

AMENDMENT NO. 8 OFFERED BY MS. SPEIER OF CALIFORNIA

At the appropriate place in title XII of the bill, insert the following new subtitle:

Subtitle _Return Expenses Paid and Yielded Act_
the Committee on Foreign Relations of the Senate a notification with respect to such proposed waiver.

(ii) The President may not waive such charges under paragraph (1), by inserting ‘‘subject to paragraph (4),’’ before ‘‘administrative services’’; and

(ii) submit to Congress a report that contains the determination and specifies the maximum aggregate amount of charges for administrative services determined under subparagraph (A) for the fiscal year involved.

(ii) The President may waive the requirement of clause (i) on a case-by-case basis if the amount of charges for administrative services that are required by paragraph (1)(A) with respect to a sale of defense articles or defense services would exceed the maximum aggregate amount of charges for administrative services determined under subparagraph (A) for the fiscal year.

(ii) Except as provided in clause (ii), charges for administrative services that are required by paragraph (1)(A) may not exceed the maximum aggregate amount of charges for administrative services determined under subparagraph (A) for the fiscal year involved.

(i) Develop performance measures to monitor the performance measures; and

(i) For any performance measures that indicate a decreased level of performance from the prior year—

(a) provide a briefing to the congressional committees a report that lists the performance measures developed and identified under subsection (a).

(b) identify any concerns related to the reliability of the data used to monitor the performance measures; and

(c) update the report required by paragraph (1) shall also include the following:

(b) Identify key choke points, processes, and tasks that contribute most significantly to delays, shortcomings, and issues in the foreign military sales program.

(b) MATTERS TO BE INCLUDED.—Each update of the report required by paragraph (1) shall include the following:

(b) CONFORMING AMENDMENT.—Section 221(e)(3) of the Arms Export Control Act (22 U.S.C. 2761(e)(3)) is amended—

(b) PLAN.—If the performance measures developed and identified under subsection (a) cannot be included in the report required by paragraph (1) for the most recent fiscal year based on reliable and accessible data, the report shall include a plan for ensuring that such data will be monitored within a defined period of time.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Director of the Defense Security Cooperation Agency, shall submit to the congressional defense committees a report on:

(b) The estimated annual cost of each of such specific expenses.

(b) The estimated annual cost of such specific expenses.

(b) The estimated annual cost of such specific expenses.

(a) Review existing performance measures for the foreign military sales program to determine whether such measures need to be updated, replaced, or supplemented to ensure that all key aspects of the foreign military sales program’s efficiency and service of United States national interests are able to be monitored and informed by reliable data.

(a) REVIEW.—(1) In general.—The Secretary of Defense, acting through the Director of the Defense Security Cooperation Agency, shall review existing performance measures for the foreign military sales program to determine whether such measures need to be updated, replaced, or supplemented to ensure that all key aspects of the foreign military sales program’s efficiency and service of United States national interests are able to be monitored and informed by reliable data.

(a) In general.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall provide a briefing to the congressional committees a report that includes the Comptroller General’s findings on the performance measures developed and identified under subsection (a).
amendments made by this Act.

SEC. 6. TRAINING PROGRAM FOR RELEVANT OFFICIALS AND STAFF OF THE DEFENSE SECURITY COOPERATION AGENCY.

(a) In General.—The Secretary of Defense shall establish and implement a program to provide training to relevant officials and staff of the Defense Security Cooperation Agency for purposes of carrying out this Act and the amendments made by this Act.

(b) Report.—Not later than one year after the date of enactment of this Act, the Secretary of Defense shall submit to Congress a report describing the program required by subsection (a).

SEC. 7. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—As otherwise provided, the term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) FOREIGN MILITARY SALES PROGRAM.—The term “foreign military sales program” means the program authorized under chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.).

AMENDMENT NO. 15 OFFERED BY MR. MEEKS OF CALIFORNIA

At the end of subtitle H of title X, add the following new section:

SEC. 1092. PROHIBITION ON NAMES RELATED TO THE CONFRONTATION.—The Secretary of Defense may not give a name to an asset that refers to, or includes a term referring to, the Confederate States of America (commonly referred to as the “Confrontation”), including any name referring to—

(1) a person who served or held leadership within the Confederacy; or

(2) a city or battlefield significant because of a Confederate victory.

(b) ASSUMES DEFINED.—In this section, the term “assumes” includes any base, installation, facility, aircraft, ship, equipment, or any other property owned or controlled by the Department of Defense.

AMENDMENT NO. 16 OFFERED BY MR. CUNNINGHAM OF SOUTH CAROLINA

Add at the end of subtitle B of title V the following:

SEC. 5. PILOT PROGRAM ON THE JUNIOR RESERVE OFFICERS’ TRAINING PROGRAM AT LUCY GARRETT BECKHAM HIGH SCHOOL, CHARLESTON COUNTY, SOUTH CAROLINA.

(a) In General.—The Secretary of the department in which the Coast Guard is operating may carry out a pilot program to establish and maintain a Junior Reserve Officers’ Training Corps (JROTC) program unit in cooperation with Lucy Garrett Beckham High School, Charleston County, South Carolina.

(b) Program Requirements.—The pilot program carried out by the Secretary under this section shall provide to students at Lucy Garrett Beckham High School—

(1) instruction in subject areas relating to operations of the Coast Guard; and

(2) training in skills which are useful and appropriate for a career in the Coast Guard.

(c) Provision of Additional Support.—In carrying out the pilot program under this section, the Secretary may provide to Lucy Garrett Beckham High School—

(1) assistance in course development, instruction, and associated activities; and

(2) necessary and appropriate course materials, equipment, and uniforms.

(d) Employment of Retired Coast Guard Personnel.—

(1) In General.—Subject to paragraph (2), the Secretary may authorize the Lucy Garrett Beckham High School to employ, as administrative or technical personnel, former members of the Coast Guard Reserve commissioned, warrant, and petty officers not on active duty who request that employment and who are approved by the Secretary and Lucy Garrett Beckham High School.

(2) Authorized Pay.—

(A) In General.—Retired members employed under paragraph (1) are entitled to receive their retired or retainer pay and an additional amount of not more than the difference between—

(i) the amount the individual would be paid as pay and allowance if the individual was considered to have been ordered to active duty during the period of employment; and

(ii) the amount of retired pay the individual is entitled to receive during that period.

(B) Payment to School.—The Secretary shall pay to Lucy Garrett Beckham High School an amount equal to one-half of the amount described in subparagraph (A), from funds appropriated for such purpose.

(3) Employment Not Active-Duty or Inactive-Duty Training.—Notwithstanding any other provision of law, while employed under this subsection, an individual is not considered to be on active-duty or inactive-duty training.

AMENDMENT NO. 18 OFFERED BY MS. CLARK OF MASSACHUSETTS

At the end of subtitle H of title X, add the following:

SEC. 1092. PROHIBITION ON DENIAL OF DEPARTMENT OF VETERANS AFFAIRS HOME LOANS FOR VETERANS WHO LEGALLY WORK IN THE MARIJUANA INDUSTRY.

(a) Prohibition.—In the case of a person with documented income that is derived, in whole or in part, from working in the marijuana industry in compliance with the law of the State in which the work takes place, the Secretary of Veterans Affairs may not use the fact that such documented income is derived, in whole or in part, from working in the marijuana industry as a factor in determining whether to guarantee, issue, or make a housing loan under chapter 37 of title 38, United States Code.

(b) Treatment of Conduct.—Conduct of a person described in subsection (a) relating to obtaining a housing loan described in such subsection or conduct relating to guaranteeing, issuing, or making a housing loan described in such subsection for a person described in such subsection shall—

(1) not be construed to violate section 401 of the Controlled Substances Act (21 U.S.C. 881) or any other provision of law; and

(2) not constitute the basis for forfeiture of property under section 511 of the Controlled Substances Act (21 U.S.C. 861) or section 861 of title 18, United States Code.

AMENDMENT NO. 22 OFFERED BY MR. SHERMAN OF CALIFORNIA

At the appropriate place in subtitle G of title XII, insert the following:

SEC. 12. LIMITATION ON THE PRODUCTION OF NUCLEAR PROLIFERATION ASSUMPTION STATEMENTS.

(a) LIMITATION.—The Secretary of State may not provide to the President, and the President may not submit to Congress, a Nuclear Proliferation Assumption Statement described in subsection a. of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2101 et seq.) with respect to a proposed cooperation agreement with any country that has not signed and implemented an Additional Protocol with the International Atomic Energy Agency other than that which, as of June 19, 2019, is in effect a civilian nuclear cooperation agreement pursuant to such section 123.

(b) Waiver.—The limitation under subsection (a) shall be waived with respect to a particular country if—

(1) the President submits to the appropriate congressional committees a request to enter into a proposed cooperation agreement with such country that includes a report describing the manner in which such agreement would advance the national security and defense interests of the United States and not contribute to the proliferation of nuclear weapons; and

(2) there is enacted a joint resolution approving the waiver of such limitation with respect to such agreement.
(3) the Committee on Energy and Natural Resources, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

AMENDMENT NO. 2 OFFERED BY MR. ENGEL OF NEW YORK

At the end of subtitle G of title XII, add the following:

SEC. 1201. LIMITATION ON SECURITY ASSISTANCE AND SECURITY COOPERATION.

(a) IN GENERAL.—Except as provided in subsection (c), the United States shall not provide any security assistance or engage in any security cooperation with any of the military or security forces of Burma.

(b) EXCEPTIONS; WAIVER.

(1) A waiver of the requirement described in subsection (a) shall apply only if—

(A) the President—

(i) consults with the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate regarding the determination that an emergency exists which requires a proposed transfer of defense articles or defense services to be in the national security interest of the United States, thus waiving the congressional review requirements pursuant to section 3(d)(2) or subsection (b)(1), (c)(2), or (d)(2) of this section; and

(ii) includes in the certification to be submitted to Congress with respect to the emergency—

(I) a determination and justification for each individual letter of offer, license, or approval for the defense articles or defense services; and

(II) a specific and detailed description of how such waiver of the congressional review requirements directly responds to or addresses the circumstances of the emergency;

(B) the delivery of the defense articles or defense services will take place not later than 90 days after the date on which the President issues the determination; and

(C) the President submits the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the defense articles or defense services that were delivered, including the type of defense articles or defense services, not later than 30 days after the date of delivery; and

(2) shall not apply in the case of a license or other authorization that includes manufacturing or co-production of the articles or services in the United States if such manufacturing or co-production has not been previously licensed or authorized.

AMENDMENT 30 OFFERED BY MR. ENGEL OF NEW YORK

At the end of title XII, add the following new subtitle:

Subtitle  Matters Relating to Burma

SEC. 1291. LIMITATION ON SECURITY ASSISTANCE AND SECURITY COOPERATION.

(a) In General.—Except as provided in subsection (c), the United States shall not provide any security assistance or engage in any security cooperation with any of the military or security forces of Burma.

(b) Exceptions; Waiver.

(1) A waiver of the requirement described in subsection (a) shall apply only if—

(A) CERTIFICATION.—An assessment of the military and security forces of Burma—

(I) have demonstrated significant progress in abiding by international human rights standards and are undertaking meaningful security sector reform, including reforms that enhance transparency and accountability, to prevent future abuses;

(II) adhere to international humanitarian law;

(III) pledge to stop future human rights abuses;

(IV) support efforts to carry out comprehensive, independent investigations of alleged abuses;

(V) are taking steps to hold accountable any members of such forces determined to be responsible for human rights abuses; and

(VI) cease their attacks against ethnic minority groups and participate in the conclusion of a nation-wide cease-fire agreement, a political accommodation, and constitutional change, including the provision of citizenship to the Rohingya.

(2)� The Government of Burma, including the military and security forces—

(I) allows full humanitarian access to communities in areas affected by conflict, including Rohingya communities in Rakhine State;

(II) cooperates with the United Nations High Commissioner for Refugees and organizations affiliated with the United Nations to ensure the protection of displaced persons and the safe, voluntary, sustainable, and dignified return of refugees and internally displaced persons; and

(III) defines a transparent plan that includes—

(i) a timeline for professionalizing the military and security forces; and

(ii) a process by which the military withdraws from ownership or control of private business enterprises and ceases involvement in the illegal trade in natural resources and narcotics; and

(b) establishes civilian control over the finances and assets of its military and security forces, including displacement expenditures subject to civilian oversight.

(c) REPORT.—

(I) In general.—Not later than 180 days after the date of the enactment of this subtitle, the Secretary of Defense and the Secretary of State shall submit to the appropriate congressional committees a report on the strategy and military-to-military engagement between the United States Armed Forces and the military and security forces of Burma.

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

(A) A description and assessment of the Government of Burma’s strategy for security sector reform, including any plans to withdraw the military from controlling private-sector businesses and ending involvement in the illegal trade in jade and other natural resources, reforms to end corruption, and constitutional reforms to ensure civilian control.

(B) A list of ongoing military activities certified by the United States Government with the Government of Burma, and a description of the United States strategy for future military-to-military engagements between the United States and Burma’s military and security forces.

(C) An assessment of the progress of the military and security forces of Burma towards developing a framework to implement human right reforms, including—

(i) cooperation with civilian authorities and independent international investigations to investigate and prosecute cases of human rights abuses;

(ii) steps taken to demonstrate respect for and implementation of the laws of war; and

(iii) a description of the elements of the military-to-military engagement, between the United States and Burma that promote such implementation.

(D) An assessment of progress on the peace settlement, including an assessment of the relationship between the Government of Burma and ethnic minority groups, including actions taken by the military of Burma to adhere to cease-fire agreements, allow for safe, voluntary, sustainable, and dignified returns of displaced persons to their homes, and withdraw forces from conflict zones.

(E) An assessment of the manner and extent to which the Burmese military recruits and uses children as soldiers.

(F) An assessment of the Burmese military’s tactics of violence, especially sexual violence, or other gender-based violence as a tool of terror, war, or ethnic cleansing.

(iii) a description of the elements of the military-to-military engagement, between the United States and Burma that promote such implementation.

(ii) a description of the elements of the military-to-military engagement, between the United States and Burma that promote such implementation.

(D) An assessment of progress on the peace settlement, including an assessment of the relationship between the Government of Burma and ethnic minority groups, including actions taken by the military of Burma to adhere to cease-fire agreements, allow for safe, voluntary, sustainable, and dignified returns of displaced persons to their homes, and withdraw forces from conflict zones.

(E) An assessment of the manner and extent to which the Burmese military recruits and uses children as soldiers.

(F) An assessment of the Burmese military’s tactics of violence, especially sexual violence, or other gender-based violence as a tool of terror, war, or ethnic cleansing.
SEC. 1282. IMPOSITION OF EXISTING AND ADDITIONAL SANCTIONS FOR THE VIOLATION OF HUMAN RIGHTS AND THE COMMISSION OF HUMAN RIGHTS ABUSES IN BURMA.

(a) Sanctions Pursuant to Existing Authorities.—The President shall impose sanctions—

(1) against officials in Burma, including Commander in Chief of the Armed Forces of Myanmar, under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 2656) and; and

(2) against military-owned enterprises, including the Myanmar Economic Corporation and Union of Myanmar Economic Holding, under the Burmese Freedom and Democracy Act (50 U.S.C. 1701 note), the Tom Lantos Blockade Restoration Act (Junta’s Antidemocratic Efforts) Act of 2008 (50 U.S.C. 1701 note), and other relevant statutory authorities.

(b) Additional Sanctions.—For the 8-year period beginning on the date that is 270 days after the date of the enactment of this subtitle, the President shall impose the sanctions described in subsection (c) with respect to each foreign person that the President determines, based on credible evidence—

(1) is a current or former senior official of the military or security forces of Burma who—

(A) knowingly perpetrated, ordered, or otherwise directed serious human rights abuses in Burma; or

(B) has taken significant steps to impede investigations or prosecutions of alleged serious human rights abuses, including against the Rohingya community in Rakhine State; or

(2) is an entity owned or controlled by any person described in paragraph (1); or

(3) is an entity, such as the Myanmar Economic Holding Group or the Myanmar Economic Holding Corporation, that is owned or controlled, directly or indirectly, by the military or security forces of Burma, including through collective or cooperative structures, from which one or more persons described in paragraph (1) derive significant revenue or financial benefit; or

(C) provided significant financial, material, or technological support—

(i) to a foreign person described in paragraph (1) or any of the acts described in subparagraph (A) or (B) of such paragraph; or

(ii) to any entity owned or controlled by such person or an immediate family member of such person; or

(D) received significant financial, material, or technological support—

(i) from a foreign person described in paragraph (1) or an entity owned or controlled by such person or an immediate family member of such person.

(c) Sanctions Described; Exceptions.—

(1) Sanctions.—The sanctions described in this subsection are the following:

(A) Asset Blocking.—Notwithstanding the requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701), the exercise of all powers granted to the President by such Act to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person the President determines meets one or more of the criteria described in subparagraph (B) 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.

(B) Ineligibility for Admission.—In the case of a foreign person who is an individual, such person shall be—

(i) ineligible to enter the United States; and

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(C) Current and Former Senior Officials.—

(i) The issuing consular officer or the Secretary of State, or a designee of the Secretary of State, shall, in accordance with section 211(c) of the Immigration and Nationality Act (8 U.S.C. 1201(c)), revoke any visa or other entry documentation issued to a foreign person who is an individual regardless of when the visa or other entry documentation is issued.

(ii) A revocation under clause (i) shall take effect immediately and automatically cancel any other valid visa or other documentation that is in the person's possession.

(D) Applicability to Foreign Entities and Foreign Governments.—Subparagraphs (B) and (C) of this section shall also apply with respect to aliens who are officials of, agents or instrumentalities of, working or acting on behalf of, or otherwise associated with, a foreign entity or foreign government that is a foreign person subject to the imposition of sanctions under subsection (b), if such aliens are determined by the Secretary of State to have knowingly, willfully, or through neglect, committed, been responsible for, engaged in, or otherwise assisted or facilitated the actions described in such subsection.

(2) Exception with United Nations Headquarters Agreement.—Sanctions under this section shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(d) Penalties.—Any person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out subsection (c) 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 unlawful act described in subsection (a) of that section.

(e) Implementation.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section and shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(f) Waivers.—The President may annually waive the application of sanctions imposed on a foreign person pursuant to subsection (b) if the President—

(1) determines that a waiver with respect to such foreign person is in the national interest of the United States; and

(2) not later than the date on which such waiver will take effect, submits to the following committees notice of and justification for such waiver:

(A) The Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Financial Services of the House of Representatives.

(B) The Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(g) Exceptions Relating to the Importation of Goods.—

(1) In General.—The authorities and requirements to impose sanctions under subsection (b) do not include the authority or requirement to impose sanctions on the importation of goods.

(2) Good Defined.—In this subsection, the term "good" means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(h) Definitions.—In this section—

(1) Whitelist Admitted; Alien.—"Admitted" and "alien" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) Foreign Person.—"Foreign person" means a person that is not a United States person.

(3) Knowingly.—The term "knowingly" means with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) United States Person.—The term "United States person" means—

(A) a United States citizen, an alien lawfully admitted for permanent residence to the United States, or any other individual subject to the jurisdiction of the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such entity.

SEC. 1283. GUIDANCE RELATING TO THE MINING SECTOR OF BURMA.

(a) Findings.—Congress finds the following:

(1) In 2015, the nongovernmental organization Global Witness estimated that the value of total production of jade in Burma in 2014 was $31,000,000,000, almost 48 percent of the official gross domestic product of Burma. As much as 80 percent of that jade sold is smuggled out of Burma.

(2) Burma's military and associated entities, including companies owned or controlled by Myanmar Economic Corporation and Myanmar Economic Holding Limited, their affiliated companies, and companies owned or controlled by current and former senior military officers or their family members, are linked to the mining sector, including the gemstone industry, and benefit financially from widespread illegal smuggling of jade and rubies from Burma.

(3) Illegal trafficking in precious and semiprecious stones from Burma, including the trade in high-value jade and rubies, deprives the people of Burma and the civilian government of critical revenue and instead benefits military-linked, state-sponsored armed groups, and transnational organized criminal networks.

(4) In 2016, the Government of Burma began to take steps to reform aspects of the mining sector, but the Gemstone Law adopted in January 2019 does not adequately address corruption and tax avoidance, compliance of interest, or the factors leading to conflict in Kachin State and other gemstone mining areas.

(5) The lifting in October 2016 of United States sanctions on the importation of jade and jadeite and rubies from Burma allowed such gemstones to legally enter the United States market, but some retailers have refrained from sourcing gemstones of Burmese origin due to governance and reputational concerns.

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

(1) notwithstanding Burma's " Trafficking in Persons" ranking, the President should continue to provide Burma, pursuant to the waiver authority under section 110(d)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(d)(4)), in consultation with the Government of Burma with respect to the mining sector and should make available technical capacity—
building and other assistance through the Department of State or the United States Agency for International Development to support the Government of Burma in efforts to reform the gemstone industry; and

(2) companies that seek to import to the United States gemstones or minerals that may be of Burmese origin or articles of jewelry containing such gemstones shall—

(A) obtain such materials exclusively from entities that satisfy the transparency criteria described in subsection (d)(2) or from third parties that can demonstrate that they sourced the materials from entities that meet such criteria; and

(B) undertake robust due diligence procedures—"Due Diligence Guidance for Responsible Business Conduct" and "Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas" promulgated by the Organization for Economic Cooperation and Development—

(c) List of Participating White-List Entities.—Not later than 120 days after the date of the enactment of this subtitle, and annually thereafter until the date described in subsection (e), the Secretary of State shall submit to the appropriate congressional committees, and publish on a publicly available website, a list of each entity described in subsection (d)(2).

(1) participates in Burma’s mining sector;

(2) publicly discloses beneficial ownership, as such term is defined for purposes of the Myanmar Environmental and Social Transparency Initiative ("Myanmar EITI");

(3) is not owned or controlled, either directly or indirectly, by the Burmese military or security forces, any current or former senior Burmese military officer, or any person sanctioned by the United States pursuant to any relevant sanctions authority; and

(4) is engaged in good faith progress toward meeting the criteria described in subsection (d)(2).

(d) Entities and Criteria Described.—

(1) Entities Described.—The entities described in this subsection are the following:

(A) Entities that produce or process precious and semiprecious gemstones.

(B) Entities that sell or export precious and semiprecious gemstones from Burma or articles of jewelry containing such gemstones, as applicable.

(C) The entity publicly discloses payments to the Government of Burma, including tax and non-tax, license, or royalty payments, and other payments or contract terms as may be required under Myanmar EITI standards.

(D) The entity undertakes due diligence, in line with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, including public reporting.

(e) Periodic Updating.—The Secretary shall periodically update the publicly available list described in subsection (c) as appropriate.

(f) Guidance and Whiten List Entities.—

(1) The Secretary shall issue guidance for entities in the United States private sector with respect to the best practices for supply-chain due diligence that are applicable to importation of "Due Diligence Guidance for Responsible Business Conduct"-compliant gemstones, as applicable.

(2) The Secretary shall issue guidance for entities in the United States private sector with respect to the best practices for supply-chain due diligence that are applicable to importation of "Due Diligence Guidance for Responsible Business Conduct"-compliant gemstones, as applicable.

(3) The Secretary shall issue guidance for entities in the United States private sector with respect to the best practices for supply-chain due diligence that are applicable to importation of "Due Diligence Guidance for Responsible Business Conduct"-compliant gemstones, as applicable.

(4) The Secretary shall issue guidance for entities in the United States private sector with respect to the best practices for supply-chain due diligence that are applicable to importation of "Due Diligence Guidance for Responsible Business Conduct"-compliant gemstones, as applicable.

(g) Termination.—The date described in this section is the date on which the President certifies to the appropriate congressional committees that the Government of Burma has taken substantial measures to reform the mining sector in Burma, including the following:

(1) Require the mandatory disclosure of payments, permit and license allocations, project revenues, contracts, and beneficial ownership, including the identification any politically exposed persons who are beneficial owners, consistent with the approach agreed upon by the Myanmar EITI and with due regard for civil society participation.

(2) Separate the commercial, regulatory, and revenue collection responsibilities within the Myanmar Gems Enterprise and other key state-owned enterprises to remove existing conflicts of interest.

(3) Monitor and undertake enforcement actions, as warranted, to ensure that entities—

(A) adhere to environmental and social impact assessment and management standards in accordance with international responsible mining practices, the country's environmental, occupational, and other applicable laws and regulations; and

(B) uphold occupational health and safety standards and codes of conduct that are aligned with the core labor standards of the International Labour Organisation and with domestic law.

(4) Address the transparent and fair distribution of benefits from natural resources, including through local benefit-sharing.

(5) Reform the process for valuation of gemstones at the mine-site, including developing and implementing an independent system to prevent undervaluation and tax evasion.

(6) Require companies bidding for jade and ruby mining, finishing, or export permits to be independently audited upon the request of the Government of Burma and making the results of all such audits public.

(7) Establish credible and transparent procedures for permit allocations that are independent from external influence, including scrutiny of applicants that prevents unscrupulous dealers from gaining access to concessions or the right to trade in minerals or gemstones.

(8) Establish effective oversight of state-owned mining enterprises operating in such sed elections including through parliamentary oversight or requirements for independent financial auditing.

SEC. 1284. REPORT AND DETERMINATION ON ACCOUNTABILITY FOR WAR CRIMES, CRIMES AGAINST HUMANITY, AND GENOCIDE IN BURMA.

(a) In General.—Not later than 90 days after the date of the enactment of this subtitle, the Secretary of State shall submit to the appropriate congressional committees a report that—

(1) summarizes credible reports of serious human rights violations, including war crimes, crimes against humanity, and genocide committed by the Burmese military and other ethnic minorities in Burma between 2012 and the date of the submission of the report;

(2) describes any potential transitional justice mechanisms in Burma;

(3) provides an analysis of whether the serious human rights violations summarized pursuant to paragraph (1) amount to war crimes, crimes against humanity, or genocide; and

(4) includes a determination of the Secretary’s opinion that—

(A) the events that took place in the state of Rakhine in Burma, starting on August 25, 2017, constitute war crimes, crimes against humanity, or genocide; or

(B) the situation faced by the Rohingya in Rakhine State, between 2012 and the date of the report, constitutes war crimes, crimes against humanity, or genocide.

(b) The report required by subsection (a) shall also include each of the following:

(1) A description of—

(A) each incident for which there is credible evidence that the incident may constitute war crimes, crimes against humanity, or genocide committed by the Burmese military or security forces against the Rohingya or other ethnic minorities, including the identities of any other actors involved in such incident;

(B) the role of the civilian government in the commission of or participation in such incidents; and

(C) each incident for which there is credible evidence that the incident may constitute war crimes, crimes against humanity, or genocide committed by violent extremist groups in Burma;

(2) Each attack on health workers, health facilities, health transports, or patients and, to the extent possible, a description of the conventional and unconventional weapons used for any such crimes and the sources of such weapons.

(3) A description and, in consultation with the Administrator of the United States Agency for International Development, the Attorney General, and other heads of any other appropriate Federal departments or agencies, of the effectiveness of any programs that the United States has already undertaken to ensure accountability for such crimes, crimes against humanity, and genocide perpetrated against the Rohingya by the military and security forces of Burma, the Rakhine State government, pro-government militias, and all other armed groups operating fighting in Rakhine, including programs to—

(A) train civil investigators within and outside of Burma and Bangladesh on how to document, investigate, develop findings of, and identify, and locate alleged perpetrators of such crimes, crimes against humanity, or genocide in Burma;

(B) promote and prepare for a transitional justice process or processes for the perpetra- tors of such crimes, crimes against humanity, and genocide occurring in the State of Rakhine in 2017; and

(C) document, collect, preserve, and protect evidence of war crimes, crimes against humanity, and genocide in Burma, including by providing support for Burmese, Bangladeshi, foreign, and international non-governmental organizations, the United Nations Human Rights Council’s investigative team, and other entities engaged in such investigative activities.

(c) A detailed study of the feasibility and desirability of potential transitional justice mechanisms for Burma, such as an international tribunal, a hybrid tribunal, or other international options, that includes—

(A) a discussion of the use of universal jurisdiction or of legal cases brought against the country of Burma by other sovereign countries at the International Court of Justice to address war crimes, crimes against humanity, and genocide perpetrated in Burma;

(B) recommendations on which transitional justice mechanisms the United States should support, why such mechanisms should be supported, and what type of support should be offered; and

(C) close consultation regarding transitional justice mechanisms with Rohingya
representatives and those of other ethnic minorities who have suffered grave human rights abuses.

(c) PROTECTION OF WITNESSES AND EVIDENCE.—The Secretary of State shall ensure that the identification of witnesses and physical evidence for purposes of the report required by subsection (a) are not publicly disclosed in a manner that might place such persons at risk of harm or encourage the destruction of such evidence by the military or Government of Burma.

(d) CRIME OF APARTHEID.—In this section, the term ‘‘crime of apartheid’’ means inhuman acts that—

(1) are of a character similar to the acts referred to in subparagraphs (A) through (H) of section 1285(c);

(2) were committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack—

(A) murder;

(B) deportation or forcible transfer of population, with knowledge of the attack—

(1) the efficacy of the pilot program; and

(2) any recommendation of the Secretary pursuant to subsection (c), by adding at the end the following new paragraph:

(4) The Director of Cost Assessment and Program Evaluation of the Department of Defense, the Director of the Office of Management and Budget of the National Nuclear Security Administration, and the Director of the Office of Management and Budget shall attend the meetings of the Council.”.”

(b) SUPPORTING INVESTIGATIONS.—The Secretary may receive financial assistance for the pursuit of a license, certification, or Associate’s degree in any career field or occupation, including both portable and nonportable career fields and occupations.

AMENDMENT NO. 52 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle D of title XVI, add the following new section:

SEC. 16. MODIFICATION OF CYBER SCHOLARSHIP PROGRAM.

Section 2200a(a)(1) of title 10, United States Code, is amended by striking ‘‘or advanced degree, or a certification,’’ and inserting ‘‘advanced degree, or certificate’’. 
AMENDMENT NO. 54 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle G of title V, add the following new section:

SEC. 567. REQUIREMENT TO PROVIDE INFORMATION ON EARNING BENEFITS ELIGIBILITY TO MEMBERS DURING TAP COUNSELING.

Section 112(h) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(19) Information regarding how to file claims for benefits available to the member under laws administered by the Secretaries of Defense and Veterans Affairs.".

AMENDMENT NO. 55 OFFERED BY MR. ALLRED OF TEXAS

At the end of subtitle C of title II, add the following:

SEC. 1006. INCREASE IN FUNDING FOR BASIC OPERATIONAL MEDICAL RESEARCH.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, as specified in the corresponding funding table in section 201, for research, development, test, and evaluation, for basic research, basic operational medical research science, line 004 (PE 060117E) is hereby increased by $5,000,000 (with the amount of such increase to be made available for studying ways to increase the longevity of military type aircraft, light attack experimentation aircraft, and basic operational medical research science).

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 310 for operation and maintenance, as specified in the corresponding funding table in section 310, for operation and maintenance, for basic research, basic operational medical research science, Special Operations Command management/operational headquarters, line 080 is hereby reduced by $5,000,000.

AMENDMENT NO. 56 OFFERED BY MR. ALLRED OF TEXAS

At the end of subtitle H of title X, insert the following:

SEC. 1007. MILITARY TYPE CERTIFICATION FOR LIGHT ATTACK EXPERIMENTATION AIRCRAFT.

The Secretary of the Air Force shall make available annually 170. Light attack experimentation aircraft as needed, pursuant to the Department of Defense Directive on Military Type Certifications, 5030.61.

AMENDMENT NO. 57 OFFERED BY MR. ARRINGTON OF TEXAS

At the end of subtitle P of title V, insert the following:

SEC. 560b. SUPPORT OF MILITARY SERVICE ACADEMY FOUNDATIONS.

(a) IN GENERAL.—Chapter 155 of title 10, United States Code, is amended by adding at the end the following new section:

"2616. Support of military service academy foundations

"(a) AUTHORITY.—Subject to subsection (b), the Secretary concerned may provide the following support to a covered foundation:

"(1) Participation in fundraising or a membership drive for the covered foundation by

"(A) general or flag officer;

"(B) Senior Executive Service employee assigned to the service academy supported by that covered foundation;

"(C) a commercial designation by the Secretary concerned.

"(2) Endorsement by an individual described in paragraph (1) of—

"(A) the covered foundation;

"(B) an event of the covered foundation; or

"(C) an activity of the covered foundation.

"(b) LIMITATIONS.—Support under subsection (a) may be provided only if such support—

"(1) is without any liability of the United States to the covered foundation;

"(2) does not increase the pay of any official or employee of the Department of Defense or the Department of Homeland Security, or any member of the armed forces, to carry out any responsibility or duty in a fair and objective manner;

"(3) does not compromise the integrity or appearance of integrity of any program of the Department of Defense or the Department of Homeland Security, or any individual involved in such a program; and

"(4) does not include the participation of any cadet orMidshipman.

"(c) BRIEFING.—In any fiscal year during which support is provided under subsection (a), the Secretary concerned shall provide a briefing not later than the last day of that fiscal year to the congressional defense committees regarding the following:

"(1) The number of events, activities, or fundraising or membership drives of a covered foundation in which an individual described in subsection (a)(1) participated during such fiscal year.

"(2) The amount of funds raised for each covered foundation during each such event, activity, or drive.

"(3) Each designated purpose of funds described in paragraph (2).

"(d) COVERED FOUNDATION DEFINED.—In this section, the term ‘covered foundation’ means a charitable, educational, or civic nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986, that the Secretary concerned determines operates exclusively to provide support, or both, with respect to a military service academy, any of the following:

"(1) Recruiting.

"(2) Parent or alumni development.

"(3) Academic, leadership, or character development.

"(4) Institutional development.

"(5) Athletics.

"(6) BRIEFING.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2616. Support of military service academy foundations.

AMENDMENT NO. 58 OFFERED BY MR. BACON OF NEBRASKA

At the end of subtitle E of title V, add the following new section:

SEC. 5. COPYRIGHT PROTECTION FOR CIVILIAN FACULTY OF ACCREDITED INSTITUTIONS.

(a) IN GENERAL.—Chapter 108 of title 10, United States Code, is amended by adding at the end the following new section:

"2189a. Copyright of works created by civilian faculty members

"(a) COPYRIGHT OF WORKS.—Subject to subsection (b), for purposes of sections 101 and 105 of title 17, a work produced by a civilian member of the faculty of a covered institution is only a work of the United States Government if the work is created in direct support of a lecture, instruction, curriculum development, or special duty assigned to such civilian member at the covered institution.

"(b) USE BY FEDERAL GOVERNMENT.—The Secretary concerned may require a civilian member of the faculty of a covered institution to become the owner of a copyright in a work that would be considered a work of the United States Government for the applicability of section (a) to—

"(1) provide the Federal Government with an irrevocable, royalty-free, world-wide, nonexclusive license to use, modify, reproduce, release, perform, display, or disclose such work for United States Government purposes; and

"(2) authorize the Federal Government to authorize persons that are not officers or employees of the Federal Government to use, modify, reproduce, release, perform, display, or disclose such work for United States Government purposes.

"(c) COVERED INSTITUTION DEFINED.—In this section, the term ‘covered institution' means the following:

"(1) National Defense University.

"(2) United States Military Academy.

"(3) Army War College.

"(4) United States Army Command and General Staff College.

"(5) United States Naval Academy.

"(6) Naval War College.

"(7) Naval Postgraduate School.

"(8) Marine Corps University.

"(9) United States Air Force Academy.

"(10) Air University.

At the end of title C of title I, add the following new section:

**SEC. 1. INCREASE IN FUNDING FOR RC–135 AIRCRAFT.**

(a) INCREASE FOR RC–135.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for procurement, as specified in the corresponding funding table in section 4101, for Aircraft Procurement, Air Force, other aircraft, RC–135, line 055 is hereby increased by $22,000,000.

(b) INCREASE FOR DARP RC–135.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for procurement, as specified in the corresponding funding table in section 4301, for operation and maintenance, Defense-wide, admin & service wide activities, Defense Contract Management Agency, line 200 is hereby reduced by $25,000,000.

At the end of title E of title V, add the following new section:

**SEC. 5. PRELIMINARY INQUIRY ON ARLINGTON NATIONAL CEMETERY BURIAL.**

(a) FINDINGS.—Congress finds the following:

(1) The Department of Defense must ensure that only individuals who have served honorably are interred or inurned at Arlington National Cemetery.

(2) Recent news reports have alleged that Army Sergeant First Class Jack Edward Dunlap, who was buried at Arlington National Cemetery in 1963, may have been the past subject of an espionage investigation by the National Security Agency, the results of which have not been made public.

(b) INQUIRY REQUIRED.—The General Counsel of the Defense Intelligence Agency pursuant to the terms of section 553.21 of title 32, Code of Federal Regulations, carry out a preliminary inquiry to investigate the Arlington National Cemetery burial of Jack Edward Dunlap due to accusations that he supplied the Soviet Union with valuable intelligence.

AMENDMENT NO. 61 OFFERED BY MR. BANKS OF NEBRASKA

At the end of title C of title V, add the following new section:

**SEC. 713A. COMPREHENSIVE ENTERPRISE INTEROPERABILITY STRATEGY FOR THE ARMED FORCES AND THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs, acting through the Assistant Secretary for Acquisition, Technology and Logistics of the Department of Defense and the Assistant Secretary for Acquisition, Technology, and Logistics of the Department of Veterans Affairs, shall jointly develop and implement an interoperability strategy to:

(b) The term "Director" means the Director of the Department of Veterans Affairs.

(1) Strategy.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to each Secretary concerned, and to the appropriate congressional committees, an update to the strategy under subsection (a), including any accompanying or associated implementation plans and supporting information.

(3) AMENDMENT.—In section 713 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), the term "Secretary concerned'' means the following:

(A) The congressional defense committees.

(B) The Committees on Veterans' Affairs of the House of Representatives and the Senate.

(2) UPDATED STRATEGY.—Not later than December 31, 2024, the Director shall submit to each Secretary concerned, and to the appropriate congressional committees, an update to the strategy under subsection (a), including any accompanying or associated implementation plans and supporting information.

(4) AVAILABILITY.—The Secretary concerned shall make available to the public the strategy submitted under paragraphs (1) and (2), including by posting such strategy on the websites of the Secretaries that is available to the public.
technology platform in place or the location where care was provided.

(5) The term ‘‘seamless health care’’ means health care which is optimized through access by patients and clinicians to integrated, relevant, and complete information about the patient’s clinical experiences, social and environmental determinants of health, and health care in order for patients and clinicians to move from task to task and encounter to encounter, within and across organizational boundaries, such that high-quality decisions may be formed easily and complete plans of care may be carried out smoothly.

(6) The term ‘‘Secretary concerned’’ means—
(A) the Secretary of Defense, with respect to matters concerning the Department of Defense;
(B) the Secretary of Veterans Affairs, with respect to matters concerning the Department of Veterans Affairs; and
(C) the Secretary of Homeland Security, with respect to matters concerning the Coast Guard when it is not operating as a service in the Department of the Navy.

(7) The term ‘‘TRICARE program’’ has the meaning given that term in section 1072 of title 10, United States Code.

AMENDMENT NO. 64 OFFERED BY MR. BERA OF CALIFORNIA

Page 387, after line 7, insert the following:

SEC. 7. STUDY ON EXTENDING PARENT’S LEVEL OF TRICARE HEALTH CARE TO NEWBORN CHILD.

(a) STUDY.—The Secretary of Defense shall conduct a study on extending a parent’s level of TRICARE health care coverage to the newborn child of the parent.

(b) ELEMENTS.—In conducting the study under subsection (a), the Secretary shall—
(1) with respect to members of the Coast Guard, coordinate with the Secretary of the Department of the Treasury.
(2) by adding at the end the following:

(C) the Committee on Homeland Security, and the Committee on Energy and Commerce of the House of Representatives; and
(3) the Committee on Foreign Relations and the Committee on Health, Education, Labor, and Pensions of the Senate.

AMENDMENT NO. 68 OFFERED BY MR. BERA OF CALIFORNIA

At the end of subtitle J of title V, insert the following:

SEC. 5. STUDY ON BEST PRACTICES FOR PROVIDING FINANCIAL LITERACY EDUCATION FOR VETERANS.

(a) STUDY REQUIRED.—The Secretary of Defense and the Secretary of Veterans Affairs, and with respect to members of the Coast Guard, in coordination with the Secretary of the Department in which the Coast Guard is operating when it is not operating as a service in the Navy, shall conduct a study on the best practices to provide financial literacy education for separating members of the Armed Forces and veterans.

(b) ELEMENTS.—The study required by subsection (a) shall include—
(1) an examination, recommendations, and reporting on best practices for providing financial literacy education to veterans and separating members of the Armed Forces; and
(2) detailed current financial literacy programs for separating members of the Armed Forces, and an examination of linkages between current programs and those for veterans provided by the Department of Veterans Affairs; and
(3) steps to improve coordination between the Department of Defense and Department of Veterans Affairs for the provision of these services.

(c) CONSULTATION.—In conducting the study required by subsection (a), the Secretary shall consult with the Financial Literacy and Education Commission of the United States and the Family Policy Assistance Center of the Government Accountability Office.

AMENDMENT NO. 190 OFFERED BY MS. KENDRA S. HORN OF OKLAHOMA

At the end of subtitle A of title X, insert the following:
know the impact of our military operations abroad. There must be more openness and transparency when tragedy occurs, and civilian casualties are caused by U.S. military action. Being consistent with our moral obligation and the right thing to do, and it also strengthens our security. We are better equipped to tackle our counterterrorism challenges when we have the full confidence of our citizens and our international partners. U.S. military operations depend on close relationships with host nations, and we must do everything we can to ensure our partners that we take civilian casualties seriously. In the past, the Director of National Intelligence prepared reports on civilian casualties and strikes outside areas of active hostilities. This administration brought that sensible practice to a halt.

This amendment would restore the DNI's role. Restoring this responsibility is a commonsense step to bring transparency back to our counterterrorism operations, and I urge all of my colleagues to support the amendment as well.

Mr. THORNBERY. Mr. Chair, I yield 2 minutes to the distinguished gentleman from Nebraska (Mr. BACON). Mr. BACON. Mr. Chair, I come here to support the en bloc. There are three great amendments in here that I want to briefly mention.

First, we are funding the replacement of three simulators at Offutt Air Base, as well as programming equipment that will help us exploit data that is collected during the missions. This is critical for the backbone of the Air Force's medium-altitude manned ISR program. Having those three simulators will have a huge impact. Instead of taking aircraft home that should be flying to Russia, China, Korea, Iran, or wherever it may be—without those simulators, they have to come back to Offutt Air Base to do training—this will allow us to do training at home and continue our real-world operational missions.

I also want to thank the Chamber for supporting a bill that will help support our military academics, the National War College, and all the different military schools that we have by allowing them to own the copyrighted material that they have. Prior to this bill, the civilian instructors would not be able to have ownership of these copyrighted materials, and many of them get out because they want to progress with their careers. This fixes that and allows them to stay in and maintain that ownership.

Finally, I want to praise another amendment that is in this en bloc. We are allowing the academies now to endorse, as well as participate with, foundations that are there to support the cadets. Prior to this, the academies were not allowed to partner or to endorse these foundations, and it really limited the ability for these foundations to help our cadets. Now that they can work together, they can help provide more money for new facilities and gym equipment, providing a better quality of life for our cadets, while at the same time lowering the burden on taxpayers.

Mr. Chair, I want to thank you for this effort, and I support the en bloc.

Mr. SMITH of Washington. Mr. Chair, I have an additional speaker. I yield 2
Mr. CICILLINE. Mr. Chair, I rise in support of the en bloc package, and I thank Chairman Smith and Ranking Member Thornberry for their support of two amendments that I have offered, particularly amendment (b) enforcing the statutory rights of servicemembers and their families under the Servicemembers Civil Relief Act.

For too long, forced arbitration clauses buried deep within the fine print of everyday contracts have eroded workplace discrimination protections for servicemembers and blocked them from having their day in court to hold corporations accountable. Under these agreements, a servicemember can be called up for Active Duty, express to his or her employer a desire to return to his job following deployment, and then be fired on his last day at work before he deploys. This actually happened.

The servicemember would then learn that he or she has waived the right to due process because of the contract he or she signed, removing the procedures and safeguards afforded to individuals in our justice system. These forced arbitration clauses allow corporations to choose their arbiter and their venue and to deny servicemembers the right to press their claims for unjust termination.

This bipartisan amendment would end this shameful practice by clarifying that arbitration clauses are only enforceable if agreed to by the servicemember or their family after a dispute arises, thereby protecting their rights under the Servicemembers Civil Relief Act.

I thank my colleagues, Congressman Guy Reschenthaler and Veterans Affairs Committee Chairman Mark Takano, for their strong, bipartisan support for this amendment to protect servicemembers and their families from having their day in court to hold corporations accountable.

The CHAIR. Pursuant to House Resolution 476, the gentlewoman from California (Ms. Speier), who has been recognized as the gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chair, I have no further requests on this en bloc package.

I yield back the balance of my time.

The CHAIR. Without objection, the Chair designates the Clerk to print the following:

SEC. 530. NONDISCRIMINATION WITH RESPECT TO SERVICE IN THE ARMED FORCES

(a) In General.—Section 531 of title 10, United States Code, is amended by inserting after section 651 the following new section:

"*651a. Members: nondiscrimination

"(a) STANDARDS FOR ELIGIBILITY FOR SERVICE.—Nothing in this chapter shall create or apply for eligibility for service in an armed force except for the eligibility established or applied for eligibility for service in an armed force shall take into account only the ability of an individual to meet gender-neutral occupational standards for military service generally and the military occupational specialty concerned in particular, and may not include any criteria relating to the race, color, national origin, religion, or sex (including gender identity or sexual orientation) of an individual.

"(b) EQUALITY OF TREATMENT IN SERVICE.—Any personnel policy developed or implemented by the Department of Defense with respect to members of the armed forces shall ensure equality of treatment and opportunity for all persons in the armed forces, without regard to race, color, national origin, religion, or sex (including gender identity and sexual orientation).

"(c) GENDER IDENTITY DEFINED.—In this section, the term ‘gender identity’ means the gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual that the individual so identifies, regardless of the individual’s designated sex at birth.

"(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of title 10, United States Code, is amended by inserting after the item relating to section 651 the following new item:

"651a. Members: nondiscrimination."

The CHAIR. Mr. Chair, I yield my 2 minutes.

I rise today in support of my amendment to affirm the right of all people, regardless of race, religion, national origin, or sex, including sexual orientation or gender identity, to serve openly and with dignity in our Armed Forces, so long as they meet gender-neutral standards.

This debate affects real servicemembers who have served courageously. I want you to hear their stories.

Navy Lieutenant Commander Blake Dreman, a trans man, has served for over 15 years and received the prestigious Navy Batchelder Award.

Captain Jennifer Peace is a trans woman who has served for over 15 years and has deployed to Afghanistan and Iraq multiple times.

Army Captain Allivia Stethlik, a trans woman, commissioned out of West Point over 10 years ago and received the Bronze Star Medal.

Hospital Corpsman Third Class Akira Wyatt, a trans woman, has been in the Navy for over 7 years and has deployed across the globe.

Finally, Staff Sergeant Patricia King is a trans woman who is retiring after 20 years, 20 years, and has led combat infantry training over three deployments in Afghanistan.

Over the last 3 years, 14,000 transgender servicemembers have served openly and successfully. All five service chiefs affirmed they do not hamper lethality or cohesion.

Malice and ignorance cannot stop us from giving medically necessary care to individuals brave enough to serve. We know what transgender service- men and women bring to the fight. Let them bring it.

Mr. Chair, I yield 1 minute to the gentlewoman from California (Mrs. Davis), who has aptly represented this committee many times over.

Mrs. DAVIS of California. Mr. Chair, I want to first thank my colleague from California for her work to undo the damage the President has done to transgender servicemembers and our Armed Forces.

This ban endangers transgender soldiers and tells all transgender Americans that they cannot be fit to serve their country. The Harry Truman amendment will reverse the President’s harmful ban and protect transgender soldiers from further discrimination.

Though the administration cited concerns over readiness, unit cohesion, and medical costs to justify its ban, it has been unable to back up its claims.

Mr. Chair, transgender troops have served openly at home, overseas, and in combat zones since 2016 without incident, a finding supported by the Chief of Staff of every service branch.

The Truman amendment extends Federal protections to transgender soldiers and makes it unlawful to exclude anyone from service based on their gender identity.

Transgender servicemembers, as my colleague noted, testified in the House that serving openly dramatically improved their quality of life and their service to our country.

Mr. Chair, I urge a “yes” vote on this amendment.

Mr. THORNBERRY. Mr. Chair, I claim the time in opposition, although I am not completely sure I am opposed to the amendment.

The CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. THORNBERRY. Mr. Chair, I yield 3 minutes to the distinguished gentlewoman from Missouri (Mrs. Hartzler).

Mrs. HARTZLER. Mr. Chair, first of all, I would say, being from Missouri, I would think that Harry Truman would be shocked that this would try to be named after him.

But anyway, this amendment eliminates all enlistment requirements except for the gender-neutral occupational standards.

It says, “Any qualifications established or applied for eligibility for service in an armed force shall take into account only the ability of an individual to meet gender-neutral occupational standards for military service,” and it goes on.

Intended or not, I am concerned that this means that an individual with a
chronic illness, with zero ability to deploy, could apply for and join the military as long as the candidate meets the gender-neutral occupational standards.

This is not how the military recruits and retains the best military fighting force. It prides itself on high medical and physical standards. Currently, if you meet both standards, then you may be granted the honor of serving. The military is under no obligation to accept individuals who do not meet the individual criteria for service.

The military’s recruitment process doesn’t screen for race, religion, color, national origin, or sex. Neither does it screen for gender preference.

The intent of this amendment is to gut the President’s recently implemented policy on transgender servicemembers, which, I will remind everyone, allows transgenders to serve. It allows transgenders to serve in their biological sex, except for those—except for those—who have undergone treatments for gender dysphoria, which would make them nondeployable.

I would remind my colleagues that the DOD policy is based on medical conditions, not an individual’s fluid and preferred gender identity. It is based on deployability and readiness, not discrimination.

The Trump policy states that anyone who meets military standards without special accommodations can and should be able to serve. This includes transgender persons.

This amendment appears to gut the military’s ability to ensure our soldiers, sailors, airmen, and marines can medically serve by stating the DOD can only take into account whether or not an individual meets gender-neutral occupational standards.

Military service is a privilege. It is not a right. It would be unfair for us to make exceptions to service for one specific entity who could not meet medical standards. That is why I urge my colleagues to oppose this amendment.

Ms. SPEIER. Mr. Chairman, I yield 45 seconds to the gentleman from Maryland (Mr. BROWN), my great colleague.

Mr. BROWN of Maryland. Mr. Chairman, I rise in support of Congresswoman SPEIER’s amendment.

As an African American veteran, my service and my background lead me to believe that all Americans who want to serve and can meet our military standards should be afforded the opportunity to serve. This amendment, which codifies the military’s existing non-discrimination standards for all Americans, would end the Trump administration’s promise on transgender servicemembers and would realize President Truman’s promise of the equality of treatment and opportunity for all those who serve in our country’s defense that he made when he desegregated the Armed Forces.

Those who argue against transgender service often say it disrupts unit cohesion, erodes morale, and reduces effectiveness. These arguments, regretfully, were used to keep African American, women, lesbian, and gay members from serving. Transgender servicemembers, we need their service; we need their skill; we need their experience; we need their courage; we need their patriotism; and they need our support.

Mr. THORNBERRY. Mr. Chairman, I only have myself to close, and I reserve the balance of my time.

Ms. SPEIER. Mr. Chairman, may I inquire how much time I have remaining?

The CHAIR. The gentlewoman has 1 minute remaining.

Ms. SPEIER. Mr. Chairman, I yield 1 minute to my colleague from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Chairman, I thank the chairwoman for her passionate work on this issue.

The President’s transgender military policy doesn’t just ignore science, expert testimony, military experience, and the advice of all five military chiefs of staff, it ignores the men and women who are willing to die in defense of our freedom.

So I ask my colleagues one simple question: Are you willing to look into the eyes of a trans servicemember and tell them that they are not qualified to serve in our Nation’s Armed Forces simply because of who they are, that our country won’t allow them their most basic freedom, while expecting them to die for our own?

If our Nation’s fundamental promise that we are all created equal doesn’t apply to all, then what are we asking them to defend in the first place?

Mr. THORNBERRY. Mr. Chairman, I continue to reserve the balance of my time.

Ms. SPEIER. Mr. Chairman, I yield 30 seconds to the gentlewoman from New Mexico (Ms. HAALAND), my great colleague.

Ms. HAALAND. Mr. Chairman, America must live up to its values, and that means treating transgender servicemembers with the same respect and dignity as their counterparts. Both of my parents served and only judged their fellow servicemembers on one standard: their ability to complete the mission.

Transgender servicemembers honorably serve this country and are not any different. Our service members serve all of us.

Mr. THORNBERRY. Mr. Chairman, I continue to reserve the balance of my time.

Ms. SPEIER. Mr. Chairman, I am prepared to close. How much time do I have left, Mr. Chairman?

The CHAIR. The gentlewoman has 15 seconds remaining.

Ms. SPEIER. Mr. Chairman, these servicemembers are who we need to support. These are servicemembers who have already identified as trans members in our military. They provide no issues in terms of lethality or cohesion. They serve with distinction, with honor, and it is time for us to repeal this ill-advised amendment.

I rise to take the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I would simply say my view is that, if a servicemember is qualified and can do the job without some sort of special accommodation, then we ought to take advantage of that member’s service.

I note that Secretary Mattis has testified: ‘It is a bedrock principle of the Department of Defense that any eligible individual who can meet the high standards for military service without special accommodations should be permitted to serve.’

That is what I believe. I have read the gentlewoman’s amendment. It is not clear to me that her amendment is in violation of that statement or my belief.

I heard and listened clearly to the concerns Mrs. Hartzler stated, so I need to move forward, to look at whether there are other consequences to the language. But it seems to me the standard that Secretary Mattis has set out—if you can do the job, you ought to be able to do the job—that is the right one.

I yield back the balance of my time.

The Acting CHAIR (Ms. JACKSON LEE). The question is on the amendment offered by the gentlewoman from California (Ms. SPEIER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. SPEIER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 6 OFFERED BY MS. SPEIER

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 116–143, offered by Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title VII, add the following new section:

SEC. 729. EDUCATION ON FAMILY PLANNING FOR MEMBERS OF THE ARMED FORCES.

(a) EDUCATION PROGRAMS.—

(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 Secretary of the Department in which the Coast Guard is operating, shall establish a uniform standard curriculum to be used in education programs on family planning for all members of the Armed Forces, including both men and women members. Such education programs shall be provided to members as follows:

(A) During the first year of service of the member.
Education on family planning is not just about contraception or pregnancy; it is also about preventing sexually transmitted infections, including HIV, and staying healthy and informed.

This amendment would create a uniform education program across all branches of the military so that servicemembers receive current and medically accurate information. The education would be mandatory within the first year of service, and additional education may be offered at the discretion of each branch.

This is an issue of basic healthcare, but it is also a matter of military readiness and national security. Our troops deserve the very best, regardless of which branch of the military they serve.

Madam Chair, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Madam Chair, I rise today to support the amendment offered by my colleague from California (Ms. SPEIER). It provides our servicemembers with medically accurate educational resources to help prevent unintended pregnancies and the spread of sexually transmitted infections.

The courageous Americans who put their lives on the line for our country deserve the best wellness education we can offer, and keeping them healthy helps maximize our military’s readiness.

This commonsense amendment is recommended by the Pentagon’s nonpartisan Defense Department Advisory Committee on Women in the Services, and, therefore, there should be broad bipartisan support. I encourage my colleagues who support our troops to vote for it.

Ms. SPEIER. Madam Chair, I yield 1 minute to the gentlewoman from New Mexico (Ms. HAALAND).

Ms. HAALAND. Madam Chair, I rise in support of this amendment, and I want to highlight three key points:

The military women of reproductive age lack access to adequate healthcare. This is a healthcare problem. Unplanned pregnancies hamper readiness and make it harder for women to advance their careers, and this personnel issue can be easily remedied.

A service branch shouldn’t determine the quality of care our servicemembers should have, and this is an equality issue.

I thank Chairwoman SPEIER, and I urge passage of this amendment.

Mrs. HARTZLER. Madam Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. HARTZLER. Madam Chair, I yield myself such time as I may consume.

I rise today in opposition to this amendment, which establishes and mandates the establishment of a curriculum to be used in education programs on family planning for every military servicemember and -woman, and I will be the first to say I think this amendment is excessive.

We already have DOD policy that requires the defense health agency in each military service medical department to administer training on counseling and methods of contraception to all DOD healthcare providers so that they may provide assistance to our military members when it is needed.

In addition, I am a former teacher, and I believe knowledge is important, but a simple brochure would suffice; however, this amendment is over the top. It would require an entire curriculum to be written which would be used in education programs.

It requires every military member, men and women, to come in off the field, and, instead of honing their skills on a target range or in the cockpit, they have to spend a certain number of hours of PowerPoint presentations, worksheets, and lectures not on what China is doing in the South China Sea or the latest tactics of Russian aggression, but on family planning.

Only would this uniform force every servicemember to be subjected to this curriculum and programming, suggesting that this training is more important than their military training, but it ambiguously defines what comprehensive family planning is. As written in this amendment, this training would include information about the prevention of unintended pregnancy and the importance of providing comprehensive family planning.

I am extremely concerned this ambiguous terminology will be interpreted to include abortion counseling or services. We already see this dangerous terminology in places like New Mexico, where the comprehensive family planning program funds Planned Parenthoods.

I would like to know from the author of this amendment whether this amendment encompasses information about abortion services as part of comprehensive family planning services.

Madam Chair, I yield 10 seconds to the gentlewoman from California (Ms. SPEIER) to answer this question.

Ms. SPEIER. Madam Chair, I thank the gentlewoman from Missouri for yielding.

Let me be clear, we are already providing this service in the branches. They are not uniform. This would make it uniform. So whatever is being provided now would continue to be provided, but it would be consistent and uniform.

Mrs. HARTZLER. Madam Chair, it sounds like a little ambiguous answer to me. We don’t know what this includes abortion counseling or not.

Madam Chair, I just think that this is an unnecessary mandate to push family planning curriculum on a captive audience, and perhaps it is not the best use of the time of our military.

Other government employees are not forced to leave their job duties to attend family planning training. You
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Ms. SPEIER. Madam Chair, I really object to my good friend and colleague’s definition of what this is actually doing. We are already providing this kind of training, this kind of education to our servicemembers in all our branches. We do know that the Navy and Marines are considered to do it best, while the Army and Air Force have room for improvement.

A recent study found that female Army soldiers have more children in their first 2 years of enlistment and miss more work than do females in other military branches, in part due to the differences in policies on birth control options.

The Navy’s approach is much more comprehensive, and it is on that basis that we want to have all the services providing the same level of education as the Navy and Air Force.

Madam Chair, I yield back the balance of my time.

Mrs. HARTZLER. Madam Chair, I appreciate what my colleague is trying to do, but I do think that it is unnecessary, it is excessive, and it is redundant. The author of the amendment already said it is already being done. And servicemembers already have access to counseling on methods of contraception, so we should not require mandatory training for every servicemember and have this expanded curriculum and bring them off the training field and sit them down for a PowerPoint presentation.

Madam Chair, I urge all my colleagues to join me in opposing this amendment, and I yield back the balance of my time.

Mr. KHANNA. Madam Chair, I support Amendment No. 6 to H.R. 2500, offered by my colleague from California, Ms. Speier. It provides our servicemembers with medically-accurate educational resources to help prevent unintended pregnancies and the spread of sexually transmitted infections. As a member of the Armed Services Committee and a former board member of Planned Parenthood Mar Monte, I’ve seen first-hand the importance of family planning education, especially in our military. The courageous Americans who put their lives on the line for our country deserve the best wellness education we can offer. Keeping them healthy helps maximize our military’s readiness. This common-sense amendment is recommended by the Pentagon’s non-partisan Defense Advisory Committee on Women in the Services. Therefore, there should be broad bipartisan support, and I encourage my colleagues who support our troops to vote for it.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. SPEIER). The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. SPEIER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

Amendment No. 9 offered by Mr. BRINDISI

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 116–143.

Mr. BRINDISI. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title VIII, add the following new section:

SEC. 815. ADDITION OF DOMESTICALLY PRODUCED STAINLESS STEEL FLATWARE AND DINNERWARE TO THE BERRY AMENDMENT.

(a) In General Section 2533a(b) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

"(3) Stainless steel flatware.

"(4) Dinnerware.

(b) EFFECTIVE DATE.—Paragraphs (3) and (4) of section 2533a(b) of title 10, United States Code, as added by subsection (a), shall apply with respect to contracts entered into on or after the date occurring 1 year after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 476, the gentleman from New York (Mr. BRINDISI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. BRINDISI. Madam Chair, I yield myself as much time as I may consume.

Madam Chair, I rise today in support of my bipartisan amendment, and I would like to thank Congressman McKinley for leading this important effort with me.

This amendment would reinstate the Berry amendment’s longstanding Department of Defense domestic sourcing requirement for stainless steel flatware.

This amendment would support American manufacturers, ensure our servicemembers are using safe flatware and dinnerware, and give the Department of Defense flexibility should American-made flatware not be available or affordable.

There is historical precedent for this provision. In fact, from 1976 to 2006, the Berry amendment included a domestic sourcing requirement for stainless steel flatware, but it was removed in the 2007 NDAA due to a lack of domestic supply.

Since then, domestic flatware production has rebounded significantly. In the past decade, domestic manufacturers have sold over $9 million in flatware to the Federal Government. This rebound has led to a stable domestic supply chain and manufacturer base.

Our American manufacturers have demonstrated their reliability as a stable domestic supplier of stainless steel flatware to Federal customers, which supports restoring the longstanding domestic sourcing requirement.

As my colleagues know, President Trump is a staunch supporter of American manufacturers, a commitment to American jobs that he and I share.

Congress constantly pays lip service to bringing back good-paying American jobs and keeping them here. Well, this is an opportunity for my colleagues on both sides of the aisle to actually do it. Reinstating the Berry amendment’s domestic sourcing provision for stainless steel flatware is a win-win for everyone involved. It supports local manufacturing in the U.S. and DOD would retain the ability to waive the domestic sourcing requirement if domestic flatware could not be procured at market prices.

In my view, this should not be a difficult question. When choosing between supporting and creating American jobs or offshoring those jobs to hard-working Americans every time, and I urge my colleagues to do the same by supporting this amendment.

Madam Chair, I reserve the balance of my time.

Mr. THORNBERRY. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Madam Chair, I yield myself such time as I may consume.

Madam Chair, this is the third year in a row, I believe, we have had this attempt to require DOD to only buy knives and forks and spoons from a certain supplier.

I opposed it when it was brought by a Republican and I oppose it when it is brought this year as well.

All 3 years, I have had to hear a national security justification to dictate where DOD buys its knives and forks and spoons and plates. I have not heard it yet.

At one point, there was a view that certain textiles and food were of such importance to the functioning of our military, that there needed to be restrictions on where they were procured. Again, I have not heard that when it comes to knives and forks.

I will say that adding this mandate will hurt our troops, because the only situation in which DOD would choose other than a domestic supplier would be if it saves money if you can buy knives and forks and spoons cheaper from some other source, and that means you are taking away money from ammunition or whatever it is and spending more than you would otherwise need to spend on your plates and knives and forks. I can’t tell you how many probably not as many take home that take away money for other vital programs.

The big question I have, Madam Chair, is where does this stop? I admire...
all Members who try to support manufacturing in his or her district. That is part of our job as Members of Congress. I got it.

But if we are going to say, “Okay. The DoD has got to buy their plates and spoons from a domestic producer,” what about the napkins? What about the soap to wash your hands? Where does it stop?

I don’t think that we want to go down this road without a clear national security reason to limit the suppliers available to DoD.

Computer chips, that is one thing, but knives and forks, that is something else...

Madam Chair, I reserve the balance of my time.

Mr. BRINDISI. Madam Chair, this amendment would not cost the Department of Defense any more money. In fact, the amendment retains all existing waivers under the Berry amendment.

If there were significant negative charges to the price or quality of domestic flatware, the Department of Defense would not be able to use other sources of flatware and would be able to import flatware.

This amendment reaches beyond flatware and would support multiple American manufacturers.

This amendment, if enacted, would also allow American manufacturers all over the country to compete against each other to provide our serivcemembers with American-made flatware.

Unlike the items that were mentioned that have never been included in the Berry amendment, flatware was included in the Berry amendment for 30 years. It was only removed because domestic supply could not sustain the Pentagon.

Domestic supply has since rebounded. Because of this, I see no reason why not to reinstate this longstanding provision that would help American manufacturing.

I would argue that it is in our national security interest, because supporting American manufacturing supports American jobs.

I would also argue that it is in our national security interest, because supporting American jobs helps grow our economy, helps create more taxpayers who then contribute revenue to fund our military. I would much rather support American manufacturers who pay taxes in this country than support manufacturers in China and support the Chinese economy.

Madam Chair, I reserve the balance of my time.

Mr. THORNBERY. Madam Chair, I reserve the balance of my time to close.

Mr. BRINDISI. Madam Chair, I urge adoption of the amendment, and I yield back the balance of my time.

Mr. THORNBERY. Madam Chair, creating domestic jobs in industry after industry is not the primary purpose of the Department of Defense, especially without a national security reason to do so.

What this amendment would do, if it does anything, is to add another category of bureaucracy and burdens that the Department of Defense has got to go through before it decides where it is going to procure its plates and spoons.

This has not been the law since 2006. I think our military folks have been reasonably well fed in the 13 years since this was last part of the law.

Again, the only reason to do it is if the domestic supplier is not cheaper. So it costs money, if it does anything.

Madam Chair, there are lots of important national security issues. Mandating where the Department of Defense gets its plates and spoons and cups and bowls and however else you want to define dinnerware, I do not think, is appropriate, and I urge opposition to the amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. BRINDISI).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. THORNBERY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 39 OFFERED BY MRS. TORRES OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 39 printed in part B of the Report of the Committee on Armed Services to House Resolution 476, the gentlewoman from California (Mrs. TORRES) and a Member opposed each will control 5 minutes.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title X, insert the following:

SEC. 10. UNITED STATES MUNITIONS LIST.

The President may not remove from the United States Munitions List any item that was included in category I, II, or III of the United States Munitions List, as in effect on August 31, 2017.

The Acting CHAIR. Pursuant to House Resolution 476, the gentlewoman from California (Mrs. TORRES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. TORRES of California. Madam Chair, I yield myself such time as I may consume.

Madam Chair, my amendment would maintain congressional oversight over certain weapons sales and ensure that dangerous weapons do not end up in the wrong hands.

Whatever our views on firearm policy may be, we should all be able to agree that putting more firearms in the wrong hands would make the world a lot more dangerous.

Since the passage of the Arms Export Control Act in 1976, the State Department has overseen licensing authority for exporting deadly weapons, supported by congressional oversight authority.

Under Republican Presidents and Democratic Presidents alike, this has been the system in place, so the experts who spend their lives monitoring hotspots around the world can put U.S. national security first, and not profits for weapons manufacturers.

That is why many Members have expressed concern about the Trump administration’s plan to change our firearm export licensing system.

Under the administration’s plan, firearms and other items in categories 1, 2, and 3 of the United States Munitions List would move from the Commerce Control List. That may sound like a technical change, but it would have real world consequences.

Congress would lose oversight over sales, preventing this body from objecting to sales that could harm national security or lead to human rights violations.

We would also be taking licensing authority for exporting deadly weapons away from the State Department and giving it to the Commerce Department, without any clear evidence that Commerce has the expertise or capacity to handle this new responsibility.

This amendment would stop that plan in its tracks.

To be clear, this amendment would not prevent the export of firearms. This amendment would not create any new restrictions on firearms exports. This amendment would simply keep the status quo in place so we can focus our efforts on strengthening the current system.

When it comes to keeping firearms out of the hands of terrorists and drug cartels, we should err on the side of caution.

That is what this amendment does.

Madam Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. ZELDIN. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ZELDIN. Madam Chair, I stand in opposition to the amendment offered by my dear colleague, Mrs. TORRES, that prohibits the President from removing any items listed in categories 1, 2, and 3 of the U.S. Munitions List.

One of the first Oversight and Investigations Subcommittee hearings this year was a review of a large inter-agency process to modernize the United States Munitions List to ensure the State Department retained oversight over only the most critical defense articles with military end-use.

The decision to transfer certain defense articles and services from State to Commerce had strong bipartisan support but got caught up in a debate that had nothing to do with export control reform.
The process to move certain defense articles has already begun. In fact, here are just some of the categories of weapons that have already moved to Commerce licensing controls: launch vehicles and missiles, explosives, military aircraft, submersible vessels, tanks, and the list goes on. Once again, these defense articles have already moved to Commerce control.

This rule change should be finalized. After years of input from both sides of the aisle to make the change from State to Commerce, there is no reason this decision, which started in the last administration, needs to be delayed any longer.

Madam Chair, I reserve the balance of my time.

Mrs. TORRES of California. Madam Chair, it is true that parts and components for military equipment have been moved to the CCL. However, none of the items previously transferred from the USML to the CCL were complete weapons that would allow a soldier to aim and fire on a target.

The Obama administration did not move, or even propose to move, firearms and ammunition. They saw what happened at Newtown and knew that we needed to be cautious about these weapons.

If the administration’s proposal goes through, it would be the first time that the Commerce Department was put in charge of licensing for lethal weapons designed to kill people. This is not business as usual.

Voting “yes” on this amendment will prevent this administration from going beyond what the Obama administration chose to do by ensuring that exports of firearms and ammunition remain under the jurisdiction of the State Department, with congressional oversight.

Madam Chair, I reserve the balance of my time.

Mr. ZELDIN. Madam Chair, I continue to reserve the balance of my time.

Mrs. TORRES of California. Madam Chair, I yield 1 minute to the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Madam Chair, this is a very important issue and something that our committee worked on over a long stretch of time on export controls. We made very carefully thought-out reforms in that process.

The process was a nightmare. Dual-use was the big problem. We could have, just as an example, a bolt that happened to go into a piece of military equipment. If it was to be put in something else, it was subject to this far more aggressive export control thing. But we fixed all of that.

What the gentlewoman is trying to prevent is stepping over the line here and allowing the export of things that really are clearly within the military use concern, but weren’t. This goes beyond that and undermines our ability to make sure that we are not giving potential adversaries access to weapons that can jeopardize our national security.

I do think we need to take this step to make sure that the Trump administration doesn’t go beyond what we worked out. I realize this word is being overused, but we did work this out in a bipartisan way. With the chairman’s help, we included this in the National Defense Act a few years ago. That was helpful.

This goes too far by the President. I think this amendment is perfectly appropriate.

Mr. ZELDIN. Madam Chair, it is important to point out that not all firearms will move to Commerce. The State Department will continue to retain oversight for certain firearms: fully automatic firearms; modern artillery; silencers, components, parts, and accessories specially designed for automatic firearms and shotguns. The list goes on. It is actually a long list of firearms-related components that will stay on the USML.

Madam Chair, I reserve the balance of my time.

Mrs. TORRES of California. Madam Chair, no one here is arguing against firearm exports, and no one here is trying to stop the production of firearms or manufacturers. What we are asking is to keep the system we have so that Congress can continue to do its job and make sure that deadly weapons don’t end up in the wrong hands.

Madam Chair, I urge all of my colleagues to support this amendment, and I yield back the balance of my time.

Mr. ZELDIN. Madam Chair, the USML and the CCL are for listed exports of firearms. This jurisdictional transfer does not govern the illicit transfer of firearms that are often used in violent crimes and human rights abuses overseas.

The U.S. Government will continue its longstanding end-use monitoring efforts, including vetting of potential end-users, to help prevent human rights abuses.

As I stated during my opening remarks, when assessing Commerce’s ability to take over this responsibility, it is hugely important to recognize everything that Commerce is already now in charge of, including, as I mentioned earlier, launch vehicles and missiles, explosives, military aircraft, submersible vessels, tanks, and the list goes on.

This is not a new function for Commerce. It is a transition that started years ago during the last administration. This new rule should be finalized. What shouldn’t be lost in this debate is how effectively Commerce is handling this responsibility with all the very important parts and categories that have already moved to their Department.

Madam Chair, I urge all of my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. TORRES).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. ZELDIN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 116-143.

Mr. CONNOLLY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title XI, add the following: SEC. 1113. LIMITATION ON TRANSFER OF OFFICE OF PERSONNEL MANAGEMENT. The President or his designee may not take any action to transition, merge, or consolidate any functions, responsibilities, programs, authorities, information technology systems, staff, resources, or records of the Office of Personnel to or with the General Services Administration, the Office of Management and Budget, or the Executive Office of the President.

The Acting CHAIR. Pursuant to House Resolution 476, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

Mr. ZELDIN. Madam Chair, I recognize the gentleman from Virginia.

Mr. CONNOLLY. Madam Chair, I yield myself such time as I may consume.

Madam Chair, the Trump administration has proposed to abolish the Office of Personnel Management altogether and give the White House control of governmentwide Federal employee policies.

My simple amendment would prohibit that proposed reorganization from being implemented because, as my subcommittee has uncovered, this proposal lacks merit, justification, or even a coherent rationale. This is the opinion of the Government Accountability Office, not just me.

The GAO has testified that OPM’s leaders “have not established outcome-oriented goals, developed a cost-benefit analysis or implementation plans, and have not fully involved or communicated their efforts with the Congress, employees, and other key stakeholders.” Both Republicans and Democrats on our subcommittee expressed deep skepticism about the so-called plan.

My Republican counterpart in the Senate, Senator JAMES LANKFORD, said, “It’s hard to get to a determination of how this makes things better. I couldn’t agree more. OPM’s 5,500 employees run programs that serve our Federal Government’s 2.7 million active employees.

OPM administers, for example, the largest employer-sponsored health insurance program in the world and processes the world’s largest retirement assurance program in the world and proc-
program for 2.5 million Federal retirees and their survivors.

It provides human services consulting and regulates the implementation of laws essential to our Nation’s merit-based civil service, including the Hatch Act, which prohibits Federal employees from engaging in Federal campaigns for political and campaign purposes.

It also provides dental, vision, and medical insurance to 8 million Federal employees and their families.

In short, OPM is the agency that serves the people who serve the American people.

On May 31, our subcommittee held a hearing that reiterated the administration’s plan to eliminate OPM. I told Acting Director Weichert at that time that the plan was dead on arrival as submitted and that she needed to start over to find a way to work together on a bipartisan basis to rebuild OPM the right way. She said she would, and I took her at her word. Despite these clear and continued over-sight, Ms. Weichert failed to live up to her end of the agreement.

Recently, OPM officials announced their intention to lay off or possibly furlough 150 employees because they could not afford to keep them on the payroll, they claimed. That threat was made in spite of the proposed appropriations levels, which are above what would be needed to fill any budget gap.

The administration’s inadequate plan to disband OPM has been a disaster. After realizing that it cannot prevail over to find a way to work together on a bipartisan basis to rebuild OPM the right way. She said she would, and I took her at her word. Despite these clear and continued oversight, Ms. Weichert failed to live up to her end of the agreement.

On June 27, our subcommittee held another hearing to question OPM officials on the lack of documents provided to Congress about the plan to eliminate OPM. At that hearing, OPM admitted they have failed to determine whether actions they are already taking to eliminate OPM are even legal. They could not provide the underlying legal guidance justifying their action.

The language in this simple amendment largely mirrors language already included in the Financial Services and General Government Appropriations Act for fiscal year 2020 already passed by the House last month.

We have not seen anything, unfortunately, from the administration to convince us that any part of this plan is a good idea and would make our Federal Government more effective and efficient. In fact, GAO has said that the administration’s proposal could further hinder the Federal retirement backlog by creating additional uncertainty. That could make it difficult for OPM to plan large-scale changes in its operations.

The Acting Director of OPM and the Deputy Director for Management of OMB was reported as saying that the administration plans “to play chicken with Congress” to force OPM to accept its proposal to eliminate OPM.

We must pass this amendment, as we did on the appropriations bill, to send a clear message that threatening Congress’ to effectuate its proposals is not the way to do business. Whether it is with a Republican administration or a Democratic administration.

I urge my colleagues to work with us to ensure that Federal employees are treated with respect and are protected through the OPM process.

Madam Chair, I reserve the balance of my time.

Mr. HICE of Georgia. Madam Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes

Mr. HICE of Georgia. Madam Chair, I yield myself such time as I may consume.

Madam Chair, it is true that on June 21, 2018, President Trump’s Office of Management and Budget released a plan to reorganize the executive branch. In that plan, they identified numerous ways to eliminate duplicative programs, to cut waste, fraud, and abuse in the government. One of the recommendations would merge the Office of Personnel Management with the General Services Administration.

I think it is important that we highlight the word “merge.” This is not an elimination of OPM. It is a merger of the two.

OPM’s employees work hard to serve retiring Federal employees. Unfortunately, they are working with outdated 20th-century technology. It is extremely difficult for them to be able to attract IT talent necessary to operate this outdated IT system.

The intent of OPM’s proposed merger is to fix this problem by creating one agency focused on delivering efficient, effective employee services government-wide.

Admittedly, OPM has not shown that this is an effective way to address the many problems that are facing OPM.

Further, it is true that despite repeated requests for legal analysis on the administrative authorities and cost-benefit analysis, the Oversight and Reform Committee continues to wait for supporting information.

Mr. CONNOLLY. Madam Chairwoman, I am sad my good friend, who I know shares my concerns, feels the need to oppose an amendment that is designed to prevent a very bad thing from happening that has no rationale, has no supporting documentation, and has threatened Congress with extort. We will RIP 150 people if you don’t do what we want—even though you don’t quite know what we want—by October 1. No one in this body should tolerate that. This amendment needs to pass, as it did in the appropriations bill.

I urge its passage, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. HICE of Georgia. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 116–143.

Mr. CONNOLLY. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title V, add the following new section:
We are sensitive to the concerns about due process and mandates regarding this matter. That is why we have adopted a middle ground that requires DOD to study the feasibility of complying with the IG recommendations and MPOs and the Gun Control Act as well as the utility of establishing a system that the Senate NDAA would have established.

According to the Department of Veterans Affairs, 30 percent of female veterans reported having been a victim of intimate partner violence in their adult life, and 22 percent say the abuse occurred while on Active Duty. According to the DOD, in more than 30 percent of domestic violence cases—1,100 out of 3,000—where the victim is a member of the military, their spouse is also a member of the military. This amendment is not about protecting civilians only, but about protecting those in uniform especially.

In closing, I want to thank all of the organizations that support this bipartisan amendment including: the National Coalition Against Domestic Violence, Futures Without Violence, Domestic Violence Legal Empowerment and Appeals Project, Service Women Action Network, and Protect Our Defenders.

I yield back the balance of my time.

Mr. THORNBERRY. Madam Chairwoman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Madam Chairwoman, I would say the first part of the gentleman’s amendment is certainly appropriate. There is no question that DOD did not do what it should in reporting to the national database and there have been instances where that made a difference, tragic instances.

So requiring DOD to report within 3 days, I think, as the gentleman from Virginia said, codifying the current policy, I think makes sense. I hope someday we can get to the point, by the way, where we require State and local governments to report within 3 days as well, because as the study was conducted on DOD’s failure to report to the database, it turns out that some State and localities are even worse. So I think we all ought to up our game when it comes to that.

I do want to express some concerns, however, about the second part of the gentleman’s amendment. It requires a feasibility study on a military database for military protective orders. If it is a feasibility study about whether it is technically possible to have a database, that is one thing. But it is important for Members to understand that military protective orders are issued by commanders, and do not have any sort of due process that is associated with civilian protective orders or military protective orders issued by military judges.

Now, military members can go and get a civilian protective order with appropriate due process. But right now, a

SEC. 5. AVAILABILITY OF RECORDS FOR NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

(a) NICS Improvement Amendments Act of 2007—Section 102(b) of the NICS Improvement Amendments Act of 2007 (34 U.S.C. 40011(b)) is amended—

(1) by redesignating paragraph (2) as paragraph (4) and

(2) by inserting after paragraph (1), the following new paragraph (2):

“(2) DEPARTMENT OF DEFENSE.—Not later than 180 days after the final disposition of a judicial proceeding conducted within the Department of Defense, the Secretary of Defense shall make available to the Attorney General records which are relevant to a determination of whether a member of the Armed Forces involved in such proceeding is disqualified from possessing or receiving firearms pursuant to current law.

(b) STUDY AND REPORT ON MPO DATABASE—

(1) STUDY.—The Secretary of Defense shall conduct a study on the feasibility of establishing a database of military protective orders issued by military commanders against individuals suspected of having committed an offense of domestic violence under section 926b of title 10, United States Code (article 926b of title 10, United States Code, as added by section 1313 of the National Defense Authorization Act for Fiscal Year 2013). The study shall include an examination of each of the following:

(A) The feasibility of creating a database to record, track, and report such military protective orders to the National Instant Criminal Background Check System.

(B) The feasibility of establishing a process by which a military judge or magistrate may issue a protective order against an individual suspected of having committed such an offense.

(2) REPORT.—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 the results of the study conducted under paragraph (1).

The Acting CHAIR. Pursuant to House Resolution 476, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

Mr. CONNOLLY. Madam Chair, I yield myself such time as I may consume.

Madam Chairwoman, this amendment is simple, bipartisan, and has the support of leading domestic violence prevention advocates and veteran service organizations.

First of all, I want to thank my friend and colleague from New York, a Rep. Peter King, for cosponsoring this amendment. Peter is a veteran and a respected voice in national security issues in the House, and his support is appreciated immensely.

Our amendment does two things:

First, it codifies existing Department of Defense policy which requires DOD to report to the National Instant Criminal Background Check System servicemembers who are prohibited from purchasing firearms pursuant to current law.

Again, this provision of the amendment merely codifies existing DOD policy as outlined in the instruction
military protective order by commanders is just issued at the request of the victim or the victim’s advocate. There are some opinions that there are even instances where this process has been abused.

I just think we should be careful in treading down a road where we do not provide due process with significant consequences. So as the gentleman noted, there are some related provisions in the Senate bill. I think it would be appropriate to take this measure a little deeper into those consequences, especially to ensure that all servicemembers have due process as well as all servicemembers and civilians have the protection that the gentleman is seeking to achieve.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MS. SHALALA

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 116-143.

Ms. SHALALA. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle F of title V, add the following new section:

SEC. 5. REVIEW OF INSTITUTIONS OF HIGHER EDUCATION PARTICIPATING IN THE DEPARTMENT OF DEFENSE TUITION ASSISTANCE PROGRAM.

(a) LIST OF PARTICIPATING INSTITUTIONS.—

(1) IN GENERAL.—The Secretary of Defense shall make available, on a publicly accessible website of the Department of Defense, a list that identifies—

(A) each institution of higher education that receives funds under the Department of Defense Tuition Assistance Program; and

(B) the amount of such funds received by the institution.

(2) AUDIT OF CERTAIN INSTITUTIONS.—The Secretary of Defense shall update the list described in paragraph (1) not less frequently than once annually.

(b) AUDIT OF CERTAIN INSTITUTIONS.—

(1) IN GENERAL.—The Secretary of Defense shall audit the eligibility a proprietary institution (1) not less frequently than once annually or by distance learning and are part of an approved academic degree or certification program.

These courses must be offered by schools that are recognized by the United States Department of Education, and they must abide by all rules governing the higher education sector.

Because of a loophole that exists in Federal law, known as the GI Bill loophole, however, many for-profit colleges target veterans and servicemembers with aggressive and deceptive recruiting tactics in order to collect as much GI Bill and DOD Tuition Assistance funds.

In fact, research has demonstrated that the for-profit college sector is the only sector in higher education that increases tuition when additional Federal student aid becomes available. As one for-profit college president turned whistleblower told veterans’ organizations and Federal officials last summer: We cleaned up all our materials, but behind closed doors, our recruiters will do anything and say anything to get their hands on GI benefits and DOD Tuition Assistance funds.

This is simply unacceptable. Through the selfless sacrifice of our men and women in uniform, we as citizens receive freedom, a freedom that many people in this world envy. We owe an immense debt of gratitude to those who serve and must not allow anyone to abuse their benefits.

Madam Chair, this amendment is simple, and it will ensure that veteran servicemembers, active servicemembers, and their families are not taken advantage of by anyone in the predatory for-profit college sector. This amendment requires the Secretary of Defense to publish on its website the distribution of DOD Tuition Assistance funds at institutions of higher education and conduct an audit for any for-profit institution that fails to meet the financial responsibility standards set in the Higher Education Act of 1965.

Madam Chair, a for-profit college has, by definition, a fiduciary duty to its shareholders to maximize profits. Success is determined by the amount of tuition revenue brought in and the profits made, not by the quality of education provided to its students. We speak about the good and bad actors in the for-profit college sector, and this amendment seeks to tell us just that. I know that my good friends on the other side of the aisle have always supported our veterans. I know they deeply care about fiscally responsible policies.

Supporting our veterans and Active Duty servicemembers has historically drawn large, bipartisan support. It is incumbent upon us as elected officials to put forth an accountability system that distinguishes bad actors from good actors and looks out for the American taxpayer and protects our military community.

Madam Chair, this is personal for me. Every generation of my family has served in our country’s military, and all have used their educational benefits. I know the value of a good education. I have seen it firsthand in my four decades as an educator and as a college president. Our veterans deserve better than policies that allow bad actors in our education system to take advantage of their service and their sacrifice.

I want to thank my colleagues who have worked with me on this issue and my good friend, Congresswoman KATIE PORTER, for cosponsoring this amendment. I urge my colleagues to support this commonsense amendment and stand on the side of our servicemembers.

Madam Chair, I reserve the balance of my time.

Ms. FOXX of North Carolina. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Ms. FOXX of North Carolina. Madam Chair, I yield myself such time as I may consume.

Madam Chair, my colleagues on the other side of the aisle are relentless in their pursuit to eliminate an entire sector of postsecondary education—proprietary institutions, or taxing institutions.

In their zealous effort to bury these types of institutions under additional red tape and redundant bureaucratic mandates, Democrats are wasting taxpayer dollars and valuable Pentagon time.

I have said during our Education and Labor Committee hearings, and I will again, that Congress and the armed services have tough standards in place that hold all institutions accountable for taxpayer dollars. These requirements include two agencies already overseeing schools participating in aid programs. The Pentagon is already required through the Tuition Assistance program to evaluate the educational institutions’ overall effectiveness in administering its academic program, courses, and general customer satisfaction; and the Department of Education is tasked with and has the expertise to monitor the school’s fiscal health according to standards established by the American Institute of Certified Public Accountants. If institutions fail to meet either of these requirements, there are serious consequences.

In addition to doubling bureaucracy, this amendment fails to help students and their families in any meaningful way.
Instead of voting for this ineffective amendment, I invite Representative Shalala and others to join me in reforming the Higher Education Act to hold all institutions accountable to all students.

I appreciate my colleague for saying that her colleagues on this side of the aisle support our veterans. I agree that all veterans deserve our thanks and all the freedom they have fought for, including the right to attend the school of their choice.

Madam Chair, I strongly oppose this amendment. I urge my colleagues to vote ‘no’, and I reserve the balance of my time.

Ms. Shalala. Madam Chair, the DoD has already taken steps before to ensure Tuition Assistance funds are being spent properly when those institutions have been identified.

My amendment allows the Secretary to broadly apply much-needed oversight to a sector that continues to defraud taxpayers and siphons billions of dollars from the Federal Government.

Madam Chair, I yield back the balance of my time.

Ms. Foxx of North Carolina. Madam Chair, I would like to inquire of the Chair how much time is remaining.

The Acting Chair. The gentleman has 2 1/4 minutes remaining.

Ms. Foxx of North Carolina. Madam Chair, I yield 1 1/4 minutes to the gentleman from Pennsylvania (Mr. Smucker).

Mr. Smucker. Madam Chair, I thank the ranking member for yielding.

I rise today in opposition, as well, to this amendment which seeks to limit education choices for our Nation’s servicemembers. Under current law, institutions receiving Federal funding must meet the financial responsibility standards under the Higher Education Act.

The Chair recognizes the gentlewoman from Florida (Ms. Shalala).

Ms. Shalala. Madam Chair, I yield the gentleman from North Carolina (Mr. Smucker).

Mr. Smucker. Madam Chair, one of my colleagues has expired.

Ms. Shalala. Thank you, Madam Chair.

Mr. Smucker. Madam Chair, I yield the gentleman from North Carolina, Mr. Smucker.

Ms. Shalala. Madam Chair, I yield the gentleman from Tennessee (Mr. David P. Roe).

Mr. David P. Roe of Tennessee. Madam Chair, I am a U.S. Army veteran who has used the GI Bill. While I strongly support being good stewards of resources expended by the Department of Defense to various educational institutions across the Nation, the amendment offered by my friend across the aisle goes too far by including the term proprietary when referring to universities. Congress and the Department of Education have set standards of financial responsibility and are already reviewing whether certain colleges and universities meet those standards.

Let’s continue to hold all universities accountable for these standards, not just a select few. There is no reason for this amendment to exclude any colleges because all students deserve to know that their choice of school meets Federally set responsibility standards whether public, private, or proprietary. Fortunately, this is already happening.

Unfortunately, this amendment is duplicative of the work that the Departments of Defense and Education are conducting and is simply an effort to further categorize colleges and universities and hold them to different levels of scrutiny.

Let’s work together to make sure all students have access to a high-quality, affordable education in a setting and format that works best for them.

Ms. Foxx of North Carolina. Madam Chair, I want to reiterate again what I said before: We support veterans. We want them to get a great education, but we want them to have the choices that they have fought for. They have sacrificed for freedoms for our country, and they deserve to have all the freedoms that they possibly need.

Madam Chair, I yield back the balance of my time.

The Acting Chair. The question is on the amendment offered by the gentlewoman from Florida (Ms. Shalala).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. Smucker. Madam Chair, I demand a recorded vote.

The Acting Chair. Pursuant to the provisions of section 10 of House Resolution 476, the gentlewoman from Minnesota (Ms. Omar) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Minnesota.

Ms. Omar. Madam Chair, my amendment mandates reporting on the financial costs and national security benefits for the Department of Defense operations overseas. This includes the cost of operating, improving, and maintaining overseas military infrastructure supporting forward-deployed forces at overseas contingency locations, including adjustments that take into account direct and in-kind contributions made by the host nations of such enduring locations.

(3) Overseas military operations, including support to contingency operations, rotational deployments, and training exercises.

The Acting Chair. Pursuant to House Resolution 476, the gentlewoman from Minnesota (Ms. Omar) and a Member opposed each will control 5 minutes.

The Acting Chair. The question is on the amendment offered by the gentlewoman from Florida (Ms. Shalala).

The Acting Chair. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.
that lines the pockets of defense contractors.

So this amendment is an important step in accountability for the Pentagon spending. It is necessary for the department that cannot pass an audit. The American people deserve to know what their tax dollars are being spent on and not take it on blind faith that every dollar that is given to the Pentagon is a dollar that is protecting their safety. It is especially true for our overseas operations. We send our men and women in uniform abroad and they are separated from their families not just to win in wars but to man the bases we maintain in places like Germany, Japan, and Honduras. We need to be asking them to do that for a reason.

This is why my amendment requires the Pentagon to justify national security benefits of overseas operations. So I ask my colleagues to join me in supporting this amendment and making sure that we have an accountability in how we spend our taxpayer dollars.

Madam Chair, I reserve the balance of my time.

Mr. LAMBORN. Madam Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR (Ms. MOORE). The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Madam Chairman, there are a number of flaws with this amendment. I oppose it, and I would ask everyone to vote "no" on there.

There are a number of reasons why this is not a good amendment. For one thing, what is being asked for in this amendment has already been done. I have some documents here I would like to show you.

This is the defense budget overview. It goes into exhaustive detail, thousands of line items on where the Pentagon spending is going right now—domestic, foreign, everything.

□ 2015

This is available to all Members of Congress. It is the National Security Strategy, the National Defense Strategy, and just a smattering of other documents: the Missile Defense Review, the National Defense Strategy Commission, the Nuclear Posture Review. All of these documents do what is being asked for.

So it is unnecessary. Any Member of Congress, even if they are not on the Armed Services Committee, can come to the committee, can ask the Pentagon, can ask staff on the committee for all of these documents. These are already available. So to ask the Pentagon to regurgitate this to us is just a big waste of their time and money.

For that reason, and there are other reasons also—I will see if there are any further arguments—this is unnecessary and wasteful, and I would urge a "no" vote.

Madam Chair, I reserve the balance of my time.

Ms. OMAR. Madam Chair, I yield 1 1/2 minutes to the gentleman from Washington (Mr. SMITH), the distinguished chairman.

Mr. SMITH of Washington. Madam Chair, I strongly support this amendment.

The documents that the gentleman just pointed to don’t even begin to scratch the surface of addressing the issue that the gentleman is raising. Those are very broad documents about where the Defense Department spends its money.

And I am sure they mention in there—actually, I am not sure. They might mention in there exactly how much money they spend on overseas bases.

Actually, I would be surprised if they outline all the overseas bases we have and what their purpose is, and that is why this amendment is necessary. Not the traditional broad strategy, but really how many bases do we have, how much money are we spending, and what do they all contribute to that national security policy?

I have read through those documents. They do not have that type of detail. Yes, they point out, for instance, here is why we are in all the places that we are—in Asia, for instance—as we are trying to defend it, but they don’t go through all the bases and say why this particular place, that particular place. We are overseas in a lot of places that many people are not aware of. It is not just the big ones that we are all aware of that would be contained in that. There are a lot of other places where we own property and maintain bases.

And the gentleman is also correct that the inability of the Pentagon to audit—in fact, one of the things that the audit found the Pentagon doesn’t actually know all of the property that they own—or they can’t document it, at any rate.

So getting this piece of it documented would be helpful and would serve to get the over 800 different military bases we have to be accountable and spending it well.

So the amendment is calling for the national security benefits of overseas operations. This amendment is calling for the National Defense Strategy, the National Defense Strategy Commission, the Nuclear Posture Review. All of these documents do what is being asked for.

This amendment is necessary, appropriate, and will be helpful in getting us to a more efficient defense budget.

And, again, that is a major difference in our approach from the minority. We don’t want to just give the Pentagon money. We want to make sure that they are accountable and spending it well.

Mr. LAMBORN. Madam Chair, it is not even really easy or practical to do what the chairman and the sponsor of the amendment are just proposing. There is not a fine line between what is overseas and what is domestic. Let me give you an example.

I have a brigade combat team from Fort Carson in my district that is now in Afghanistan. One of the things that is called for to be expensed in this report is training exercises. Okay. When the brigade combat team is in Fort Carson in Colorado training to go over to Afghanistan, at what point do you draw the line and say: Oh, that is domestic; everything beyond that is foreign?

Is it when they step on the airplane? Is it when the airplane lands at Bagram in Afghanistan? Is it when they start doing live-fire exercises in Colorado? Where do you draw the line there? This is really not even a well-written amendment. It is very weird.

But the worst objection to this amendment is it abdicates responsibility. The chairman said let’s have the Department tell us what they are doing. No, they tell us what they are doing, and we determine whether that is what they should be doing.

This amendment is calling for the national security benefits to be told us by the Department of Defense. That is our role as Oversight. That is our role as Oversight. That is our role as Oversight.

So I think this is necessary, appropriate, and will be helpful in getting us to a more efficient defense budget.

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So I think this is necessary, appropriate, and will be helpful in getting us to a more efficient defense budget.
The Acting CHAIR. The gentleman from Colorado has 1 minute remaining. Mr. LAMBORN. Madam Chair, I yield myself the balance of my time.

Madam Chair, to conclude, let me offer my congratulations to every Member of Congress. Almost 300 pages, with thousands of line entries, of where every dollar in the Pentagon is going, we have this information right now. Why should they have to regurgitate that for us all over again?

And then let's exercise our responsibility and not have them tell us if they are doing fulfills national security. Tell us what you are doing, and then we will determine if that fulfills national security.

So for all these reasons, Madam Chair, I would say because it is wasteful, it is duplicative, it is impractical, and it abdicates our responsibility, I would urge that we reject this amendment.

The work has already been done. If anyone wants to show a little bit of initiative, they can get this information already. It is available. It is right here.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. CLARK). The question was taken; and the Acting Chair announced that the ayes appeared to have it. Mr. LAMBORN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Massachusetts will be postponed.

AMENDMENT NO. 29 OFFERED BY MR. SMITH OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in part B of House Report 116-143. Mr. SMITH of Washington. Madam Chair, I have an amendment at the desk, which I am offering as the designee for the gentlewoman from Massachusetts (Ms. CLARK). The Acting Chair. The Clerk will designate the amendment. The text of the amendment is as follows:

At the end of subtitle H of title X, insert the following:

SEC. 10. CONTRACTS BY THE PRESIDENT OR VICE PRESIDENT.

(a) AMENDMENT.—Section 431 of title 18, United States Code, is amended—

(1) in the section heading, by inserting "the President, Vice President, Cabinet Member, or a' after "Contracts by"; and

(2) in the first undesignated paragraph, by inserting "the President, Vice President, or any Cabinet member" after "Whoever, being".

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the end of chapter 23 of title 18, United States Code, is amended by striking the item relating to section 431 and inserting the following:

"431. Contracts by the President, Vice President, or a Member of Congress.".

The Acting CHAIR. Pursuant to House Resolution 476, the gentleman from Washington (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Madam Chair, this amendment is very straightforward.

Currently, all Members of Congress are prohibited from having contracts with the Federal Government, either way. In other words, if you are a Member of Congress, you own something, you can't lease it to the government, rent it to the government.

Similarly, you cannot rent or lease something from the government for, I think, obvious reasons. As Members of Congress, we could potentially have undue influence. We could get a deal that other Members of the public could not get. Therefore, we would have an unfair advantage and be using our position as elected officials to enrich ourselves, which is supposed to be prohibited.

This amendment is very straightforward. It adds the President, the Vice President, and Cabinet members to that list of people who cannot contract with the Federal Government, again, and it allows the Federal Government to lease something to us or we leasing something back to the Federal Government that is owned, in this case, by the President, the Vice President, and members of the Cabinet.

Because, again, particularly in the executive branch, they would actually have, in many ways, more control over this than a Member of Congress, who does not have the power over the assets that the President, the Vice President, and Cabinet members would.

It prohibits them from doing that so that there are no ethical problems, so the President, Vice President, and Cabinet members cannot profit off of being in the office that they are in. This is part of the reason why we maintain a transparent and ethical government. I think it is a good amendment that will improve the ethics of our government, and I urge all Members to vote in favor.

Madam Chair, I reserve the balance of my time.

Mr. HICE of Georgia. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HICE of Georgia. Madam Chair, this amendment is nothing other than, once again, an attack on President Trump and his family. We have seen this time and time again from the Democrat majority. They are simply obsessed with President Trump. Instead of doing the hard work of governing, my colleagues on the other side of the aisle are continuing to waste our time here in Congress with their never-ending attempts to go after the President.

And as try to make this amendment, we have already seen this amendment. It was in H.R. 1, the so-called For the People Act, which passed the House here on a party-line vote. It was a bad idea then in March, and it is still a bad idea.

If an incoming President, Vice President, or Cabinet member took office while owning a business that held a contract, there is no existing contract with the Federal Government, this amendment would criminally fine that individual after taking office. And since the President has not committed a crime under existing laws, this majority is considering making new crimes, again, in order to go after the President.

How far will they go in their attempt to go after the President?

But even if we ignore the reprehensible aspects of this bill, this amendment has real implications that go far beyond this administration. For example, we have seen, with this President, talented individuals with backgrounds in business, not politics, that can bring a refreshing change to the swamp here in Washington. But this amendment would drive qualified people away from public service by imposing more and more disincentives on individuals with actual, real-world experience.

This amendment is nothing more than a weakly veiled attempt at harming this President and this administration to make new crimes out of business decisions that occurred long before the President took office.

Madam Chair, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. SMITH of Washington. Madam Chair, I yield myself such time as I may consume.

This doesn't require someone to commit a crime. It requires you to divest of your interest if you move into this position, something which, by the way, all Members of Congress have to do.

We are not permitted to have outside income over what we have as a Member of Congress. So if you are elected to Congress and you have another job, you have to leave that job; you have to let go of a particular business interest. That is part of public service.

It does not require them to be criminalized. That is like saying having a law against taking bribes is criminalizing the elected official. Now, there is actually something you can do: Don't take the bribe, and you will be okay.

As far as our 'obsession' with the President, I couldn't help but laugh at the statement, "instead of doing the hard work of governing."

I am counting how many hours I have slept over the course of the last month-and-a-half as we have worked to put together a nearly 2,200-page bill that fully funds the Defense Department—sorry, in my opinion, fully funds the Defense Department—and all the amendments.

Let me assure you, we are capable of doing both. We are capable of doing the hard work of government and actually trying to make sure that our elected officials are at least passingly ethical so that the American public doesn't think what they already think, which
The Senate hasn’t been doing much. I don’t know where the gentleman from Washington will be on this. I urge support for the amendment. I yield back the balance of my time.

Mr. SMITH of Washington. Madam Chair, pursuant to House Resolution 476, I offer amendments en bloc.

The Acting Chair. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 offered by Mr. SMITH of Washington.

The Acting Chair. The amendment offered by the gentleman from Georgia (Mr. HICE) is as follows:

AMENDMENTS NO. 2 OFFERED BY MR. HICE OF GEORGIA

At the end of title XII, insert the following new subtitle:

Subtitle I—Saudi Arabia Human Rights and Accountability

SEC. 1281. REPORT ON NATIONAL INTELLIGENCE COMMUNITY ASSESSMENT RELATING TO THE KILLING OF WASHINGTON POST COLUMNIST JAMAL KHASHOGGI

(a) 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 appropriate congressional committees a report consisting of—

(1) a determination and presentation of evidence with respect to the advance knowledge and role of any current or former official of the Government of Saudi Arabia or any current or former senior Saudi political figure over the directing, ordering, or tampering with death of Jamal Khashoggi, including through the sharing of evidence relating to the investigation; and

(b) knowingly and materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, an activity described in subparagraph (A); or

(C) impeded the impartial investigation of the killing of Jamal Khashoggi, including through the sharing of evidence relating to the investigation.

(b) FORM.—

(1) IN GENERAL.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(2) NAMES OF FOREIGN PERSONS LISTED.—The name of each foreign person listed in the report described in subsection (a)(2) shall be included in the unclassified portion of the report described in section 1281(a)(2).

(c) DEFINED.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

(A) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

(2) KNOWINGLY.—The term ‘knowingly’, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstances, or the result.
(1) IN GENERAL.—The President may suspend in whole or in part the imposition of sanctions otherwise required under this section for periods not to exceed 180 days if the President determines that the appropriate congressional committees that the following criteria have been met in Saudi Arabia:
(A) The Government of Saudi Arabia has released all individuals who are a journalist, blogger, human rights defender, advocate for religious liberty, or civil society activist detained by the Government of Saudi Arabia.
(B) of the Government of Saudi Arabia has taken verifiable steps to hold accountable Saudi violators of human rights, whether or not those violations took place in Saudi Arabia.
(C) of Saudi Arabia has taken verifiable steps to set an end to the long-term detention of individuals who were detained pursuant to the execution of sentences of conviction for the murder of Jamal Khashoggi and associated crimes and the details of the charges against such individuals;
(D) has made public trial proceedings and all evidence against the accused;
(E) has invited international, independent experts to monitor the trials;
(F) has made public detailed descriptions of Saudi Arabia's adher- 
ence to the International Convention for the Protection of All Persons from Enforced Disappearance.
(G) The Government of Saudi Arabia—
(i) cooperated in operating in outgoing criminal proceeding in the United States in which a Saudi violator of human rights was convicted or detained by the United States while the citizen or national was awaiting trial or sentencing for a criminal offense committed in the United States.
(ii) of Saudi Arabia has released any individual who is a journalist, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(iii) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(iv) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(v) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(vi) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(vii) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(viii) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(ix) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(x) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(xi) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(xii) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(xiii) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(xiv) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(xv) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(xvi) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(xvii) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(xviii) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(xix) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(xx) has made public the rationale for why members of the military or security services, including against journalists, bloggers, human rights defenders, and those who support women's rights or religious freedom; 
(2) the activities of each such ally in con- tributing to military or stability operations in the National Capital Region during the period beginning on the date of the enactment of this Act and ending on the day that is 90 days after the date of the enactment of this Act.
(c) PUBLIC AVAILABILITY OF REPORT.—The Secretary shall make the report required under subsection (b) publicly available.
(d) EXECUTIVE TRANSFER DEFENSE.—In this section, the term "executive transfer" has the meaning given such term in the "Report on the Effects of Military Helicopter Noise on National Capital Region Communities and Individuals" submitted by the Department of the Army to Congress on February 16, 2018, the Department of the Air Force to Congress on February 14, 2018, and the Department of the Navy to Congress on February 13, 2018.

AMENDMENT NO. 79 OFFERED BY MR. BEYER OF VIRGINIA
At the end of subtitle H of title X, add the following new section:

SEC. 12. REPORT ON ANNUAL DEFENSE SPENDING BY ALLY AND PARTNER COUNTRIES.
(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional defense committees, the Committee on Armed Services, the Committee on National Security and Foreign Affairs, and the Senate Committee on Foreign Relations and the Select Committee on Intelligence of the Senate a report that includes a description of—
(1) the annual defense spending of each mutual defense treaty ally and major non-NATO ally, including the nominal budget figure and the share of such spending as a percentage of the ally's gross domestic product, for the fiscal year immediately preceding the fiscal year in which the report is submitted; 
(2) the activities of each such ally in contributing to military or stability operations in the National Capital Region; 
(3) any limitations on the use of the Armed Forces of
such ally for such military or stability operations; and
(4) any actions undertaken by the United States or other countries to minimize or modify such limitations.
(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form but may contain a classified annex.

(c) by inserting after "floodplain" the following: "or that will be impacted by projected current and future mean sea level fluctuations over the lifetime of the project.";

SEC. 28. SPECIAL IMMIGRANT VISA PROGRAM REPORTING REQUIREMENT.

(a) GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of State shall submit a report, which may contain a classified annex, and in unclassified form but may contain a classified annex, to the Committee on the Judiciary.

(b) CONTENTS.—The report submitted under subsection (a) shall evaluate the obstacles to processing at all consular sections, by inserting after "floodplain" the following: "or that will be impacted by projected current and future mean sea level fluctuations over the lifetime of the project.";

AMENDMENT NO. 70 OFFERED BY MR. BIGGS OF ARIZONA

At the end of subtitle G of title XII, XII, add the following:

SEC. 12. SPECIAL IMMIGRANT VISA PROGRAM REPORTING REQUIREMENT.

(a) GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of State shall submit a report, which may contain a classified annex, and in unclassified form but may contain a classified annex, to the Committee on the Judiciary, the Committee on Armed Services of the Senate; and the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate and the Committee on Foreign Relations, the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate and the Committee on Armed Services of the Senate; and

(b) CONTENTS.—The report submitted under subsection (a) shall evaluate the obstacles to processing at all consular sections, by inserting after "floodplain" the following: "or that will be impacted by projected current and future mean sea level fluctuations over the lifetime of the project.";

BY STRIKING "AN ADDITIONAL":

SEC. 7. REPORT ON MENTAL HEALTH ASSESSMENTS.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate and to the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives a publicly available report on the Department of Defense's mental health assessment sec. 1974n of title 10, United States Code. The report shall include the following:

(b) AMENDMENT NO. 77 OFFERED BY MR. BRINDISI OF NEW YORK

At the end of subtitle C of title VII, add the following:

AMENDMENT NO. 71 OFFERED BY MR. BLUMENTHAL OF CONNECTICUT

At the end of title I, add the following:

SEC. 2. MENTAL HEALTH AND VETERANS' AFFAIRS.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate and to the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives a publicly available report on the Department of Defense's mental health assessment sec. 1974n of title 10, United States Code. The report shall include the following:

(b) Amending the report under subsection (a), the Inspector General shall consult with current and, to the extent possible, former employees of—

(1) the Department of State, Bureau of Consular Affairs, Visa Office;

(2) the Department of State, Bureau of Near Eastern Affairs and South and Central Asian Affairs, Executive Office;

(3) the United States embassy in Kabul, Afghanistan, Consular Section;

(4) the Department of Defense, and

(7) non-governmental organizations providing legal aid in the special immigrant visa application process.

AMENDMENT NO. 75 OFFERED BY MR. BLUMENTHAL OF OREGON

At the end of title I, add the following:

SEC. 12. SPECIAL IMMIGRANT VISA PROGRAM REPORTING REQUIREMENT.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate and to the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives a publicly available report on the Department of Defense's mental health assessment sec. 1974n of title 10, United States Code. The report shall include the following:

(b) AMENDMENT NO. 77 OFFERED BY MR. BRINDISI OF NEW YORK

At the end of subtitle C of title VII, add the following:

SEC. 7. REPORT ON MENTAL HEALTH ASSESSMENTS.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives a publicly available report on the Department of Defense's mental health assessment sec. 1974n of title 10, United States Code. The report shall include the following:

(b) Amending the report under subsection (a), the Inspector General shall consult with current and, to the extent possible, former employees of—

(1) the Department of State, Bureau of Consular Affairs, Visa Office;

(2) the Department of State, Bureau of Near Eastern Affairs and South and Central Asian Affairs, Executive Office;

(3) the United States embassy in Kabul, Afghanistan, Consular Section;

(4) the Department of Defense; and

(7) non-governmental organizations providing legal aid in the special immigrant visa application process.

AMENDMENT NO. 75 OFFERED BY MR. BLUMENTHAL OF OREGON

At the end of title I, add the following:

SEC. 2. MENTAL HEALTH AND VETERANS' AFFAIRS.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate and to the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives a publicly available report on the Department of Defense's mental health assessment sec. 1974n of title 10, United States Code. The report shall include the following:

(b) Amending the report under subsection (a), the Inspector General shall consult with current and, to the extent possible, former employees of—

(1) the Department of State, Bureau of Consular Affairs, Visa Office;
of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the topics to be covered by the report under subsection (a), including preliminary data and any issues or concerns of the Comptroller General relating to the report.

(c) ACCESS TO RELEVANT DATA.—For purposes of subsection (a), the Secretary of Defense shall ensure that the Comptroller General has access to all relevant data.

AMENDMENT NO. 78 OFFERED BY MR. BRINDISH OF NEW YORK

At the end of subtitle C of title II, add the following section:

SEC. 2. QUANTUM INFORMATION SCIENCE INNOVATION CENTER.

(a) ESTABLISHMENT.—The Secretary of Defense, in consultation with the Secretary of the Air Force, shall establish a Quantum Information Science Innovation Center to accelerate the research and development of quantum information sciences by the Air Force.

(b) PURPOSES.—The purposes of the Quantum Information Science Innovation Center shall be to—

(1) provide an environment where researchers from the Air Force, Government, industry, and academia can collaborate to solve difficult problems using quantum information technology;

(2) accelerate the research and development of quantum information technologies, including quantum information sciences; and

(3) stimulate research and development of quantum information sciences technologies by building upon the quantum information technology developed at the Air Force Research Laboratory Information Directorate, including secure communication networks and advanced computing technology.

(c) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, as specified in the corresponding funding table in section 201, for research, development, test, and evaluation, Air Force, applied research, dominant information sciences and methods, line 614 is hereby increased by $10,000,000 (to be made available for the establishment of the Quantum Information Science Innovation Center under subsection (a)).

(2) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 301 for operation and maintenance, as specified in the corresponding funding table in section 301, for operation and maintenance, Defense-wide, operating forces, Special Operations Command Operational Support, line 690 is hereby reduced by $10,000,000.

AMENDMENT NO. 79 OFFERED BY MR. BRINDISH OF NEW YORK

Page 351, after line 22, insert the following new subsection (and redesignate the subsequent subsection accordingly):

(c) SNIFFER FOR ASSESSMENTS DURING DEPLOYMENT.—Section 1074m(a)(1)(B) of such title is amended by striking "until January 1, 2019, one" and inserting "one (C)."

Page 351, line 24, strike "this section" and insert "sections (a) and (b)."

AMENDMENT NO. 80 OFFERED BY MR. BROWN OF MARYLAND

At the end of subtitle J of title V, add the following:

SEC. 597. HONORARY PROMOTION OF COLONEL CHARLES E. MCGEE TO BRIGADIER GENERAL IN THE AIR FORCE.

The President is authorized to issue an honorary commission promoting, to brigadier general in the Air Force, Colonel Charles E. McGee, United States Air Force (retired), a distinguished Tuskegee Airman whose honorary promotion has the recreational approval of the Secretary of the Air Force under section 1963 of title 10, United States Code.

AMENDMENT NO. 81 OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of subtitle D of title III, insert the following:

SEC. 3. COMPTROLLER GENERAL STUDY OF OUT-OF-POCKET COSTS FOR SERVICE DRESS UNIFORMS; REPORT.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a study of the out-of-pocket costs to members of the Armed Forces for service dress uniforms.

(b) ELEMENTS.—The review under subsection (a) shall address each of the following:

(1) A description and comparison of the out-of-pocket cost to members of the Armed Forces for the purchase of service dress uniforms and service dress uniform items, broken down by—

(A) gender;

(B) Armed Force;

(C) enlisted; and

(D) officer.

(2) Stipends, in-kind provision of items, or other assistance provided by each service to personnel to offset cost of service dress uniforms.

(3) A comparison of the out-of-pocket cost for purchase and maintenance of service dress uniforms and service dress uniform items, over one, five, 10, and 20-year periods.

(4) A description of service dress uniform changes directed by any of the Armed Forces over the past 10 years that have affected the out-of-pocket costs to members of the Armed Forces and the costs associated with such change, by gender.

(5) Any other information that the Comptroller General determines appropriate.

(c) BRIEFING AND REPORT.—

(1) BRIEFING.—Not later than April 15, 2020, the Comptroller General shall provide to the congressional defense committees a briefing on the preliminary findings of the study required under this section.

(2) REPORT.—Not later than September 30, 2020, the Comptroller General shall submit to the congressional defense committees a final report on the findings of such study.

AMENDMENT NO. 82 OFFERED BY MS. BROWNLEY OF CALIFORNIA

Page 107, after line 9, insert the following:


(7) An assessment of the Department of Defense Test and Resource Management Center's ability to support testing for future warfare needs at MRTFBS, including those identified in the Department of Defense 2018 National Defense Strategy.

Page 107, line 10, strike "(6)" and insert "(6)".

AMENDMENT NO. 83 OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of subtitle G of title X, add the following:

SEC. 1075. SENSE OF CONGRESS REGARDING MODULAR AIRBORNE FIRE FIGHTING SYSTEM; REPORT.

(a) FINDINGS.—Congress makes the following findings:

(1) Congress established the Modular Airborne Fire Fighting System (in this section referred to as "MAFFS") to civilian fire fighting tanker fleets were overwhelmed by the 1970 Laguna Fire that killed eight individuals and destroyed 382 homes.

(2) The National Guard Bureau's 30 aircraft equipped with the MAFFS provide emergency capability to supplement existing commercial tanker support on wildland fires.

(3) MAFFS II units load 3,000 gallons of flame retardant in less than five seconds, covering an area one-quarter of a mile long and 60 feet wide.

AMENDMENT NO. 84 OFFERED BY MR. BURCHETT OF TENNESSEE

Page 556, line 10, strike "90 days" and insert "90 days and in subsequent years."
(b) Benefits.—
(1) Status as a Veteran.—Except as otherwise provided in this subsection, an individual who receives a discharge under subsection (d) shall be considered a veteran of such service; but such status shall not be entitled by reason of such service to any benefit under a law administered by the Secretary of Veterans Affairs.

(2) Burial Benefits.—For service for which an individual receives a discharge under subsection (a)(2) shall be considered service in the Armed Forces for purposes of eligibility and entitlement to benefits under chapters 23 and 24 of title 38, United States Code, not including section 2410 of that title.

(3) Medals or other commendations.—The Secretary of Defense may design and produce a service medal or other commendation to honor individuals who receive a discharge under subsection (a)(2).

Amendment No. 86 offered by Mrs. BUSTOS of Illinois

At the end of subsection E of title V, add the following:

SEC. 550c. TERMINATION OF LEASES OF PREMISES AND MOTOR VEHICLES OF SERVICE MEMBERS WHO INCUR CATASTROPHIC INJURY OR ILLNESS OR DIE WHILE IN MILITARY SERVICE.

(a) CATASTROPHIC INJURIES AND ILLNESSES.—Subsection (a) of section 335 of the Servicemembers Civil Relief Act (50 U.S.C. 3955), as amended by section 201 of the Veterans Access to Benefits and Services Improvement Act of 2017 (Public Law 115–407), is further amended by adding at the end of the new paragraph (2) the following new subparagraph:

"(2) The process for coordinating with the Department of Defense, shall seek to enter into an agreement with the Secretary of Energy, in consultation with the National Nuclear Security Administration, to conduct an independent review and assessment of a plan for nuclear detection and monitoring of nuclear weapons and fissionable material.

(b) DEATHS.—Paragraph (3) of such subsection is amended by inserting "in subsection (b)(1)" and inserting "in subsection (b)(2)".

Amendment No. 87 offered by Mr. CARBAJAL of California

At the end of subsection F of title V, add the following:

SEC. 5711. INDEPENDENT REVIEW OF PLANS AND CAPABILITIES FOR NUCLEAR VERIFICATION, DETECTION, AND MONITORING OF NUCLEAR WEAPONS AND FISSILE MATERIAL.

(a) PLAN.—Not later than 30 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, shall seek to enter into a contract with the National Academies of Sciences to conduct an independent review and assessment of a plan for nuclear detection and verification and monitoring of nuclear weapons and fissile material.

(b) ELEMENTS.—The review under subsection (a) shall include the following:

(1) Recommendations for a national research infrastructure for enhanced nuclear verification and monitoring, including with respect to ongoing research, development, and planning for such verification and monitoring, including with respect to ongoing research, development, and planning for such nuclear verification, detection, and monitoring;

(2) A plan for maximizing a national research enterprise to prevent the proliferation of nuclear weapons and fissile material;

(3) Integration of roles, responsibilities, and procedures for nuclear detection, and monitoring within the Federal Government;

(4) A mechanism for the Department of Energy to ensure that nuclear power receives the community when setting the research agenda to ensure that goals and priorities are aligned.

(5) Recommendations for international engagement activities; and

(6) Measures to coordinate technical and operational requirements early in the process.

(6) BURIAL BENEFITS.—For service for which an individual receives a discharge under section 101(d) of title 38, United States Code, if the lessee incurs the catastrophic injury or illness (as that term is defined in section 101(d) of title 38, United States Code) for purposes of eligibility and entitlement to benefits under chapters 23 and 24 of title 38, United States Code, not including section 2410 of that title.

(b) D EATHS.—Paragraph (3) of such subsection is amended by inserting the following new subparagraph:

"(3) MEDALS OR OTHER COMMENDATIONS.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall submit a report to the congressional defense committees a report containing the review required under subparagraph (a) and the Secretary of Defense shall submit a report to the congressional defense committees a report containing the review required under subparagraph (a) of this subsection referred to as the "Clearinghouse") until 180 days after submitting the report required under (b).

(b) REPORT REQUIRED.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall submit a report to the congressional defense committees a report containing the review required under subparagraph (a) of this subsection referred to as the "Clearinghouse") until 180 days after submitting the report required under (b).

Amendment No. 88 offered by Mr. CARBAJAL of California

Add at the end of subsection C of title VII the following new section:

SEC. 702. DEVELOPMENT OF GUIDELINES FOR USE OF UNOFFICIAL SOURCES OF INFORMATION TO DETERMINE ELIGIBILITY OF MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES FOR BENEFITS AND DECORATIONS WHEN THE SERVICE RECORDS ARE INCOMPLETE OR INACCURATE.

(a) GUIDELINES REQUIRED.—The Secretary of Defense shall prepare the guidelines in consultation with the Secretary of Defense or the Secretaries of the military departments, and consultation with the congressional defense committees.

(b) GUIDELINES REQUIRED.—The Secretary of Defense shall develop guidelines regarding the use by the Secretaries of the military departments and the Secretary of Veterans Affairs of official and unofficial sources of information, including eyewitness statements, to determine the eligibility of a member or former member of the Armed Forces for benefits and determinations and shall include the following elements:

(1) For each mental health assessment provided to members, when appropriate, of members for benefits or compensations, the effectiveness of such assessment with respect to service-connected disabilities.

(2) For each mental health assessment provided to members, when appropriate, of members for benefits or compensations, the effectiveness of such assessment with respect to service-connected disabilities.

(3) For each mental health assessment provided to members, when appropriate, of members for benefits or compensations, the effectiveness of such assessment with respect to service-connected disabilities.

(c) TIMING.—The Secretary of Defense shall prepare the guidelines in consultation with the Secretary of Defense or the Secretaries of the military departments, and consultation with the congressional defense committees.

Amendment No. 89 offered by Mr. CARSON of Indiana

Add at the end of subsection C of title VII the following new section:

SEC. 703. STUDY AND REPORT ON MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN SUPPORT OF A CONTINGENCY OPERATIONS.

(a) STUDY.—Each Secretary concerned, with respect to the military department concerned, shall conduct a study on the mental health assessments provided to members of the Armed Forces deployed in connection with a contingency operation.

(b) ELEMENTS.—The study under subsection (a) shall include a discussion and evaluation of the following:

(1) The mental health assessments provided to members of the Armed Forces deployed in connection with a contingency operation.

(2) The extent to which waivers for mental health assessments prescribed by the Secretary of Defense or the Secretaries concerned with respect to such mental health assessments.

(3) The extent to which waivers for mental health assessments prescribed by the Secretary of Defense or the Secretaries concerned with respect to such mental health assessments.

(4) The extent to which waivers for mental health assessments prescribed by the Secretary of Defense or the Secretaries concerned with respect to such mental health assessments.

(5) The extent to which waivers for mental health assessments prescribed by the Secretary of Defense or the Secretaries concerned with respect to such mental health assessments.
section, including the extent to which such members—
(A) are prescribed medication as a result of an assessment;
(B) seek post-deployment treatment, other than treatment required under such section, for a behavioral health condition; and
(C) commit suicide or engage in other harmful activities.

(c) Report.—Not later than 180 days after the date of the enactment of this Act, each Secretary concerned shall submit to the congressional defense committees a report containing the results of the study conducted under subsection (a).

(d) Committee Concerned.—In this section, the term ‘‘Committee concerned’’ has the meaning given that term in section 101(a)(9) of title 10, United States Code.

AMENDMENT NO. 91 OFFERED BY MR. CARSON OF TEXAS
At the end of subtitle B of title III, insert the following:

SEC. 3. USE OF PROCEEDS FROM SALE OF RECYCLABLE MATERIALS.

Section 2577(c) of title 10, United States Code, is amended by striking ‘‘$2,000,000’’ and inserting ‘‘$10,000,000’’.

AMENDMENT NO. 90 OFFERED BY MR. CARTER OF TEXAS
At the end of subtitle B of title III, insert the following:

SEC. 4. DISPOSAL OF RECYCLABLE MATERIALS.

Section 2577(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

‘‘(3) In this section, the term ‘‘recyclable materials’’ includes any quality recyclable material provided to the Department by a State or local government entity.’’. The Acting CHAIR. Pursuant to House Resolution 476, the gentleman from Washington (Mr. Smith) and the gentleman from Texas (Mr. Thornberry) each will control 10 minutes.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. Thornberry).

The Acting CHAIR. The Clerk will designate the amendments en bloc.


AMENDMENT NO. 94 OFFERED BY MR. CASE OF HAWAII
At the end of subtitle C of title XVIII, add the following new section:

SEC. 28. REPORT ON ENCROACHMENT CHALLENGES ON MILITARY INSTALLATIONS POSED BY NON-MILITARY AIRCRAFT.

(a) Report Required.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Sustainment shall submit to the congressional defense committees a report describing—

(1) the encroachment challenges and security risks posed by non-military aircraft operating on military installations inside the United States, to include operational impacts, installation and personnel security, and intelligence concerns, and

(2) practicable strategies and recommendations for mitigation of any such challenges and risks, to include—

(A) increased military regulatory authority; and

(B) distinctions, if any, among government-first responder, commercial, civil and recreational aviation.

(b) Exclusion of Aircraft.—In this section, the term ‘‘aircraft’’ does not include unmanned aerial vehicles known as drones, whether used for military or non-military purposes, except that the Assistant Secretary of Defense for Sustainment may make reference in the report required by subsection (a) to a description of such unmanned aerial vehicles if the Secretary considers reference to such use relevant to the subject of the report.

AMENDMENT NO. 95 OFFERED BY MR. CASSEY OF HAWAII
At the end of subtitle E of title XII, add the following:

SEC. 8. REPORT ON EXPANSION OF SECURITY COOPERATION AND ASSISTANCE TO PACIFIC ISLAND COUNTRIES.

(a) In General.—Not later than March 31, 2020, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees a report on the current status of security cooperation and assistance with Pacific Island countries and the feasibility of expanding such cooperation and assistance. At a minimum, the report shall include the following foreign countries:

(1) Palau.

(2) Vanuatu.

(3) The Solomon Islands.

(4) Fiji.

(5) The Federated States of Micronesia.

(6) Palau.

(7) Kiribati.


(9) Nauru.

(10) Tonga.

(b) Matters to be Included.—The report required by subsection (a) should include the following:

(1) An identification of elements of the theater campaign plan of the geographic combatant command concerned and the interagency integrated country strategy that will be advanced by expansion of security cooperation and assistance programs and activities with countries identified in subsection (a).

(2) An assessment of each country’s capabilities, a description of each country’s capability enhancement priorities, and a discussion of United States security cooperation and assistance authorities (to include the Indo-Pacific Maritime Security Initiative under section 332 of title 10, United States Code, the Indo-Pacific Security Policy, and the National Defense Authorization Act for Fiscal Year 2020—National Defense Authorization Act for Fiscal Year 2020 and the National Defense Authorization Act for Fiscal Year 2021) that can be leveraged to improve cooperation with these countries.

(3) An identification of the estimated annual cost for such assistance and training for fiscal year 2020 through fiscal year 2025.

(4) An identification of requirements to address human rights and democratic governance issues.

(5) A description of absorption capacity issues.

(6) An identification of potential delivery channels for such assistance.

AMENDMENT NO. 96 OFFERED BY MS. JUDY CHU OF CALIFORNIA
At the end of subtitle G of title XII, add the following:


It is the sense of Congress that United States interests in the stability of the Caucasus region and the continuation of the Nagorno-Karabakh cease-fire are being advanced by an agreement among regional stakeholders on—

(1) a non-deployment of snipers, heavy armor, and new weaponry along the line-of-contact;

(2) the deployment of gun-fire locator systems on the line-of-contact; and

(3) an increase in the efforts of the Organization for Security and Co-operation in Europe observers along the line-of-contact.
AMENDMENT NO. 9 OFFERED BY MR. CICILLINE OF RHODE ISLAND

At the end of subtitle C of title III, insert the following:

SEC. 3. REPORT ON EFFECTS OF INCREASED AUTOMATION OF DEFENSE INDUSTRIAL BASE ON MANUFACTURING WORKFORCE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the effects of the increased automation of the defense industrial base over the ten-year period beginning on the date that is 30 days after the date of the enactment of this Act. Such report shall include, for the period covered by the report—

(1) an estimate of the number of jobs in the United States manufacturing workforce expected to be eliminated due to automation in the defense sector;

(2) an analysis describing any new types of jobs that are expected to be established as a result of an increasingly automated process, including an estimate of the number of these types of jobs that are expected to be created;

(3) an analysis of the potential threats to the national security of the United States that are unique to the automation of the defense industry;

(4) a strategy to assist in providing workforce transition and retraining prepared for workers who may lose manufacturing jobs in the defense industry due to automation;

(5) a description of any training necessary for workers affected by automation to more easily transition to new types of jobs within the defense manufacturing industry; and

(6) any actions taken, or planned to be taken, by the Department of Defense to assist in worker transition.

AMENDMENT NO. 9 OFFERED BY MR. CICILLINE OF RHODE ISLAND

At the end of subtitle E of title V, add the following:

SEC. 500c. TO RESOLVE CONTROVERSIES UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 102 of the Servicemembers Civil Relief Act (50 U.S.C. App. 512) is amended by adding at the end the following new subsection:

“(d) Written Consent Required for Arbitration.—Notwithstanding any other provision of law, whenever a contract with a servicemember is entered into and relating to such contract, arbitration may be used to settle such controversy only if, after such controversy arises, all parties to such controversy consent in writing to use arbitration to settle such controversy.”.

(b) APPLICABILITY.—Subsection (d) of such section, as added by subsection (a), shall apply with respect to contracts entered into, amended, altered, modified, renewed, or extended after the date of the enactment of this Act.

SEC. 500d. LIMITATION ON WAIVER OF RIGHTS AND PROTECTIONS UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 107(a) of the Servicemembers Civil Relief Act (50 U.S.C. App. 517(a)) is amended by inserting at the beginning and after “Section” the following:

“(1) in the second sentence, by inserting “and if it is made after a specific dispute has arisen and the dispute is identified in the waiver after which it applies”; and

(2) in the third sentence, by inserting “and if it is made after a specific dispute has arisen and the dispute is identified in the waiver after which it applies”;

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to waivers made on or after the date of the enactment of this Act.

SEC. 500e. PRESERVATION OF RIGHT TO BRING CLASS ACTION UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 802(a) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597(a)(1)) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”;

and

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

“(3) be a representative party on behalf of members of a class or be a member of a class, in accordance with the Federal Rules of Civil Procedure, notwithstanding any previous agreement to the contrary.”.

(b) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to imply that a person aggrieved by a violation of section 801 for operation and maintenance, as a representative party on behalf of members of a class or be a member of a class, may not bring a civil action as a representative party on behalf of members of a class or be a member of a class in a civil action before the date of the enactment of this Act.

AMENDMENT NO. 100 OFFERED BY MR. CISNERS OF CALIFORNIA

At the end of subtitle C of title II add the following new section:

SEC. 2. INCREASE IN FUNDING FOR NAVY UNIVERSITY RESEARCH INITIATIVES.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for operation and maintenance, as specified in the corresponding funding table in section 4201 for research, development, test, and evaluation, Navy, basic research, University Research Initiatives, Line 001 (PE 06010190) is hereby increased by $5,000,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for operation and maintenance, Defense-wide, operating forces, Special Operating Units and Theatres, as specified in the corresponding funding table in section 4391, services for emergencies involving the safety of human life or the protection of property, is hereby increased by $5,000,000.

AMENDMENT NO. 101 OFFERED BY MS. CLARK OF MASSACHUSETTS

At the end of title XI, add the following:

SEC. 1113. DEIONIZATION FEBHP AND FEGLI SERVICES PROVIDED BY FEDERAL EMPLOYEES AS EXCEPTED SERVICES UNDER THE ANTI-DEFICIENCY ACT.

(a) FEHBP.—Section 8905 of title 5, United States Code, is amended by adding at the end the following:

“(i) Any services by an officer or employee under this chapter relating to enrolling individuals in a health benefits plan under this chapter, and the enrollment of an individual already so enrolled, shall be deemed, for purposes of section 3432 of title 31, services for emergencies involving the safety of human life or the protection of property.”.

(b) FEGLI.—Section 7802 of title 5, United States Code, is amended by adding at the end the following:

“(i) Any services by an officer or employee under this chapter relating to enrolling individuals in a health benefits plan or changing the enrollment (as the case may be) of that employee under chapter 89A, 89B, or 90 (respectively) of title 5, United States Code, (as amended by subsection (a)) that are unpaid for by the employee, a covered TRICARE-eligible individual, or a member of the uniformed services (as the case may be), as a result of that employee, covered TRICARE-eligible individual, or member of the uniformed services being furloughed or excepted from furlough and working without pay, may not be cancelled as a result of non-payment of premiums or other periodic charges due to such lapse.”.

(c) REGULATIONS.—In general.—Consistent with paragraph (2), the Director of the Office of Personnel Management shall prescribe regulations to carry out the amendments made by subsections (a) and (b).

SEC. 1114. CONTINUING SUPPLEMENTAL DENTAL AND VISION BENEFITS AND LONG-TERM CARE INSURANCE COVERAGE DURING A GOVERNMENT SHUTDOWN.

(a) IN GENERAL.—Title 5, United States Code, is amended by adding at the end the following:

“(1) Coverage under a dental benefits plan under this chapter for any employee or a covered TRICARE-eligible individual enrolled in such a plan and who, as a result of a lapse in appropriations, is furloughed or excepted from furlough and without pay shall continue during such lapse and may not be cancelled as a result of non-payment of premiums or other periodic charges due to such lapse.”.

(2) in section 8986, by adding at the end the following:

“(d) Coverage under a vision benefits plan under this chapter for any employee or a covered TRICARE-eligible individual enrolled in such a plan and who, as a result of a lapse in appropriations, is furloughed or excepted from furlough and without pay shall continue during such lapse and may not be cancelled as a result of non-payment of premiums or other periodic charges due to such lapse.”.

(3) in section 9003, by adding at the end the following:

“(e) EFFECT OF GOVERNMENT SHUTDOWN.—Coverage under a master contract under this chapter for long-term care insurance for an employee or member of the uniformed services under contract and who, due to a lapse in appropriations, is furloughed or excepted from furlough and working without pay shall continue during such lapse and may not be cancelled as a result of non-payment of premiums or other periodic charges due to such lapse.”.

(b) REGULATIONS.—In general.—Consistent with paragraph (2), the Director of the Office of Personnel Management shall prescribe regulations under which premiums for supplemental dental and vision benefits, and long-term care insurance under chapter 89A, 89B, or 90 (respectively) of title 5, United States Code, (as amended by subsection (a)) that are unpaid for by the employee, a covered TRICARE-eligible individual, or a member of the uniformed services (as the case may be), as a result of that employee, covered TRICARE-eligible individual, or member of the uniformed services being furloughed or excepted from furlough and working without pay as a result of a lapse in appropriations, are paid to the applicable carrier from back pay available to the employee, covered TRICARE-eligible individual, or member as soon as practicable upon the end of such lapse.

(2) Long-term care premium from source or unearned income.—Prescriptions for long-term care premium from source or unearned income may not be delayed or cancelled by reason of a lapse in appropriations due to a lapse in payment of premiums or other periodic charges due to such lapse.”.
may continue to pay premiums pursuant to such election instead of from back pay made available to such individual.

(c) APPLICATION.—The amendments made by subsection (a) shall apply to any contract for supplemental dental, supplemental vision, or long-term care insurance under chapter 89A, 89B, or 90 (respectively) of title 5, United States Code, entered into before, on, or after the date of enactment of this Act.

AMENDMENT NO. 102 OFFERED BY MR. CLYBURN OF SOUTH CAROLINA

Page 176, after line 11, insert the following:

SEC. 103. JUNIOR RESERVE OFFICERS' TRAINING CORPS THRESHOLD.

Section 233i(b)(1) of title 10, United States Code, is amended, by striking "8th grade" each place it appears and inserting "7th grade".

AMENDMENT NO. 103 OFFERED BY MR. COHEN OF TENNESSEE

At the end of subtitle D of title I, add the following new section:

SEC. 134. REQUIREMENT TO SEEK COMPENSATION FOR FAILURE TO DELIVER NON-READY-FOR-ISSUE SPARE PARTS FOR THE F-35 AIRCRAFT PROGRAM.

The Secretary of Defense shall take such action as necessary to seek compensation from the contractor for costs related to the failure to deliver non-Ready-For-Issue spare parts for the F-35 aircraft program as described in the report titled “Audit of F-35 Ready-For-Issue Spare Parts and Sustainment Performance Incentive Fees” (DOID–2013–094) issued by the Department of Defense Inspector General on June 13, 2013.

AMENDMENT NO. 104 OFFERED BY MR. COHEN OF TENNESSEE

At the end of subtitle G of title VIII, add the following new section:

SEC. 998. REPORT ON COST GROWTH OF MAJOR DEFENSE ACQUISITION PROGRAMS.

The Comptroller General shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report analyzing cost growth of major defense acquisition programs (as defined in section 2430 of title 10, United States Code) during the 15 fiscal years preceding the date of the enactment of this Act.

AMENDMENT NO. 105 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of title XI, add the following:

SEC. 112. INTERIM STAY AUTHORITY TO PROTECT WHISTLEBLOWERS.

(a) TEMPORARY AUTHORITY FOR MSPB GENERAL COUNSEL TO ISSUE STAYS OF PERSONNEL ACTIONS.—During the period beginning on the date of the enactment of this Act and ending on the first day after such date of enactment that an individual is confirmed by the Senate as a member of the Merit Systems Protection Board under section 1201 of title 5, United States Code, the general counsel of the Board shall carry out the functions and authorities relating to stays of personnel actions as provided in chapter 77 of title 5, United States Code, and section 1214(b)(1) of such title.

(b) AUTHORITY FOR MSPB MEMBER TO CARRY OUT DUTIES OF THE BOARD IN THE EVENT OF A LACK OF QUORUM.—Section 1214(b)(1) of title 5, United States Code, is amended—

(1) in subsection (C), by striking after “The Board” the following: “, or, if the Board lacks the number of members appointed under section 1201 required to constitute a quorum, any remaining member of the Board,” and inserting in lieu thereof: “, or, if the Board lacks the number of members appointed under section 1201 required to constitute a quorum, any remaining member of the Board,” and

(2) in subparagraph (D), in the matter preceding clause (1), by striking “A stay may be terminated by the Board at any time, except that a stay may not be terminated by the Board” and inserting the following: “A stay may be terminated by the Board, or, if the Board lacks the number of members appointed under section 1201 required to constitute a quorum, any remaining member of the Board, at any time, except that a stay may not be terminated by the Board or any remaining member of the Board (as the case may be).”

AMENDMENT NO. 106 OFFERED BY MR. CONNOLLY OF VIRGINIA

Page 179, line 3, insert “(a) IN GENERAL.—” before “The”.

Page 179, after line 13, insert the following:

(b) LIMITATION.—Under no circumstances may a military technician (dual status) empanel a board to be coerced by a State into accepting an offer of realignment or conversion to any other military status, including as a member of the Active, Guard, and Reserve program of a reserve component. If a military technician (dual status) declines to participate in such realignment or conversion, no further action will be taken with respect to the individual or the individual’s position.

AMENDMENT NO. 107 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of subtitle A of title XII, add the following:

SEC. 5. REQUIREMENT TO SEEK COMPENSATION FOR FAILURE TO DELIVER NON-READY-FOR-ISSUE SPARE PARTS FOR THE F-35 AIRCRAFT PROGRAM.

The Secretary of Defense shall take such action as necessary to seek compensation from the contractor for costs related to the failure to deliver non-Ready-For-Issue spare parts for the F-35 aircraft program as described in the report titled “Audit of F-35 Ready-For-Issue Spare Parts and Sustainment Performance Incentive Fees” (DOID–2013–094) issued by the Department of Defense Inspector General on June 13, 2013.

AMENDMENT NO. 108 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of this Act, add the following:

SEC. 4. REPORT ON PARTICIPANTS IN SECURITY COOPERATION TRAINING PROGRAMS AND RECEIPT OF SECURITIES OR TERRORIST ACTIVITIES.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, the Secretary of Defense, in consultation with the heads of other appropriate Federal departments and agencies, shall—

(1) have participated in security cooperation training programs or received security assistance training authorized under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or titles I and X of such Act; and

(2) at any time during the preceding year, any of the provisions of subparagraph (A) or (B) of subsection (a)(2) have applied with respect to such individuals or units.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) DEFINITIONS.—In this section—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) GOOD.—The term ‘‘good’’ means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

AMENDMENT NO. 109 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of subtitle F of title XII, add the following:

SEC. 5. EUROPEAN CENTER OF EXCELLENCE FOR COUNTERING HYBRID THREATS.

(a) In General.—Of the amounts authorized to be appropriated by this Act, the Secretary of Defense shall provide $2,000,000 for the European Center of Excellence for Countering Hybrid Threats (in this section referred to as the ‘‘Center’’)

(1) enhance the ability of military forces and civilian personnel of countries participating in the Center to engage in joint hybrid warfare exercises or coalition or international military operations; and

(2) improve interoperability between the armed forces and the military forces of friendly foreign countries in the area of hybrid warfare.

(b) Certification.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that the Secretary of Defense has assigned executive agency responsibilities for the Center to an appropriate organization within the Department of Defense; and

(2) detail the steps being undertaken to strengthen the role of the center in fostering hybrid warfare defense capabilities and coordination within NATO and the European Union.

(c) Funding.—

(1) Increase.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for research and development, test and evaluation, as specified in the corresponding funding table in section 401, for the Department of Defense, is hereby increased by $2,000,000.

(2) Offset.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated for research and development, test and evaluation, as specified in the corresponding funding table in section 401, for the Department of Defense, is hereby increased by $2,000,000.

AMENDMENT NO. 110 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of subtitle G of title X, insert the following:
SEC. 10. REPORT ON BACKLOG OF PERSONNEL SECURITY CLEARANCE ADJUDICATIONS.

(a) In General.—Not later than 120 days after the date of the enactment of this Act, and quarterly thereafter for five years, the Suitability Executive Agent, shall submit to Congress a report on the backlog of personnel security clearance adjudications. Such report shall include—

(1) the size of the backlog of personnel security clearance adjudications, by agency, for the fiscal quarter preceding the quarter during which the report is submitted;

(2) the average length of time, for each security clearance activity level, to carry out an initial adjudication and an adjudication following a periodic re-investigation, by agency;

(3) the number of cases referred to the Consolidated Adjudication Facility of the Department of Defense;

(4) the number of cases adjudicated by the Consolidated Adjudication Facility of the Department of Defense compared to the number of cases deferred to continuous evaluation or vetoing;

(5) the number of adjudicators by agency; and

(b) Backlog mitigation plan, which shall include—

(A) the identification of the cause of, and recommendations to remedy, the adjudication backlog at Federal agencies; and

(B) any contractor of the Department of Defense that works on sensitive United States series or to facilitate the publication of the report, broken out by program, such as the 25 and 50 year programs.

(c) Form and Availability.—Each report under subsection (a) shall be submitted in unclassified form, which shall be made publicly available, but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘approp"
Mr. THORNBERRY. Madam Chair, I urge a ‘yes’ vote on the en bloc package, and I yield back the balance of my time.

Mr. CONNOLLY. Madam Chair, I urge my colleagues to join me in supporting this amendment.

Mr. CONNOLLY. Madam Chair, I raise today in support of this en bloc package of amendments to H.R. 2500, which includes my simple amendment that would require a report to Congress on those who have received security training from the United States and subsequently been sanctioned for human rights violations.

Security cooperation programs are a critical tool of U.S. foreign policy, especially as we increasingly rely on partner forces to protect U.S. national security interests.

It is vital that we both thoroughly vet participants in our security cooperation programs, and ensure accountability after such training has been delivered.

If recipients of U.S. security training go on to commit gross violations of human rights or acts of terrorism, then we need to know about it.

My amendment would require the Secretary of State and Defense to submit to Congress a report on each individual and security force unit that has received U.S. security training and been designated by the United States for human rights violations or terrorist activities at any point during the previous ten years.

This reflection would yield key information helping us to ensure that U.S. security training programs are aligned with American values and that we are applying consistent standards regarding human rights.

That is why I urge my colleagues to support my amendment to this bill and enhance Congress’ ability to provide oversight and accountability of U.S. security cooperation programs.

The Department of Defense currently operates a Maritime Security Initiative in the South China Sea that works to build regional capacity to address a range of maritime challenges.

This effort includes a wide range of assistance including International Military Education and Training, Foreign Military Financing, operations combating the narcotics trade, and the transfer of excess defense articles.

Our nation launched this program, in part, to help check Chinese influence in the region.

China provides its assistance without regard for America’s principles for a free and open Indo-Pacific that has governed the region since the end of World War II.

Given the rise of Chinese influence in the South Pacific Island Countries and the question we have before us is can this program be replicated to help the island nations in the Pacific who are seeing a push by China to expand its influence into Papua New Guinea, Vanuatu, the Solomon Islands, Fiji, the Federated States of Micronesia, Palau, Kiribati, the Marshall Islands, Nauru, and Tonga.

This Chinese influence threatens the blood, sweat, and treasure spent by our country during World War II in an effort to ensure freedom and the rule of law would thrive throughout the Indo-Pacific.

My amendment takes the first step to see what can be done to protect these nations who share our values and are under pressure for Chinese influence. The amendment would direct the Defense Department to assess the current status of security and assistance with Pacific Island Countries and the feasibility of expanding it to advance our national security objectives in the Indo-Pacific.

I urge support of my amendment to determine how to ensure our traditional allies in this region have the tools and training needed to help America ensure a free and open Indo-Pacific.

Mr. CASE. Madam Chair, I rise today in support of my amendment directing our military intelligence agencies to determine the degree of foreign influence in the Pacific Island Countries and to assess how to close any intelligence gaps our nation has in the region.

Pacific Island Countries, the Hawaiian Islands is closer to Asia than Washington D.C.. I have met with many leaders from the Pacific Island Countries, which includes Papua New Guinea, Vanuatu, the Solomon Islands, Fiji, the Federated States of Micronesia, Palau, Kiribati, the Marshall Islands, Nauru, and Tonga.

Time and again, I have heard stories of troubling Chinese influence in the region. Efforts to forge stronger government leaders.
Questionable foreign business investments near U.S. military installations, and even an effort that might have thrown a parliamentary government into crisis. We need our intelligence community to assess what is happening so we can determine how to respond. To address these threats, my straight-forward amendment only asks for three things: First, the Defense Department would assess the actions of foreign militaries in the Pacific Island Countries. Second, the department would assess any gaps in our intelligence collection capabilities that may undermine this intelligence. And third, the Defense Department would determine how to eliminate any gaps in our intelligence.

With this information, we can fully assess what is happening in the Pacific Island Countries to and determine how we should respond to ensure that our partners in the region are not undermined by a foreign influence that is combating our nation’s goal of ensuring a free and open Indo-Pacific.

Mr. CASE. Madam Chair, I rise today in support of my amendment directing the Department of Defense to provide a report regarding the risks posed by non-military aircraft flying over our nation’s military installations.

Not unlike many other states, on the Island of Oahu in my home state of Hawaii we have multiple military installations situated near a major national airport and a large airport supporting general aviation.

Although agreements have been made to help control this air traffic, on a regular basis these agreements are violated. For example, I have personally seen four helicopters fly right over these locations around Pearl Harbor, the home of the U.S. Pacific Fleet and Pacific Air Forces.

My amendment seeks to achieve two commonsense steps to address the potential risks from these nonmilitary aircraft operating near U.S. military installations. First, the Department of Defense will assess the encroachment challenges and security risks posed by non-military aircraft that fly over military installations, to include operational impacts, installation and personnel security considerations. And second, the department would propose practicable strategies and recommendations for mitigating any significant risks.

I urge my colleagues to support this amendment so we can start responding to encroachment and security risks from non-military aircraft today before waiting until an incident forces us to act because our nation’s security and safety have been compromised.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Washington (Mr. Smith).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. SMITH OF WASHINGTON

Mr. SMITH of Washington. Madam Chair, pursuant to House Resolution 478, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 118, 119, 120, 121, 122, 123, 124, 130, 132, 134, 135, 137, 138, 139, 140, 141, 142, 143, 144, and 146, printed in part B of House Report 116-143, offered by Mr. SMITH of Washington:

AMENDMENT NO. 118 OFFERED BY MR. CRIST OF FLORIDA

In section 2805(a), add after the period on page 996, line 12, the following: “To prepare the amendments required by this subsection, the Secretary of Defense shall take into account historical data, current conditions, and sea level rise projections. The Secretary may consult with the heads of other Federal departments and agencies with expertise regarding military installation resilience, energy resilience, energy and climate resiliency, and cyber resilience.”

AMENDMENT NO. 120 OFFERED BY MR. CUELLAR

At the appropriate place in subchapter G of title XII, add the following new section:

SEC. 12. WESTERN HEMISPHERE RESOURCE ASSESSMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President, acting through the Secretary of Defense, the Secretary of State, and the Administrator of United States Agency for International Aid, shall submit to the appropriate congressional committees an accounting of and an assessment of the sufficiency of resources available to the United States Southern Command (SOUTHCOM), United States Northern Command (NORTHCOM), Department of State, and United States Agency for International Aid (USAID) in order to carry out their respective missions in the Western Hemisphere.

(b) MATTERS TO BE INCLUDED.—An assessment described in subsection (a) shall include each of the following:

(1) An accounting and description of the funds available to SOUTHCOM, NORTHCOM, the Department of State, and USAID.

(2) A list of bilateral and multilateral military training and exercises with allies and partner countries in the Western Hemisphere.

(3) A description of the security force activities of the United States in the Western Hemisphere.

(4) A description of the activities of the Department of State and Defense in addressing security challenges in the Western Hemisphere.

(5) Cyber domain activities of the United States and those actions in concert with allied and partner countries in the Western Hemisphere.

(6) A description of the funding for all international military education and training programs.

(7) An overview of all foreign military sales and foreign military financing programs with partner countries in the Western Hemisphere.

(8) A list of investments, programs, or partnerships in the Western Hemisphere by China, Iran, Russia, or other adversarial groups or countries that threaten the national security of the United States.

(9) Recommendations for actions the Department of Defense, the Department of State, and USAID could take to advance United States national security interests in the Western Hemisphere.

(c) FORM; ENTITY.—

(1) FORM.—The assessment required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(2) ENTITY.—The Secretary of Defense shall provide for the assessment required by subsection (a) to be performed by an independent, non-governmental institute described in section 501(c)(3) of the Internal Revenue Code of 1986, and exempt from tax by that code, that is recognized by the Secretary of Defense as having expertise in national security and military affairs.

AMENDMENT NO. 122 OFFERED BY MR. CUMMINGS OF MARYLAND

At the end of title XI, add the following:


SEC. 1122. PROHIBITION ON CRIMINAL HISTORY INQUIRIES PRIOR TO CONDITIONAL OFFER FOR FEDERAL EMPLOYMENT.

(a) IN GENERAL.—Subpart H of part III of title 5, United States Code, is amended by adding at the end the following:

"CHAPTER 92—PROHIBITION ON CRIMINAL HISTORY INQUIRIES PRIOR TO CONDITIONAL OFFER"

"Sec. 1122. Limitations on inquiries for criminal history record information.

"(a) Coverage.—Except as provided in subparagraphs (b) and (c), section 901(a) and (b) and (c), an employee of an agency may not request, in oral or written form (including, if that form is electronic, information transmitted in electronic form), the USAJOBS internet website, or any other electronic means, information regarding the applicant before the offer of employment (Office of Personnel Management Optional Form 306) or any similar successor form, the USAJOBS internet website, or any other electronic means, that an applicant for an appointment to a civil service position in the Federal Government has had criminal history record information regarding the applicant before the
appointing authority extends a conditional offer to the applicant.

"(b) OTHERWISE REQUIRED BY LAW.—The prohibition under subsection (a) shall not apply if a reference to that section 9202 to a conditional offer shall be considered to be an offer of employment as a covered employee that is conditioned upon the results of a criminal history inquiry.

"(c) EXCEPTION FOR CERTAIN POSITIONS.—"(1) IN GENERAL.—The prohibition under subsection (a) shall not apply with respect to an applicant for an appointment to a position in the civil service if consideration of criminal history record information prior to a conditional offer with respect to the position is otherwise required by law.

"(2) REGULATIONS.—The regulations issued under section 9202 of title 5, United States Code, shall apply to employing offices, consistent with regulations issued under subsection (d).

"(3) REMEDY.—The remedy for a violation of subsection (b)(1) shall be such remedy as would be appropriate if awarded under section 9204 of title 5, United States Code, if the violation had been committed by an employee of an agency, consistent with regulations issued under subsection (d), except that the reference in that section to a suspension shall be by redesigning the item relating to the level of compensation provided for a covered employee who is taking unpaid leave under section 202.

"(4) REGULATIONS TO IMPLEMENT SECTION.—"(1) IN GENERAL.—Not later than 18 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2019, the Board shall, pursuant to section 301, issue regulations to implement this section.

"(2) PARALLEL WITH AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations issued by the Director of Personnel Management under section 2(b)(1) of the Fair Chance to Compete for Jobs Act of 2019 to implement the statutory provisions referred to in subsections (a) through (e) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

"(5) EFFECTIVE DATE.—Section 102(a)(12) and subsections (a) through (e) shall go into effect on the date on which section 9202 of title 5, United States Code, applies with respect to agencies.

"(6) CLERICAL AMENDMENTS.—(A) The title of contents in section 1(b) of the Congressional Accountability Act of 1995 (Public Law 104-1; 109 Stat. 3) is amended—"(i) by redesignating the item relating to section 208 as section 206; and

"(ii) by inserting after the item relating to section 207 the following new item: "Sec. 207. Rights and protections relating to criminal history inquiries.

"(B) Section 62(e)(2) of the Internal Revenue Code of 1986 is amended by striking ‘‘or 207’’ and inserting ‘‘207, or 208’’.

"(C) APPLICATION TO JUDICIAL BRANCH.—"(1) IN GENERAL.—Section 604 of title 28, United States Code, is amended by adding at the end the following: ‘‘Sec. 607. Rights and protections relating to criminal history inquiries.’’

"(2) EXCEPTIONS.—In this subsection—"(I) ‘‘criminal history record information’’ means the information that is provided to an agency under section 9202 of title 5, United States Code, if the violation had been committed by an employee of the judicial branch of the United States Government, other than—
"(i) any judge or justice who is entitled to hold office during good behavior;  
(ii) a United States magistrate judge; or  
(iii) a bankruptcy judge; and  
"(C) the term 'covered employee' means any office or entity of the judicial branch of the United States Government that employs covered employees."

"(2) APPEALS.—The Director shall by rule establish procedures providing for an appeal from any adverse action taken under subparagraph (A) by an agency."

"(C) APPLICABILITY OF OTHER LAWS.—Except as provided in subparagraph (B), an adverse action taken under subparagraph (A) (including a determination in an appeal from such an action under subparagraph (B)) shall not be subject to appeal or judicial review.

"(5) ISSUANCE.—(A) IN GENERAL.—Not later than 18 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2019, the Director shall issue regulations to implement this subsection.

"(B) REGULATIONS.—The Administrator of General Services shall establish and publish procedures under which an applicant may not verbally or through written communication or national security duties; or

"(B) COMPLAINT PROCEDURES.—The Administrator of General Services shall establish and publish procedures under which an applicant may not verbally or through written communication or national security duties; or

"(a) LIMITATION ON CRIMINAL HISTORY INQUIRIES BY CONTRACTORS PRIOR TO CONDITIONAL OFFER.

"(a) In general.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

"4714. Prohibition on criminal history inquiries by contractors prior to conditional offer.”

"(3) EFFECTIVE DATE.—Section 4714 of title 41, United States Code, as added by paragraph (1), shall apply with respect to contracts awarded pursuant to solicitations issued after the effective date described in section 1122(b)(2) of this subtitle.

"(b) DEFENSE CONTRACTS.—(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2338 the following new section:

"2339. Prohibition on criminal history inquiries by contractors prior to conditional offer.

"(a) In general.—The prohibition under paragraph (1) shall apply with respect to a contract that the contractor may not verbally or through written communication or national security duties; or

"(C) suspending payment under the contract for which the applicant was being considered for a position related to work under a contract that is conditioned upon the results of a criminal history inquiry.

"(4) DEFINITIONS.—In this section:  
"(1) CONDITIONAL OFFER.—The term 'conditional offer' means an offer of employment with respect to a contract that is conditioned upon the results of a criminal history inquiry.

"(2) CRIMINAL HISTORY RECORD INFORMATION.—The term 'criminal history record information' has the meaning given that term in section 9201 of title 5.

"(1) IN GENERAL.—Not later than 16 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2019, the Administrator of General Services, shall issue regulations identifying additional positions with respect to which the prohibition under paragraph (1) does not apply, giving due consideration to positions that involve interaction with minors, access to sensitive information, or managing financial transactions.

"(i) ISSUANCE.—Not later than 16 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2019, the Administrator of General Services shall issue regulations identifying additional positions with respect to which the prohibition under paragraph (1) does not apply, giving due consideration to positions that involve interaction with minors, access to sensitive information, or managing financial transactions.

"(ii) Notification.—In compliance with this section.

"(B) The prohibition under paragraph (1) shall not apply, giving due consideration to positions that involve interaction with minors, access to sensitive information, or managing financial transactions.
AMENDMENT NO. 123 OFFERED BY MR. CUNNINGHAM OF SOUTH CAROLINA 
At the end of subtitle B of title VIII, add the following:

SEC. 8. PREFERENCE FOR OFFERORS EMPLOYING VETERANS.

(a) IN GENERAL.—In awarding a contract for the procurement of goods or services for the Department of Defense, the head of an agency may establish a preference for offerors that employ veterans on a full-time basis. The Secretary of Defense may establish a preference described in subsection (a), the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives; and

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to superecede any other provision of law establishing a preference for small business concerns owned and controlled by veterans or small business concerns owned and controlled by service-disabled veterans (as defined in section 3(g) of the Small Business Act (15 U.S.C. 632(q))).

(c) CONGRESSIONAL NOTIFICATION.—Prior to establishing the preference described in subsection (a), the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives on—

1. A plan for implementing such preference, including—

(A) penalties for an offeror that willfully and intentionally misrepresents the veteran status of the employee of the offeror in a bid submitted under subsection (a); and

(B) reporting on use of such preference; and

2. The process for assessing and verifying offeror compliance with regulations relating to equal opportunity for veterans requirements.

AMENDMENT NO. 122 OFFERED BY MR. CUNNINGHAM OF SOUTH CAROLINA 
At the end of subtitle H of title V, insert the following:

SEC. 5869. EXPANSION OF THE MY CAREER ADVANCEMENT ACCOUNT PROGRAM FOR MILITARY SPOUSES.

(a) COAST GUARD.—The spouse of a member of the Coast Guard may participate in the My Career Advancement Account program of the Department of Defense.

(b) STUDY AND REPORT REQUIRED.—The Secretary of Defense shall carry out the My Career Advancement Account program of the Department of Defense.

AMENDMENT NO. 123 OFFERED BY MR. CUNNINGHAM OF SOUTH CAROLINA 
At the end of subtitle B of title VIII, add the following:

SEC. 8. PREFERENCE FOR OFFERORS EMPLOYING VETERANS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall carry out a study of the My Career Advancement Account program of the Department of Defense.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to superecede any other provision of law establishing a preference for small business concerns owned and controlled by veterans or small business concerns owned and controlled by service-disabled veterans (as defined in section 3(g) of the Small Business Act (15 U.S.C. 632(q))).

(c) CONGRESSIONAL NOTIFICATION.—Prior to establishing the preference described in subsection (a), the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives on—

1. A plan for implementing such preference, including—

(A) penalties for an offeror that willfully and intentionally misrepresents the veteran status of the employee of the offeror in a bid submitted under subsection (a); and

(B) reporting on use of such preference; and

2. The process for assessing and verifying offeror compliance with regulations relating to equal opportunity for veterans requirements.

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AMENDMENT NO. 123 OFFERED BY MR. CUNNINGHAM OF SOUTH CAROLINA 
At the end of subtitle B of title VIII, add the following:

SEC. 8. PREFERENCE FOR OFFERORS EMPLOYING VETERANS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall carry out a study of the My Career Advancement Account program of the Department of Defense.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to superecede any other provision of law establishing a preference for small business concerns owned and controlled by veterans or small business concerns owned and controlled by service-disabled veterans (as defined in section 3(g) of the Small Business Act (15 U.S.C. 632(q))).

(c) CONGRESSIONAL NOTIFICATION.—Prior to establishing the preference described in subsection (a), the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives on—

1. A plan for implementing such preference, including—

(A) penalties for an offeror that willfully and intentionally misrepresents the veteran status of the employee of the offeror in a bid submitted under subsection (a); and

(B) reporting on use of such preference; and

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(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to superecede any other provision of law establishing a preference for small business concerns owned and controlled by veterans or small business concerns owned and controlled by service-disabled veterans (as defined in section 3(g) of the Small Business Act (15 U.S.C. 632(q))).

(c) CONGRESSIONAL NOTIFICATION.—Prior to establishing the preference described in subsection (a), the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives on—

1. A plan for implementing such preference, including—

(A) penalties for an offeror that willfully and intentionally misrepresents the veteran status of the employee of the offeror in a bid submitted under subsection (a); and

(B) reporting on use of such preference; and

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(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall carry out a study of the My Career Advancement Account program of the Department of Defense.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to superecede any other provision of law establishing a preference for small business concerns owned and controlled by veterans or small business concerns owned and controlled by service-disabled veterans (as defined in section 3(g) of the Small Business Act (15 U.S.C. 632(q))).

(c) CONGRESSIONAL NOTIFICATION.—Prior to establishing the preference described in subsection (a), the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives on—

1. A plan for implementing such preference, including—

(A) penalties for an offeror that willfully and intentionally misrepresents the veteran status of the employee of the offeror in a bid submitted under subsection (a); and

(B) reporting on use of such preference; and

2. The process for assessing and verifying offeror compliance with regulations relating to equal opportunity for veterans requirements.
amended by inserting after the item relating to section 2339a the following new item:

"2339b. Preference for offerors employing veterans.”.

AMENDMENT NO. 121 OFFERED BY MR. CUNNINGHAM OF SOUTH CAROLINA

At the end of subtitle B of title I, add the following new section:

SEC. 1. REPORT ON PLANS TO SUPPORT AND MAINTAIN AIRCRAFT AT MARINE CORPS AIR STATIONS.

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

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

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

(2) the support and maintenance workforce, including uniformed military, civilian, and contract personnel; and

(3) the construction of aircraft and support facilities associated with the beddown of F-35 aircraft at each air station.

AMENDMENT NO. 127 OFFERED BY MR. DELGADO OF NEW YORK

At the end of subtitle G of title X, add the following new section:

SEC. 1075. REPORT ON POLICIES RELATING TO SMALL FARMS.

Not later than 90 days after the date of the enactment of this Act, the Defense Logistics Agency and the Defense Commissary Agency shall submit to the congressional defense committees a report on the programs, policies, and practices of the Defense Logistics Agency and Defense Commissary Agency, respectively, relating to small farms, farms owned by new and beginning farmers, and farmers who are veterans or minorities, including a description of opportunities and barriers to expanding the use of such programs, policies, or practices.

AMENDMENT NO. 128 OFFERED BY MR. DELGADO OF NEW YORK

At the end of section 301 for operation and maintenance, the amount authorized to be appropriated in including a description of opportunities and farmers who are veterans or minorities, in-
in subsection (h)(2)(A) by striking ‘‘elementary school teachers, secondary school teachers, and career or technical teachers’’ and inserting ‘‘qualifying teachers’’.

(8) in subsection (1), by striking ‘‘$15,000,000’’ and inserting ‘‘$20,000,000’’.

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

‘‘(j) Public-Private Partnership.—

(1) In General.—The Secretary may enter into one or more partnerships with nonprofit entities, including veterans service organizations, to assist with the placement of participants in eligible schools in accordance with this section.

(2) Nonprofit Entity Defined.—In this subsection, the term ‘nonprofit entity’ means any entity, including any exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986.’’

(b) Conforming Amendment and Reference To Troops-to-Teach Program.—

(1) Table of Sections.—The table of sections at the beginning of chapter 58 of such title is amended by striking the item relating to section 1154 and inserting the following new item:

‘‘1154. Assistance to eligible members and former members to obtain employment in schools: Troops-to-Support-Education Program.’’

(2) References.—Any reference in Federal law (other than this Act), regulations, guidance, instructions, or other documents of the Federal Government to the Troops-to-Schools or Troops-to-Teach Program shall be deemed to be a reference to the Troops-to-Support-Education Program.

AMENDMENT NO. 134 OFFERED BY MR. DUNN OF FLORIDA

At the end of subtitle G of title XII the following:

SEC. 10__. REPORT ON ARTIFICIAL INTELLIGENCE TECHNOLOGY.

(a) In General.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with head of the Joint Artificial Intelligence Center, shall submit to the appropriate congressional committees a report on the artificial intelligence strategy of the Department of Defense.

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

(1) A description of the data necessary for the Secretary to properly conduct the analysis under paragraph (1), including identification of any gaps in the availability of such data.

(3) The plan of the Secretary to protect systems that use artificial intelligence from bad actors and any attempts by individuals to misrepresent or alter information used or provided by artificial intelligence.

(4) Analysis of the expected benefits of artificial intelligence for the operation of the Armed Forces of the increasing period of 20 years following the year in which the report is submitted.

(5) Analysis of the potential of artificial intelligence to improve multi-domain operations across the Armed Forces.

(6) Identification of any ethical guidelines applicable to the use of artificial intelligence by the Department.

(7) The plan of the Secretary to ensure collaboration among the Department, industry, academia, and non-governmental organization on matters relating to the research, development, test, and evaluation, contracting, acquisition, and onboarding of artificial intelligence technology.

(c) Collaboration.—In preparing the report under subsection (a), the Secretary of Defense may collaborate, through a series of meetings, roundtables, or by other means, with—

(1) a broad range of industrial stakeholders in the technology, manufacturing, and services sectors, including large and small companies, think tanks, and industry organizations; and

(2) the heads of any other Federal agencies the Secretary determines to be appropriate.

(d) Appropriate Congressional Committees Defined.—In this section, the term ‘appropriate congressional committees’ means—

(1) the Committee on Armed Services of the Senate and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services of the House of Representatives and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 136 OFFERED BY MR. ENGLE OF NEW YORK

Add at the end of subtitle G of title XII the following:

SEC. 1268. STRATEGY TO IMPROVE THE EFFORTS OF THE NIGERIAN MILITARY TO PREVENT, MITIGATE, AND RESPOND TO CIVILIAN HARM.

(a) Strategy.—

(1) Report.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report that contains a plan for improving the efforts of the United States to prevent, mitigate, and respond to civilian harm arising from its military presence and operations.

(2) Updates.—Not later than one year after the transmission of the report required under paragraph (1) and annually thereafter, the President shall provide to the appropriate congressional committees an update on progress made with respect to the plan contained in such report.

(b) Matters To Be Included.—The report required by subsection (a)(1) shall include the following:

(1) any steps being taken by the United States Government to ensure that the Nigerian Air Force is able to prevent and minimize civilian harm in the operation of 12 A-29 Super Tucano aircraft and associated weapons acquired from the United States, including training planned or provided in air-to-ground integration measures specifically intended to minimize civilian harm.

(2) Whether the training described in paragraph (1) is provided by United States Government or contractor personnel.

(3) An assessment of the effectiveness of such training or other assistance in preventing civilian casualties from ground and air operations.

(4) An assessment of efforts by the Government of Nigeria to improve civilian protection, accountability for human rights violations, and transparency in the defense institutions and security sector force, including the status of any national protection of civilians policy, and an assessment of the key United States diplomatic and military efforts available to promote progress relating to such matters.

(5) any other matters the President considers appropriate.

(c) Form.—The report required under subsection (a)(1) shall be submitted in unclassified form, but may include a classified annex.

(d) Appropriate Congressional Committees Defined.—In this section, the term ‘appropriate congressional committees’ means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.
AMENDMENT NO. 137 OFFERED BY MR. ENGLE OF NEW YORK

At the end of subtitle A of title XII, add the following:

SEC. 9 . PLAN TO PROVIDE CONSISTENCY OF ADMINISTRATION OF AUTHORITIES RELATING TO VETTING OF UNITS OF SECURITY FORCES OF FOREIGN COUNTRIES, VETERANLESS SECURITY AND OTHER PROGRAMS AND ACTIVITIES.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and Secretary of State shall jointly develop, implement, and submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a plan to provide consistency in administration of section 362 of title 10, United States Code, and section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d).

(b) MATTERS TO BE INCLUDED.—The plan required by subsection (a) shall contain the following:

(1) Common standards and procedures which shall be used by the Department of Defense and Department of State to obtain and verify information regarding the vetting of units of the security forces of foreign countries for gross violation of human rights under the authorities described in subsection (a), including—

(A) public guidelines for external sources to report information; and

(B) methods and criteria employed by the Department of Defense and Department of State to determine whether sources, source reporting, and allegations are credible.

(2) Measures to ensure the Department of Defense has read-only access to the International Vetting and Security Tracking (INVEST) system, and any successor or equivalent system.

(3) Measures to ensure the authorities described in subsection (a) are applied to any foreign forces, irregular forces, groups, and individuals that receive support from the United States military.

(c) FORM.—The plan required by subsection (a) shall be submitted in unclassified form, but may include classified annexes.

(d) INTEGRATION OF HUMAN RIGHTS AND CIVILIANS PROTECTION INTO ASSESSMENT, MONITORING, AND EVALUATION OF SECURITY CO-OPERATION AND ACTIVITIES.—

(1) REPORTS REQUIRED.—The Secretary of Defense shall submit to the apparatus of presidential committees an interim report on the steps the Secretary will take to incorporate partner units’ activities, as such activities relate to human rights protection of civilians, into the program elements described in section 362(b)(1) of title 10, United States Code.

(2) DEADLINES.—

(A) INTERIM REPORT.—The interim report required under paragraph (1) shall be submitted to the appropriate congressional committees not later than 180 days after the date of the enactment of this Act and shall include a summary of the progress of the Secretary in implementing the steps described in such paragraph.

(B) FINAL REPORT.—The final report required under paragraph (1) shall be submitted to the appropriate congressional committees not later than one year after the date of enactment of this Act and shall specifically describe the actions the Secretary took to implement the steps described in paragraph (1).

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—For the purposes of this section, “appropriate congressional committees” means the following:

(A) The Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(B) The Committee on Armed Services and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 138 OFFERED BY MS. ESCOBAR OF TEXAS

Page 668, line 24, through page 669, line 2, strike paragraph (12) of the following:

(1) the proposed site for the housing—

(A) will not be used to house any unaccompanied alien children for longer than the deadlines set forth in paragraph (12) of the Flores settlement agreement, and complies with the other requirements of such paragraph (12); or

(B) if the proposed site will be used to house any unaccompanied alien children for longer than such deadlines, the proposed site meets the standards for “licensed programs” as defined in the Flores settlement agreement, including by being licensed by an appropriate State agency to provide residential, group, or foster care services for children.

AMENDMENT NO. 139 OFFERED BY MS. ESCOBAR OF TEXAS

At the end of subtitle G of title VIII, add the following new section:

SEC. 880. INCLUSION OF OPERATIONAL ENERGY PROJECTS FOR USES OF ENERGY COST SAVINGS.

Section 9(c)(3) of title 10, United States Code, is amended by inserting “operational energy projects,” after “including”.

AMENDMENT NO. 140 OFFERED BY MS. ESCOBAR OF TEXAS

At the end of subtitle B of title III, insert the following:

SEC. 3 . CLIMATE-CONSCIOUS BUDGETING OF DEFENSE DEPARTMENT.

(a) In General.—The Secretary of Defense shall include in the annual budget submission of the President under section 105(a) of title 31, United States Code—

(1) a dedicated budget line item for adaptation to, and mitigation of, climate-related risks to military networks, systems, installations, facilities, and other assets and capabilities of the Department of Defense; and

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

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

AMENDMENT NO. 141 OFFERED BY MS. ESCOBAR OF TEXAS

At the end of title XXVII, add the following new section:

SEC. 882. ASSISTANCE FOR SMALL BUSINESS CONCERNS PARTICIPATING IN THE SMALL BUSINESS INNOVATION RESEARCH PROGRAM AND THE SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM.

(a) DEFINITION OF SENIOR PROCUREMENT EXECUTIVE.—Section 9(e) of the Small Business Act (15 U.S.C. 644(l)(1)(C)) is amended by striking “(i)” and adding the following:

“(13) the term ‘senior procurement executive’ means an official designated under section 1702(c) of title 41, United States Code, as the senior procurement executive of a Federal agency participating in a SBIR or STTR program.”

(b) INCLUSION OF SENIOR PROCUREMENT EXECUTIVES IN SBIR AND STTR.—Sections 9(b) of the Small Business Act (15 U.S.C. 638(b)) is amended—

(1) in paragraph (8), by striking “and” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; and”;

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

“(D) to coordinate, where appropriate, with the senior procurement executive of the relevant Federal agency to assist small business concerns participating in a SBIR or STTR program with commercializing research developed under such a program before such small business concern is awarded a contract from such Federal agency.”.

(2) TECHNICAL AMENDMENT.—Section 9(b)(3) of the Small Business Act (15 U.S.C. 638(b)(3)) is amended by striking “and” at the end.

(c) MODIFICATIONS RELATING TO PROCUREMENT CENTER REPRESENTATIVES AND OTHER ACQUISITION PERSONNEL.—

(A) SBIR AMENDMENT.—Section 9(j) of the Small Business Act (15 U.S.C. 638(j)) is amended by adding at the end the following new paragraph:

“(4) MODIFICATIONS RELATING TO PROCUREMENT CENTER REPRESENTATIVES.—Upon the enactment of this paragraph, the Administrator shall modify the policy directives issued pursuant to this subsection to require procurement center representatives (as described in section 15(j)) to assist small business concerns participating in the SBIR program with research solicitations for the award of a Federal contract (particularly with the Federal agency that has a funding agreement with the concern) and to provide technical assistance to such concerns to submit a bid for an award of a Federal contract.

The procurement center representatives shall coordinate with the appropriate senior procurement executive and the appropriate Director of the Office of Small and Disadvantaged Business Utilization of the senior procurement executive and the appropriate Director of the Office of Small and Disadvantaged Business Utilization established pursuant to section 15(k) for the agency letting the contract.”.

(B) STTR AMENDMENT.—Section 9(p)(2) of the Small Business Act (15 U.S.C. 638(p)(2)) is amended—

(A) in subparagraph (E)(ii), by striking “and” at the end;

(B) subparagraph (F), by striking the period at the end and inserting “; and”;

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

“(2) procedures to ensure that procurement center representatives (as described in section 15(k))—

(i) assist small business concerns participating in the STTR program with preparing applicable solicitations for the award of a Federal contract (particularly with the Federal agency that has a funding agreement with the concern);

(ii) provide technical assistance to such concerns to submit a bid for an award of a Federal contract; and

(iii) coordinate with the appropriate senior procurement executive and the appropriate Director of the Office of Small and Disadvantaged Business Utilization established pursuant to section 15(k) for the Federal agency letting the contract in providing the assistance described in clause (1).”.

(D) AMENDMENT TO DUTIES OF PROCUREMENT CENTER REPRESENTATIVES.—Section 15(k)(2) of the Small Business Act (15 U.S.C. 644(1)(2)) is amended—
in subparagraph (I), by striking “and” at the end; 
(2) by redesignating subparagraph (J) as subparagraph (L); and 
(3) by inserting after subparagraph (L) the following new subparagraph: 
“(J) assist small business concerns participating in a SBIR or STTR program under section 9 with researching applicable solicitations for the award of a Federal contract to market the research developed by such concern under such SBIR or STTR program; “(K) provide technical assistance to small business concerns participating in a SBIR or STTR program under section 9 to submit a bid for an award of a Federal contract, including coordination with the appropriate senior procurement executive and the appropriate Director of the Office of Small and Disadvantaged Business Utilization established pursuant to subsection (k) for the agency letting the contract; and “.

(e) AMENDMENT TO THE DUTIES OF THE DIRECTOR OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION FOR FEDERAL AGENCIES.—
Section 1513 of title 10, United States Code, is amended—

(1) in paragraph (19), by striking “and” at the end; 

(2) in paragraph (20), by striking the period at the end and inserting a semicolon; and 

(3) by adding at the end the following new paragraph: 
“(22) shall assist small business concerns participating in a SBIR or STTR program under section 9 with researching applicable solicitations for the award of a Federal contract (particularly with the Federal agency that has a funding agreement, as defined under section 9(9), with the concern) to market the research developed by such concern under such SBIR or STTR program; and “(23) shall provide technical assistance to small business concerns participating in a SBIR or STTR program under section 9 to submit a bid for an award of a Federal contract, including coordination with procurement center representatives and the appropriate senior procurement executive for the agency letting the contract.”.

AMENDMENT NO. 142 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA
Page 75, after line 22, insert the following new section:

SEC. 359. COMPLETION OF DEPARTMENT OF DEFENSE DIRECTIVE 2010.07E REGARDING FOREIGN CURRENCY FLUCTUATIONS.

(a) IN GENERAL.—The Secretary of Defense shall make the completion of Department of Defense Directive 2010.07E a top priority in order to improve the efficiency of locating missing persons.

(b) DEFINITION.—In this section, the term “missing person” has the meaning given such term in section 1513 of title 10, United States Code.

AMENDMENT NO. 143 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

Add at the end of subtitle H of title X the following new section:

SEC. 700a. REQUISITION TO CONTINUE PROVIDING TUITION ASSISTANCE FOR MEMBERS OF THE ARMED FORCES.

(A) IN GENERAL.—The Secretary of Defense shall carry out tuition assistance programs for members of an Armed Force under the jurisdiction of that Secretary during fiscal year 2020 in the amount not less than the sum of any amounts appropriated for tuition assistance for members of that Armed Force for fiscal year 2020.

AMENDMENT NO. 144 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle B of title II, add the following new section:

SEC 2. SENSE OF CONGRESS ON THE IMPORTANCE OF CONTINUED COORDINATION OF STUDIES AND ANALYSIS RESEARCH OF THE DEPARTMENT OF DEFENSE.

It is the sense of Congress that the Secretary of Defense shall continue to work to create a Department of Defense-wide process within which military departments and Defense Agencies responsible for managing requests for studies and analysis research coordinate annual research requests and ongoing research efforts to optimize both the benefits to the Department and the efficiency of the research.

AMENDMENT NO. 146 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle B of title II, add the following new section:

SEC. 2. GLOBAL POSITIONING SYSTEM MODERNIZATION.

(a) DESIGNATION OF RESPONSIBLE ENTITY.—

As part of the efforts the Department of Defense with respect to GPS military code (commonly known as “M-code”) receiver card acquisition planning, the Secretary of Defense shall designate an entity within the Department to have principal responsibility for—

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

(2) making design solutions available to all programs expected to integrate M-code receiver cards.

(b) ADDITIONAL MEASURES.—In carrying out subsection (a), the Secretary of Defense shall—

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

(2) clarify the role of the Chief Information Officer in leading the M-code receiver card modernization effort; and

(3) ensure that the Department’s Positioning, Navigation, and Timing Enterprise Oversight Council will collect integration test data, design solutions, and lessons learned, and confirm that such additional steps are taking place.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Washington (Mr. Smith).

Mr. SMITH of Washington. Madam Chair, I urge my colleagues to support this amendment.

Mr. THORNBERY of California. Madam Chair, I urge my colleagues to support this amendment.

Mr. SMITH of Washington. Madam Chair, I urge my colleagues to support this amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Washington (Mr. Smith).

Mr. SMITH of Washington. Madam Chair, I urge my colleagues to support this amendment.

The Acting CHAIR. Pursuant to the rule, the Acting Chairman of the Committee on Appropriations has assumed the chair, Mr. MOORE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration H.R. 2300 to appropriate funds for defense, military activities of the Department of Defense, and military construction, to prescribe military personnel
We have immigrants from Venezuela coming in, fleeing tyranny. We had for generations Cuban-Americans escaping the issues down there. We have folks of Mexican descent who are farm workers in Polk County, and in other areas, that are now second and third generation.

And, yes, we have many refugees, particularly children, who have left the Triangle in Central America and are part of this great humanitarian crisis at the border line.

I got the opportunity to be able to visit the Homestead facility, a facility that had blocked several of us from several requests of touring it. And I saw over 500 of the ages of 12 and 17, that were in a facility not made for over 500. And I suspect those numbers have grown since then.

There are a few of us who did speak Spanish, like myself, and were able to talk briefly to the children, even though they told us not to; but you know our responsibility that we have.

Mr. CASTRO of Texas. That is an important point. When you went into that facility, this Homestead facility, you were told, as a Member of Congress that has oversight authority over these Federal agencies and facilities, you were told not to speak to anybody that was inside that facility.

Mr. SOTO. Sure. No speaking to the kids there; no photos. And then we were given kind of a song and dance about how well everybody was treated. These young people hailed from Honduras, Nicaragua, El Salvador; countries that war; over and over because of the strife from drug cartels down there that are warring.

I saw six to eight beds per room, sometimes more, in rooms that couldn’t be any bigger than 10 by 15 by 15, with shared showers between two of those rooms. And then I saw class rooms and recreation facilities in giant makeshift tents, these big, kind of puffy ones that were clearly not permanent facilities.

Mr. CASTRO of Texas. And there has been concern because of the weather in Florida, because you have a hurricane season in Florida, about the ability of these tents to withstand strong weather and the danger that that could present to the kids there.

Mr. SOTO. There is no question; those tents would be at great risk if a 3, 4, or Level 5 hurricane hit South Florida. And they are at the very end of it in Homestead, which is even south of Miami.

I want to talk a little bit about the root causes of it. We go back to the Triangle and what is happening. You know, these families are fleeing as an act of love because if their kids stay, they could be brought into these cartel drug wars and may not even survive to be 18 years of age, let alone go on to live productive lives.

So one of the root causes of this is that the funding, the foreign aid funding in the Triangle hasn’t been where it was under the Obama administration.

And of course, then, this idea that we have to detain all of these kids, which has really helped manufacture this border crisis. It could be easily resolved by getting them to families in the United States. I have been briefed that many of them are here to visit families, and we could have ways to track everybody: everything as tough as an ankle brace to having a case worker and having something less draconian.

But they chose not to do that. They chose to hold these kids back because they didn’t want to go out into the general population of the United States.

So, if we just did things the way the last two to three Presidents did, Obama, Bush and Clinton, we wouldn’t be in this situation right now, this deliberate holding of kids, as well as asylum seekers, in general, at the border that doesn’t need to happen here in the United States.

And with asylum seekers, it violates many treaties that we are a part of.

Mr. CASTRO of Texas. The gentleman mentioned the point about the Trump administration has done something fundamentally different than the prior administration in a few ways. First of all, zero tolerance. So it started aggressively separating fathers and mothers from their young kids. Thousands of those kids were lost in the system. Literally, the administration had absolutely no way ahead of time to track them and to reunite them with their parents.

And also, what is known as the Remain in Mexico, or MPP policy; that once people come seeking asylum, the administration has done a few things: Number 1, for the people that do make it here, they then send many of them right back to Mexico. And these are, unfortunately, the cities that—some of these cities that the United States Government and the Department of Homeland Security recommends do not travel to. And we are sending people back there, when we are recommending to our own folks that they don’t go to these same cities.

Then the other thing they have been doing is metering, as you alluded to, and trying to block people from legally—remember, these people are legally presenting themselves for asylum. And they are blocking these folks from presenting themselves for asylum. That happens in the situation that you have with the young man and his young daughter, 2-year-old daughter, the photo from about three weeks ago that the whole world saw. And I didn’t speak to a single person who saw that photograph of the father and his 2-year-old daughter, dead in the water, with the young girl, her arm over her dad—I didn’t speak to anybody who said that they saw that photo that didn’t cry.

Mr. SOTO. Madam Speaker, I thank the gentleman for his leadership as our chairman of the Congressional Hispanic Caucus, and that is why we are here tonight, for those injustices.
I am proud to be joined by my good friend, Congressman JIMMY GOMEZ, of Southern California, of La., who has been a champion of issues related to immigrants and related to Hispanics across the Nation.

JIMMY, thank you for being here.

Mr. CASTRO of Texas. Thank you, DARREN. Thank you for keeping an eye on the Homestead facility in Florida, for the CODELS, which are official congressional visits to these facilities. Thanks for all the work that you have been doing.

Mr. SOTO. And as we go into the budget, the protections that we couldn’t get in recent bills, we will double down on to make sure we have them going into the appropriations process.

Mr. CASTRO of Texas. Absolutely.

JIMMY, I know you are from Los Angeles. You have also been on many of these CODELS. You have seen the horrific conditions that folks are being kept in, the separation of families, all of these things.

Mr. GOMEZ. Madam Speaker, I thank the gentleman for inviting me to participate today.

I actually serve on the House Oversight and Government Reform Committee, and today we had a hearing about the conditions of the camps at the border, the conditions that the children are kept in.

We have lost kids at the border, and I want to just highlight their names, because we need to recognize that there is a human face to the tragedy that we see; it is not just numbers.

We have Carlos Hernandez Vasquez; he was age 16. Wilmer Josue Ramirez Vasquez, age 2; Juan de Leon Gutierrez, age 16; Felipe Gomez Alonso, age 8; and Jakelin Caal Maquin, age 7, and Marjiee Juarez, age 1.

Mariee’s mother actually testified in front of the committee to tell her story of what she was trying to accomplish by coming to this country and about the fear that she had as she crossed and as she was detained.

I want to remind people; a lot of people think that it is a crisis that is being created on its own. It is not. It is something that is a result of this administration’s zero tolerance policy.

I want to remind people that the zero tolerance policy started because this President, as he was running for office, said he was going to be tough on this issue, and that he would be the only one that could solve it. So what we ended up seeing is that we saw the zero tolerance policy.

And what is it? The zero tolerance policy states that anybody that crosses in between ports of entry will no longer be held civilly and administratively responsible; that they will be convicted criminally.

Jeff Sessions, the Attorney General when this policy was started, he implemented said: Zero tolerance policy shall supersede any existing policies.

And what this did is it caused people, when they are criminally convicted or being held for breach of criminal law, the parents are being separated from the kids.

Mr. CASTRO of Texas. That is an important point, JIMMY. People wonder, well how is it that these families got separated? Why would the government do that?

There is, in the law, which is known as Section 1325, a law that allows the government to basically charge the parents with a crime; therefore, separate them from their kids, and send the kids off to be held in custody.

Mr. GOMEZ. Correct. And that is where we want to make sure people understand that this crisis, the separating of the children, was a direct result of this policy. It doesn’t say, yeah, they will be separated. But it is that they would be—zero tolerance led to the separation. One triggered the other.

People then also try to make the argument that this happened under the Obama administration, but the Obama administration didn’t do that. They were dealing with unaccompanied minors that were flowing into the country, and they had to deal with that humanitarian crisis at that moment.

So this administration has really taken a zero tolerance policy, which has had a ripple effect on capacity to handle influx, the metering issue, the Remain in Mexico issue, the separating of the kids and not keeping appropriate track of those children to make sure that they are actually returned to their parents.

And this administration, time and time again, now says that they never had a child separation policy.

Mr. CASTRO of Texas. That was bizarre. You remember, several months ago now, when Secretary Nielsen was still the Secretary of Homeland Security in, I think it was the first hearing, where she was asked about the government’s, the Trump administration’s family separation policy. She said, flat out, that there was no child separation or family separation policy; very bizarrely said that there was no family separation policy.

Mr. GOMEZ. And it wasn’t only Secretary Nielsen. It was Kelly Anne Conway. It is a fabrication and a lie that has been repeated by the administration and that is something that we want to call out, to make sure people understand that what is going on now is a direct result of the zero tolerance policy.

Additionally, we want to make sure that people understand that a lot of the decisions were made based on, I believe, on politics. My own personal belief was this, they wanted to seem tough, so they implemented policies without really understanding how they implement it on the ground.

I have taken tours not only of Otay Mesa, I went out to Victorville; I went to Tornillo, Texas, so I have been to the border quite a bit of times, a number of times.

And when you start talking to the people who are responsible for implementing these policies, the men and women who are in Customs and Border Protection, some of them are trying to do a good job. They are saying that they are being put in an impossible situation. And sometimes this administration by often determining policy at a whim. And the problem is, when you are making policy not on rational decisions but on politics, then you end up with this situation, which is a big mess on the border.

I actually spent a night at the border with one of my colleagues.

Mr. CASTRO of Texas. That is right, you and NANETTE BARRAGAN, who also represents part of southern California, and you saw the metering policy, what is known as the metering policy. Again, that is where they block people from legally presenting for asylum. You all saw it firsthand. In fact, you ended up spending almost the whole night, I think, sleeping there on the concrete.

Mr. GOMEZ. Yes, at Otay Mesa. We spent the night at the Mexican side of the border, literally on the line, and we were there just to observe migrants to present themselves for asylum. They were on U.S. soil. They presented themselves. They were told that it was full. Congresswoman BARRAGAN and I asked to see the facility. They refused to show us.

Mr. CASTRO of Texas. These were CBP agents who were refusing to show you.

Mr. GOMEZ. Yes, correct. Customs and Border Protection refused to let us in to see it. So the migrants sat down. We sat down with them. We got there around 1 o’clock in the afternoon, and we didn’t leave until the next day, around 7 a.m. So we spent the night. It was cold. We slept on the ground.

The migrants couldn’t leave the U.S. side of the Mexican border, because they would have grabbed them. So we actually got corralled, using bike racks, into kind of a cage to keep us in a certain area.

Every so often, Customs and Border Patrol would wake us up to ask who is here, how many kids, how old, but these were questions that we answered three or four times.

Mr. CASTRO of Texas. So it is a purposeful way to disrupt your rest, your sleep, to try to get as many people out of there as possible.

Mr. GOMEZ. Correct. And what we were trying to remind them is that, by international law, by U.S. law, these migrants had a right to present themselves for asylum and then ask so that they can be processed. They ended up getting in. It was the woman who was tear-gassed at the border in that famous—

Mr. CASTRO of Texas. With her kids.

Mr. GOMEZ. With her kids. She was one of the folks that applied for a credible fear asylum hearing, and she went through the process. That is why we have this process, so that we don’t
Mr. CASTRO of Texas. You mentioned the Trump administration's policies, and there was a really excellent article written not too long ago by a gentleman by the name of Adam Serwer, and I think he wrote it for The Atlantic, although I could be wrong. But his point is that the cruelty is the point. It seems like, and the further along we go, the more it seems that that is the case, that some of these policies are done for sheer harshness towards the people who these policies are directed toward.

And you know that last week there were a group of us from the Congressional Hispanic Caucus who went over to two Border Patrol stations in El Paso, Texas, first the El Paso Border Patrol Station number one, and then the Donna facility, which is now infamous.

This was the same day or the day after that a story had broken about a Facebook page. I think it is the I’m 10–15 Facebook page that was set up as a secret, activist group, Citizens United for Border Patrol agents, former Border Patrol agents and current Border Patrol agents, 9,500 members of this group who had made some very vile and very vulgar comments about the people in their care, about Members of Congress, about the work that they do. A lot of it is stuff that I just can’t read on the House floor because they would probably shut me down for being vulgar.

Mr. GOMEZ. And if I can interject.

Mr. CASTRO of Texas. Yes.

Mr. GOMEZ. I mentioned this article in the Oversight hearing. It is actually a ProPublica article, entitled: “Inside the Secret Border Patrol Facebook Group: Jokes about Migrant Deaths and Post Sexist Memes.”

Mr. CASTRO of Texas. And if our colleagues have not read that article, Republican and Democrat, you should read that ProPublica article that was published last week, because it tells you exactly the problems with CBP right now and the culture at CBP.

I want to read one thing. We were talking about the father, and when he and his daughter died they were face down. She had her arm around him. So everybody saw that photo around the world and throughout the country. I want to tell you a post that was on this Facebook page, posted by a Border Patrol agent or a former Border Patrol agent, and so I am going to quote here. It says: “Okay. I’m gonna go ahead and ask, have y’all ever seen floaters this clean? I’m not trying to be an ‘a,’ but I have never seen floaters like this. Could this be another edited photo? We’ve all seen the Dems and the Trump party do some pretty sick things.”

Now, that was his post. There were a few responses to that post. Some of them were memes. One of the memes had a Sesame Street character, and the language below the Sesame Street character says “oh, well” about these deaths.

Another meme from another agent or former agent is even more problematic. There is a famous scene in a movie “Rocky IV” of the Russian fighter, and he uses a famous line for anybody who has ever seen it. The meme says, “If he dies, he dies.” They are talking about the little girl and the man who are hugging face down over there.

I reached out to Secretary McAleenan, I think still the Acting Secretary of DHS. I think he is still acting. I think I am right about that. And I said, over the weekend: I would like to have a discussion with you this coming week. And we are trying to set it up about the accountability and disciplinary system for CBP agents who have made the most vile and vulgar comments.

Look, don’t get me wrong. There were some people who were part of this group who I am sure never made a comment. There were people who were part of this group who never said anything close to some of the worst stuff on here who would not be subject to discipline.

A big part of the problem right now is the culture at CBP, and as far as I can tell, there is close to zero accountability for anything like this or what happened in Maine on the northern border a few weeks ago.

It was reported, because if you take a Greyhound bus from McAllen, Texas, for example, and you are going to go to San Antonio or Dallas or Austin or wherever, you get stopped along the way by CBP agents. Same thing in California if you are coming up from San Diego or near the border. And the CBP agents will get onto the bus, go up to each person, or at least the people they suspect could possibly be immigrants, and they will ask you to basically prove your citizenship.

So we have been in a battle with Greyhound over that because of the rights that Americans have, having to prove citizenship. But here is my point. I think it was ACLU that got emails made public of a few agents on a few occasions, or it may have been one agent on a few occasions, saying to his agents who were going out to do these checks on the buses, his message to them was “happy hunting.” Happy hunting.

I asked Secretary McAleenan: Well, what are you going to do about that person? Somebody is describing going after human beings here as hunting.

Congress has not gotten any answers about what the disciplinary and accountability process is at the Department of Homeland Security, at CBP for actions like that. I don’t know exactly the problems with CBP right now.

You and I both know when we have gone and visited the border, when we have gone to these facilities, there are good agents who are doing their work, who are doing it honestly and ear-marking, who are not doing anybody, who are helping to defend and protect the United States. But those people are overwhelmed by a system that is undercut by a bad culture at this point and by these rogue agents who have essentially ruined the culture at CBP, and I don’t know that the higher-ups, right now, are lifting a finger to do anything about it.

Mr. GOMEZ, I think you make some excellent points.

One point I want to kind of talk about, this culture that is permeating Customs and Border Protection. I think that it is also based because of the leadership of this administration. The attitude of zero tolerance, as in, if you are not in charge versus Republicans being in charge.

One of the things that I noticed when I was on Oversight in the minority from my first year, year and a half in Congress is that we couldn’t call in Customs and Border Protection and ICE and the Department of Homeland Security to have a public hearing on these issues. The only hearing we had regarding the zero-tolerance policy was behind closed doors, no cameras present. I don’t even believe staff was allowed in the hearing.

So we had to sit there and ask, and we asked enough questions to get more information about how the zero-tolerance policy worked, how it was the nitty-gritty. But if people don’t hear it, the public doesn’t hear their testimony, then it lacks the credibility because some people think we are making it up.

So we need not only the right kind of leadership to reform the culture, we also need to make sure that there is direct oversight by Congress, and that is our job.

I voted against the emergency supplemental because I didn’t feel that
there were enough constraints on the money that was going to be sent to the agencies, that they were going to actually use it to improve the humanitarian crisis that was going on on the ground at the border region.

Mr. CASTRO makes a good point regarding the guardrails, the funding. The House version of that bill. There was a Senate version of that bill. The Senate bill is what finally passed. As Mr. GOMEZ mentioned, a big concern that we had was that this President likes to play games with funding in this administration. They like to take money that Congress appropriates for one purpose and then go use it for something else.

Madam Speaker, in order to make sure that we start to solve this problem, there is legislation that the Congressional Hispanic Caucus and others are pushing immediately.

There are a few specific things that we need to do. One of them is that we need to raise standards of care. Many of us went out to Antelope Wells, New Mexico, parts of rural New Mexico, and we witnessed that CBP is understaffed, underprepared, and under-resourced to handle emergency situations. We believe, based on everything that we have seen, that some of these deaths of these young children could have been prevented if the standards of care were raised immediately. Some of the things that I would like to point out is if this administration, this President, as he claimed, was the only one who could solve this problem, then why hasn't it been solved?

It is a bigger mess and a bigger disaster than we have ever seen, and that is resulting in these conditions on the border where people are mistreated. This culture that is becoming rotten to the core is starting to just fester. We have seen an uncounted number of children who have died.

According to Newsweek, there were no migrant children who died while in CBP custody during the final 6 years of the Obama administration. Former DHS Secretary Kirstjen Nielsen previously admitted that it had been more than a decade since a child had died in CBP detention until December of last year when the 8-year-old Guatemalan national passed away on Christmas Eve. Since then, at least two other children have died while detained.

We are seeing this crisis get worse and worse, and my fear is that we haven’t hit the bottom yet. Until Congress steps in and puts those guardrails in place until we flex our constitutional muscle, we are going to see things deteriorating further.

Madam Speaker, Mr. GOMEZ mentioned some of the solutions. He mentioned the supplemental bill. The supplemental bill is based on immigrants and built by immigrants.

Mr. CASTRO of Texas. In fact, I want to talk to you, because Americans ask the question, rightfully, of Members of Congress, “Okay. So you have identified a problem or you are complaining about a problem. What is your solution to it?” So I want to talk about that for a second.

But a few more examples on the Facebook group, because I really want our colleagues to have a sense of how deep this problem is and that it is not just imaginary.

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This is right here in writing, in pictures, and in language.

There was a post, and this is one of the milder posts, but it is a meme. The language on the meme says: “You know what? I’m just going to say it. . . Hondurans have the stupidest names ever.” Again, this is either a current or former Border Patrol agent.

One more, and before I read this, I want to explain something. In Border Patrol, they have their own language. One of the slurs that they use talking about the desperate people who are presenting themselves is the word “tonk.” People probably wonder what that means. The word is supposed to be what it sounds like when they hit one of these folks over the head with a flashlight. It makes that sound, “tonk.” They are using that as a slur to describe the folks who are at the border.

The meme is a picture of red, dead meat laid out flat. The caption says, “Little tonk blanket ideas!” I mean, this is sick stuff. I told McAleenan that some of these people need to be taken off the beat. These people, some of them are clearly a danger to human life, in the way they are talking and acting.

Combine that with a system where there is hardly any accountability, if any accountability at all, and it is very dangerous, very dangerous not only for the people who come into their care but dangerous for their coworkers as well. These good agents are overrun. When they try to do the right thing, try to report abuse, try to report neglect, try to report maltreatment, they are thwarted, or by higher up in Border Patrol who take that information and do absolutely zero.

What happens? A lot of people then figure: “Well, nothing is going to happen if I actually report it, and there is a chance that if these people find out I am reporting it, they are going to take retribution against me.”

There is a whole group of people who are working in the system who actually want to do the right thing, do their jobs honestly, who are undercut, thwarted, and slowly brought into this rotten culture because the people at the top will not do anything to change it.

Madam Speaker, Mr. GOMEZ mentioned some of the solutions. He mentioned the supplemental bill. Since the Trump administration coming forward and asking for billions of dollars more in funding because, it argued: There is a surge at the border; there are more people coming; so we need more money for ICE, CBP, and HHS, which are the kids.

There was a House version of that bill. There was a Senate version of that bill. The Senate bill is what finally passed.

As Mr. GOMEZ mentioned, a big concern that we had was that this President likes to play games with funding in this administration. They like to take money that Congress appropriates for one purpose and then go use it for something else.

Madam Speaker, Mr. GOMEZ knows, the biggest example of that was when they wanted to take this military money and use it to build a wall.

When I was in law school, and maybe every law student studied this, there is, of course, a famous jurist, Oliver Wendell Holmes. In legal theory, he had this “bad man” theory. The idea was that laws needed to be written in such a way that somebody who has no love for seekers. They are looking to take advantage of any little crack in the law that he can, we need to write a law that prevents that from happening. Right now, we are not in that situation because the Trump administration is able to do all these things and move money around.

One of the big problems we had was a lack of guardrails. They could take this humanitarian aid and, instead of using it for humanitarian purposes, direct it toward a wall, or toward something else, toward more ICE beds, toward more HHS beds so that the private contractors who run Homestead and who also run private prisons can make another $75 a day per child because they are growing their number by 3,000, 4,000, 5,000, 10,000 people.

Madam Speaker, I yield to the gentleman.

Mr. GOMEZ. Madam Speaker, Mr. CASTRO makes a good point regarding the guardrails, the funding.

One of the things that I would like to point out is if this administration, this President, as he claimed, was the only one who could solve this problem, then why hasn’t it been solved?

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We are seeing this crisis get worse and worse, and my fear is that we haven’t hit the bottom yet. Until Congress steps in and puts those guardrails in place until we flex our constitutional muscle, we are going to see things deteriorating further.

Madam Speaker, Mr. GOMEZ of Texas. Madam Speaker, in order to make sure that we start to solve this problem, there is legislation that the Congressional Hispanic Caucus and others are pushing immediately.

There are a few specific things that we need to do. One of them is that we need to raise standards of care. Many of us went out to Antelope Wells, New Mexico, parts of rural New Mexico, and we witnessed that CBP is understaffed, underprepared, and under-resourced to handle medical emergencies by these asylum seekers, the folks who come in with medical emergencies. Maybe they go into diabetic shock. They encounter some respiratory illness, and they are very sick.

It is not that they were unprepared to handle medical emergencies by asylum seekers. They were very unprepared to handle emergency situations by their own workers, Federal employees, CBP agents.

Dr. RAÚL RUIZ, also from southern California, is an emergency room medical doctor. He was in Haiti after the earthquake. He has been in disaster situations. He and his staff have done an excellent job and spent a lot of time coming up with legislation that raises those standards of medical treatment and other care.

We believe, based on everything that we have seen, that some of these deaths of these young children could have been prevented if the standards of medical care had been raised instead of being lowered.
care had been appropriate and if these kids had just been treated better. We have to raise the standard of care.

When we went over to Antelope Wells, they get 200 people who come to present themselves for asylum. They put them in a car port. They have 200 people there, including some infants, toddlers, et cetera.

What do they give them to eat? They give them frozen burritos that they heat up, frozen burritos for a 3-year-old.

Pumping more cash into the system is not the full answer to this. We don’t just pump more cash into the system so they can buy people burritos and still not have nurses and doctors when there is an emergency. We have to raise the standard of care.

The second part is that we have to move people through the process faster. Remember, I said that with President Trump and the zero-tolerance policy, the remain-in-Mexico policy, all this stuff, it has created a situation where people are being held longer.

When we saw these dozen or so Cuban women who were in this cell at El Paso Border Station 1, some of them had been at that Border Patrol station for 50 days. They said they had not showered or taken a bath for over 15 days. Some were grandmothers. Some had been separated from their kids and didn’t know where their kids were. There were a few who said they had been given their prescription medication. One of them had epilepsy, and she said she had not gotten her medication for epilepsy.

We walked over to what is this steel toilet, because it is basically like a prison cell. They are sleeping on concrete floors. There are painted cinder-block walls. We go over to this steel toilet. Directly above it, it has a sink. The sink is not working. There is no sink.

All these people going to the restroom, they can’t wash their hands because the sink doesn’t work. They are staying there many, many, many days, well beyond what the law prescribes and the court settlements have prescribed for how long somebody should be staying there.

The final piece, as we know, is a longer term thing, which is that we believe the United States and other countries in the Western Hemisphere—and I believe we all recognize—lies from around the world because whenever there is some major crisis in some other part of the world, those nations ask the United States to help out. We should ask the same of those countries when something happens in the Western Hemisphere, in this case, in Central America.

My point is that we need to make serious investments in the Northern Triangle countries of Central America because we don’t believe that these people want to leave their homes to make a 1,200-mile journey to the United States if they don’t have to, if they weren’t so desperate, if they weren’t fleeing violence, if they weren’t fleeing oppression. But that is where they find themselves.

By the way, one more point on this: The President wants to spend billions and billions of dollars on the wall but put this aside. Over the last several years has committed only hundreds of millions of dollars in Central American aid.

I was speaking with Matt Cartwright, the other day, our colleague from Pennsylvania. He made a great case about those billions, the billions of dollars that we are spending on a wall and used that as seed money to start investing in Central America, what we would do is help create safety and opportunity in those countries so that people don’t feel the need to come to the United States, and we wouldn’t have a surge of migration.

Like I said, I think those people want to stay in their countries.

Also, Madam Speaker, even a few days ago, I saw an article where there was a very famous columnist, a writer who made the case that this is a different situation. This migration from Central America is a different situation from refugees who have fled to the United States in previous generations.

He put it, in his point about not being state-sponsored oppression.

I believe that kind of thinking is an anachronism. It is old thinking.

The fact is, somebody who is living in Central America or anywhere around the world, they feel oppressed and put in danger and have their life threatened and the lives of their family threatened systematically by a drug gang or a drug lord and these groups as some dictator did in the 1960s or 1970s in some other country.

I believe that threats to people have evolved, that the refugee situation, the asylee situation, has evolved and that the United States should recognize that evolution, just like other things have evolved.

We should recognize that evolution and recognize that the threats these people are facing, even though it may not be coming directly from the Central American governments, are just as dangerous as people who were fleeing Vietnam in the 1970s or are just as dangerous as the Cubans who were fleeing the dictatorial Castro regime in the early 1960s. We should recognize that.

Madam Speaker, I yield to the gentleman.

Mr. GOMES. Madam Speaker, I want to stress a few points.

Mr. CASTRO mentioned that this administration hasn’t invested in aid to the Northern Triangle countries. One of the things that we need to recognize is that the zero-tolerance policy isn’t working. It might feel good for hardliners to say: “It is zero tolerance. We are not going to take it anymore. We are going to push back.” But it is not solving the problems. For example, the statistics show that net migration from Mexico to the United States is zero. In some instances, it has declined, where more Mexican nationals are returning to Mexico than ever before.

Why is that? Mexico still has issues regarding security, but its economy has built up more and more.

Mr. GOMES. I have family members who are in Mexico, and they have no desire to move to the United States because they believe that their opportunity there is just as good as it is here.

So imagine if we want to be serious about tackling the issue of undocumented immigration to the United States, especially from Latin American countries. The way you do it is first, of course, creating a comprehensive immigration reform here in this country but, at the same time, investing the resources and the policies that build up the economies of Latin America, thereby creating a situation where people feel that, instead of risking their lives to get here, they would rather stay at home.

That is one thing that this administration doesn’t understand, but we also need to highlight for the American people. The zero-tolerance policy, the tough on undocumented immigration hasn’t worked.

Mr. CASTRO of Texas. In fact, more people have come since the announcement of that policy. It is an abject failure.

Mr. GOMES. And they know about the conditions on the border, they know about the risk that they are taking, but they are leaving some desperate situations. So the way you make it so that they don’t want to leave is that you make things better for them at home.

Some folks will say, well, that is not our responsibility; that is the responsibility of their home countries. But if you want to be a political realist about how we solve it, you have international aid, almost a Marshall Plan, for Latin America in order to build up their countries, their economies, their infrastructure, their training, and then make sure that we have a system here that has enough legal immigration in order for people to not try to come into this country illegally.

Mr. CASTRO of Texas. Absolutely. We talked about that piece, basically a Marshall Plan for Central America, the investment. And Zoe Lofgren, another member of yours from California—northern California, San Jose—has got legislation that addresses, essentially, the start of a Marshall Plan for Central America, which I believe she has filed already.

And I mentioned RAUL RUIZ’s bill on lifting standards.

Another bill that we are pushing very strongly is the accountability piece. We were talking about the CBP officers and the fact that I can’t tell whether there is any legitimate accountability over there. My colleague from Texas, VERONICA ESCOBAR, who represents El Paso, has got a bill on accountability that she has also filed.
So we are pushing these pieces of legislation really hard, working with the Speaker and others, to try to get some of them passed before the end of this July, before we go on the long August recess.

My congressional colleagues, like Congresswoman CASTRO of Texas, Rep. GURMAN of Pennsylvania, and Rep. BARRAGÁN of California, have been leading the way.

Mr. GOMEZ. And we know, because of that, you have a situation where people are getting sick in these facilities, and then putting the kids and the people whose immune systems are compromised into more vulnerable positions.

We definitely have a lot of work to do, but in order to do that, we need to make sure that the American people know what is going on, to tell the story and to not let people forget about the kids who have passed away: Wilmer, Carlos, Juan, Felipe, Jakelin, Yulio Castro-Garrido.

You have a situation where people are getting sick in these facilities. People might say: But what I noticed was, in their cell, or you recycle and you get another one. They were making these people use the same paper cups day after day. For what?

Mr. CASTRO of Texas. That is absolutely right.

These folks may not be citizens, they are not legal residents when they arrive there, but they are human beings. This is the most powerful, prosperous, and, we believe, humane country on the face of this Earth. We should be treating them a lot better than we are treating them. I firmly believe that the overwhelming majority of Americans believe that, regardless of their politics.

Madam Speaker, Mr. GOMEZ read the names of the six children who have died over the last several months. Over the last few years, there have been about 25 additional deaths. I’ve only been able to find 16 of their names, but I want to read their names also to remember them:

Ylim Alexis Baiderramos-Torres;
Johana Medina Leon;
Simratpal Singh;
Abel Reyes-Clemente;
Guerman Volkov;
Mergensana Amar;
Wilfredo Padrón;
Augustina Ramirez-Arreola;
Efrain Juan; 
Yuy Chi Tran;
Zeresenay Ermias Testfatsion;
Roaxa Hernandez;
Ronald Cruz;
Gourgen Mirimanian;
Luis Ramirez-Mancano, and
Yulio Castro-Garrido.

May all of them rest in peace. May the children who also died rest in peace. They were doing what people throughout the generations have tried to do, to flee oppression, violence, and desperation. They were trying to make it to the United States of America. They were trying to live in the United States of America, and they died.

Madam Speaker, I yield back the balance of my time.

ADJOURNMENT

Mr. CASTRO of Texas. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o’clock and 39 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 11, 2019, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

1547. A letter from the Deputy General Counsel, Office of the General Counsel, Department of Education, transmitting the Department’s final Definitions and Requirements for the American Native Education Act, ANE, Program (Docket ID: ED-2018-OESE-0122; CFDA Number: 84.356A) received July 3, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 106-121, Sec. 261; (110 Stat. 868); to the Committee on Education and Labor.


1549. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Review of the Dust-Lead Hazard Standards and the Definition of Lead-Based Paint (EPA-HQ-OPPT-2018-0156; FRL-9995-49 (RIN: 2070-JA82) received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 261; (110 Stat. 868); to the Committee on Energy and Commerce.

1550. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Removal of Allegheny County Regulations--Expanding Opportunity Through Quality Charter School Program (CSP)—Grants for Credit Enhancement for Charter School Facilities (RIN: 1910-AB56); FRL-9995-77-Region 3) received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 261; (110 Stat. 868); to the Committee on Energy and Commerce.

1551. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Idaho: Authorization of the Office of the General Counsel, Department of Labor.

1552. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Alaska Native Education (ANE) Program Revisions (EPA-R10-RCRA-2018-0298; FRL-9995-57-Region 10) received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1553. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Valifenalate; Pesticide Tolerances (EPA-HQ-OPPP-2017-0417; FRL-9994-83) received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1554. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Valleyfenate; Pesticide Tolerances (EPA-HQ-OPPP-2017-0417; FRL-9994-83) received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1555. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Removal of Allegheny County Requirements Applicable to Gasoline Volatility
in the Allegheny County Portion of the Pittsburgh-Beaver Valley Area [EPA-R03-OAR-2019-0144; FRL-9996-04-Region 3] received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 888); to the Committee on Energy and Commerce.

1554. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the AGENCY's final rule — Air Plan Approval: North Carolina; Permit Term or Non-Title V Air Quality Permits [EPA-R04-OAR-2018-0769; FRL-9995-85-Region 4] received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 888); to the Committee on Energy and Commerce.


1556. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the AGENCY's final rule — Air Plan Approval: Alabama; Birmingham–Shoals Area [EPA-OAR-2017-0371; FRL-9995-94-Region 4] received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 888); to the Committee on Energy and Commerce.

1557. A letter from the Secretary, Department of the Treasury, transmitting the AGENCY's final rule — Report of the Proceedings of the Judicial Conference of the United States for the March 2019 session; to the Committee on the Judiciary.


1559. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: The Boeing Company Airplanes [Docket No.: FAA-2019-0407; Product Identifier 2018-NE-06-AD; Amendment 39-19645; AD 2019-11-09 (RIN: 2120-AA65) received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 888); to the Committee on Transportation and Infrastructure.

1560. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: The Boeing Company Airplanes [Docket No.: FAA-2019-0407; Product Identifier 2019-NE-15-AD; Amendment 39-19645; AD 2019-11-09 (RIN: 2120-AA65) received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 888); to the Committee on Transportation and Infrastructure.

1561. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: The Boeing Company Airplanes [Docket No.: FAA-2019-0407; Product Identifier 2019-NE-15-AD; Amendment 39-19645; AD 2019-11-09 (RIN: 2120-AA65) received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 888); to the Committee on Transportation and Infrastructure.

1562. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: The Boeing Company Airplanes [Docket No.: FAA-2019-0407; Product Identifier 2019-NE-15-AD; Amendment 39-19645; AD 2019-11-09 (RIN: 2120-AA65) received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 888); to the Committee on Transportation and Infrastructure.

1563. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: The Boeing Company Airplanes [Docket No.: FAA-2019-0407; Product Identifier 2019-NE-15-AD; Amendment 39-19645; AD 2019-11-09 (RIN: 2120-AA65) received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 888); to the Committee on Transportation and Infrastructure.

1564. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives: The Boeing Company Airplanes [Docket No.: FAA-2019-0407; Product Identifier 2019-NE-15-AD; Amendment 39-19645; AD 2019-11-09 (RIN: 2120-AA65) received June 28, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 888); to the Committee on Transportation and Infrastructure.

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PUBLIC BILLS AND RESOLUTIONS
Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KIM (for himself and Mr. BURCHETT):
H.R. 3661. A bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes; to the Committee on Small Business.

By Mrs. MCBATH (for herself, Ms. FINKENSAUER, Ms. PORTER, Mrs. AXNE, Ms. DAVIDS of Kansas, and Ms. SCANLON):
H.R. 3662. A bill to amend the Higher Education Act of 1965 to ensure that student borrowers are provided relief from their student loans in the instance of substantial misrepresentation or omission by an institution of higher education; to the Committee on Education and Labor.

By Mr. COHEN (for himself, Mr. ESPAILLAT, and Mr. GALLEGO):
H.R. 3663. A bill to establish the complete streets program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HECK (for himself, Mr. COLLE, Ms. DELBENE, Ms. HAALAND, Ms. HERRERA BEUTLER, Mr. KILMER, Mr. KIND, Mr. KUO, Mr. NEWHOUSE, and Ms. TORRES of California):
H.R. 3664. A bill to direct the Community Development Financial Institutions Fund to perform an outreach program for the new markets tax credit to underserved communities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WILLIAMS (for himself and Mr. DRTCUT):
H.R. 3665. A bill to establish a grant program to encourage schools to conduct independent facility security risk assessments and make hard security improvements, and for other purposes; to the Committee on the Judiciary.

By Mr. STIVERS (for himself, Mr. FOSTER, Mr. MCLINTOCK, Ms. VELAZQUEZ, Mr. BAHN, MR. BURDENS, Mr. HURST, Ms. KEAN, Mr. HURT, Mr. JOYCE of Ohio, Mr. KING of New York, Mr. NORMAN, Mrs. WATSON COLEMAN, Mr. SIUOZZI, Mr. PETERS, Mr. GOSAR, and Mr. DAVIDSON of Ohio):
H.R. 3666. A bill to strengthen the position of the United States as the world’s leading innovator by amending title 35, United States Code, to protect the property rights of the inventors that grow the country’s economy; to the Committee on the Judiciary.

By Mr. MORELLE (for himself, Mr. KATKO, Mr. ESPAILLAT, Ms. OMAR, and Mr. ADAMS of New York):
H.R. 3667. A bill to create a new Federal grant program that provides grants to State libraries to allow schools with summer lunch programs to keep their libraries open for student use during the summer months; to the Committee on Education and Labor.

By Ms. JUDY CHU of California (for herself, Ms. ADAMS, Mr. GELALVA, Mr. LEVIN of Michigan, Ms. JAYAPAL, Ms. WILD, Ms. BONAMICI, Ms. O’MARA, Mr. MCGOVERN, Mr. TAKANO, Mr. DESALVADORI, Mr. DANNY K. DAVIS of Illinois, Ms. NORTON, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. KATKO, Mr. ARMSTRONG, and Mr. JOHNSON of Alabama):
H.R. 3668. A bill to direct the Occupational Safety and Health Administration to issue an occupational safety and health standard to protect workers from heat related illnesses; to the Committee on Education and Labor, and for other purposes.

By Ms. SLOTKIN (for herself, Mrs. DINGELL, Mr. RYAN, Miss NEW of New York, Mr. PAPPAS, Mr. KATKO, Mr. ARMSTRONG, and Ms. MENG):
H.R. 3669. A bill to require the Secretary of Homeland Security to conduct a collective response to a terrorism exercise that includes the management of cascading effects on critical infrastructure during times of extreme cold weather, and for other purposes; to the Committee on Homeland Security.

By Mr. THOMPSON of Mississippi:
H.R. 3670. A bill to amend the Homeland Security Act of 2002 to ensure access to appropriate medical supplies, food, and water for individuals apprehended by U.S. Customs and Border Protection, and for other purposes; to the Committee on Homeland Security.

By Mr. ARMSTRONG (for himself, Mr. BISHOP of Utah, and Mr. PETERSON):
H.R. 3671. A bill to amend the FAST Act to improve the Federal permitting process, and for other purposes; to the Committee on Natural Resources.

By Mr. BRINDISI (for himself, Mr. CORREA, Mrs. NOLAN, Ms. STEFANIK, and Mr. PAYNE of New York):
H.R. 3672. A bill to provide relief for small rural hospitals from inaccurate instructions provided by certain medicare administrative contractors; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:
H.R. 3673. A bill to require congressional approval of certain trade remedies, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARMSTRONG (for himself, Mr. CORREA, Mrs. WATSON COLEMAN, and Ms. SLOTKIN):

By Mr. KHANNA (for himself, Mr. FITZPATRICK, Ms. ESCH, Ms. CLARKE of New York, Mr. WELCH, and Mr. LUJAN):
H.R. 3676. A bill to require the Secretary of Homeland Security to conduct an assessment and analysis of the effects of broadband deployment and adoption on the economy of the United States, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TORRES of California:
H.R. 3677. A bill to amend the Safe Drinking Water Act to improve transparency under the national primary drinking water regulations for enforceable water quality standards and for other purposes; to the Committee on Energy and Commerce.

By Mr. KRISHNAMOORTHI:
H.R. 3678. A bill to direct the Director of National Intelligence to submit to Congress a report on fifth-generation wireless network technological advancements; to the Committee on Intelligence (Permanent Select).

By Mr. KRISHNAMOORTHI:
H.R. 3679. A bill to direct the Director of National Intelligence to carry out a prize competition to stimulate research and development relevant to 5G technology; to the Committee on Science, Space, and Technology, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KUSTOFF of Tennessee (for himself, Mr. FLEISCHMANN, Mr. DAVID P. ROE of Tennessee, Mr. DESJARLAIS, Mr. BURCHETT, Mr. COHEN, Mr. COOPER, Mr. GREEN of Tennessee, and Mr. JOHN W. ROSE of Tennessee):
H.R. 3680. A bill to designate the facility of the United States Postal Service located at 415 Main Street in Henning, Tennessee, as the "Paula Roby Community Memorial Post Office Building"; to the Committee on Oversight and Reform.

By Mr. LEVIN of California:
H.R. 3681. A bill to establish the Green Spaces, Green Vehicles Initiative to facilitate the installation of zero-emissions vehicle infrastructure on National Forest System lands, and National Parks, and certain related land, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Agriculture, the Environment, and Transport, and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUJAN:
H.R. 3682. A bill to provide for greater consultation between the Federal Government and the governing bodies of land grant-mercedes and acequias in New Mexico and to provide for a process for recognition of the historic-traditional boundaries of land grant-mercedes, and for other purposes; to the Committee on Natural Resources.

By Mr. SEAN PATRICK MALONEY of New York:
H.R. 3683. A bill to amend the Central Intelligence Agency Act of 1949 to provide death benefits to the survivors of certain individuals, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. O’HALLORAN (for himself, Mr. COLE, and Mr. JOHNSON of South Dakota):
H.R. 3684. A bill to repeal certain obsolete laws relating to Indians; to the Committee on Natural Resources.

By Ms. OCASIO-CORTEZ:
H.R. 3685. A bill to reform the screening and eviction policies and procedures in Federal housing assistance in order to provide fair access to housing, and for other purposes; to the Committee on Financial Services.

By Mr. RUIZ:
H.R. 3686. A bill to amend the Federal Election Campaign Act of 1971 to prohibit a candidate and an immediate family member of the candidate, or an immediate family member of any candidate’s campaign to make payments to vendors or controlled by the candidate or an immediate family member of the candidate; to the Committee on House Administration.
employees of the legislative branch for airline accommodations which are not coach-class accommodations, and for other purposes; to the Committee on House Administration.

By Mr. RUZICKA:

H.R. 3688. A bill to amend the Ethics in Government Act of 1978 to require the President, Vice President, and Cabinet-level officers to release their tax returns, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALSALSA (for herself and Mr. WALKER):

H.R. 3689. A bill to prohibit States from suspending, revoking, or denying State-issued professional licenses or issuing penalties due to student default; to the Committee on Education and Labor.

By Mr. SMUCKER:

H.R. 3690. A bill to authorize the Secretary of Health and Human Services to provide services for birthmothers who are placing or have placed a child for adoption, and for other purposes; to the Committee on Education and Labor.

By Mr. MULVEY (for himself and Mrs. MARCHANT):

H.R. 3691. A bill to require the TSA to develop a plan to ensure that TSA material disseminated in major airports can be better understood by more people accessing such airports, and for other purposes; to the Committee on Homeland Security.

By Mrs. TORRES of California:

H.R. 3692. A bill to amend the Higher Education Act of 1965 to provide greater access to higher education for America’s students to eliminate educational barriers for participation in a public service career, and for other purposes; to the Committee on Education and Labor.

By Mrs. WATSON COLEMAN (for herself, Ms. TLAIB, Ms. BASS, Mr. BUTTERFIELD, Mr. BISHOP of Georgia, Ms. FUDGE, Ms. JOHNSON of Texas, Ms. PRESSLEY, Ms. NORTON, Ms. OMAR, Mr. THOMPSON of Mississippi, Ms. KELLY of Illinois, and Ms. GARCIA-CORTÉZ):

H.R. 3693. A bill to prohibit private passenger automobile insurers from using certain income proxies to determine insurance rates and eligibility; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CHENEN:

H. Res. 481. A resolution electing Members to certain standing committees of the House of Representatives, and agreed to, considered and agreed to.

By Mr. BLIRAKIS (for himself and Mrs. CAROLYN B. MALONEY of New York):

H. Res. 482. A resolution expressing the sense of the House of Representatives regarding United States efforts to promote peace and stability in the Gulf region between and among our United States allies; to the Committee on Foreign Affairs.

By Mr. GALLAGHER (for himself and Mr. KIND):

H. Res. 483. A resolution recognizing the important role and effectiveness of veteran-to-veteran sponsorship programs; to the Committee on Veterans’ Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KIM:

H.R. 3661. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

By Mr. COHEN:

H.R. 3663. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

By Mr. WILLIAMS:

H.R. 3665. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

By Mr. STIVER:

H.R. 3666. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

By Mr. MORELLE:

H.R. 3671. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

By Mr. SLOTKIN:

H.R. 3669. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

By Mr. ARMSTRONG:

H.R. 3671. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause “to regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.”

By Mr. RHINDT:

H.R. 3672. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

By Mr. CUNNINGHAM:

H.R. 3673. Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mrs. DAVIS of California:

H.R. 3674. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. KATKO:

H.R. 3675. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the US Constitution.

By Mr. KUSTOFF of Tennessee:

H.R. 3677. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the US Constitution.

By Mr. KILDEE:

H.R. 3677. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the US Constitution.

By Mr. KRISHNAMOORTHI:

H.R. 3678. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1 of the Constitution.

By Mr. KRISHNAMOORTHI:

H.R. 3678. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1 of the Constitution.

By Mr. KUSTOFF of Tennessee:

H.R. 3678. Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, the Necessary and Proper Clause. Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. LEVIN of California:

H.R. 3678. Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, the Necessary and Proper Clause. Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or officer thereof.
By Mr. Luján:
H.R. 3682.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.
By Mr. Sean Patrick Maloney of New York:
H.R. 3683.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.
By Mr. Ruiz:
H.R. 3684.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution, see Mr. Ruiz.
H.R. 3689.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.
By Ms. Meng:
H.R. 3685.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.
By Mr. Vargas:
H.R. 3686.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.
By Mrs. Torres of California:
H.R. 3687.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.
By Mr. Smucker:
H.R. 3690.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.
By Ms. Titus:
H.R. 3691.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.
By Ms. Shalala:
H.R. 3699.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper to carry out the powers of Congress.
By Mr. Smucker:
H.R. 3692.
Congress has the power to enact this legislation pursuant to the following:
According to Article I, Section 8, Clause 18 of the United States Constitution, see below, this bill falls within the Constitutional Authority of the United States Congress.
By Mrs. Torres of California:
H.R. 3693.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mrs. Watson Coleman:
H.R. 3695.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution, to provide for the general welfare and make all laws necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
Public Bills and Resolutions as follows:

H. Res. 480: Ms. Fudge and Mrs. Napolitano.
H. Res. 478: Mr. Golden, Mr. Rodney Davis of Illinois, Mrs. Lue of Nevada, Mr. McNeill, Mr. Cloud, Mr. Posey, Mr. Scott of Virginia, Mr. Walden, and Ms. Adams.
H. Res. 480: Ms. Fudge and Mrs. Napolitano.

Deletions of Sponsors from Public Bills and Resolutions

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1078: Mr. Brindisi.
The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.
Eternal Spirit, may our lawmakers delight today in Your guidance, finding joy in their fellowship with You, Lord, strengthen them by this fellowship, enabling them to be like productive trees planted by streams of water.

Lord, give our Senators the wisdom to live for Your glory, using them to provide deliverance for captives and freedom for the oppressed.
In you, O God, we find refuge. Continue to guide us, strong deliverer, for we are pilgrims in this life.
We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE
The President pro tempore led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Iowa.
Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 60 seconds as in morning business.
The PRESIDING OFFICER. Without objection, it is so ordered.

EAGLES ACT
Mr. GRASSLEY. Madam President, we are all very much concerned about several mass instances of violence around the country. The Secret Service has a program of alerting people to some of those things and training people.

Understanding the common factors of the past acts of mass violence can help us prevent future tragedies. The Secret Service, through its National Threat Assessment Center, compiles and studies data on these risk factors.

Yesterday, the Secret Service released a report entitled “Mass Attacks in Public Spaces,” which confirms that there are often warning signs before targeted violence.

Following up on the expertise of the Secret Service, I introduced a bill that goes by the acronym EAGLES Act to expand the National Threat Assessment Center to conduct additional research and training to prevent targeted violence.

Congress should pass this law to help stop violence before it happens. I yield the floor.

RECOGNITION OF THE MAJORITY LEADER
The PRESIDING OFFICER. The majority leader is recognized.

ELECTION SECURITY
Mr. McCONNELL. Madam President, later today, all Senators will have the opportunity to receive a classified briefing on an issue of huge national importance: the security and integrity of our elections.

It is fitting that today’s session be one bipartisan, all-Member briefing because, while it is a cliche to say that certain priorities ought to be above partisan squabbling, I know that every one of us shares a genuine concern in maintaining the process through which American democracy plays out.

Those of my colleagues who have read the January 2017 intelligence assessment and the Mueller report will understand that it is precisely our unity and our faith in our democratic system that Vladimir Putin seeks to undermine.

Along with Americans’ First Amendment rights to express themselves and speak out, there are few things more fundamental to the maintenance of our Republic than the electoral process itself.

Thomas Paine wrote, “The right of voting for representatives is the primary right by which other rights are protected.”

So preserving and protecting the elections that our State and local authorities conduct is a crucial task. From the Federal Government’s perspective, States are firmly in the lead, sometimes that means lending a hand to local authorities. Obviously, during the Civil Rights era, for example, some Federal guidelines were necessary to preserve integrity.

But many other times, doing the right thing means defending against interference, be it political interference in the constitutionally protected role of the States to conduct elections by politicians and bureaucrats here in Washington or, certainly, interference from America’s adversaries abroad.

In 2016, Vladimir Putin sought to interfere in our elections. I have read the intelligence reports. I have read the Mueller report. I have talked with our Intelligence Committee, which has investigated this indepth and has a report coming out soon.

It is important to put Putin’s efforts to interfere in our democracy in context because he didn’t just decide in 2016 to take such a bold step. He kind of worked up to it, undermining an array of U.S. interests slowly but surely over 8 years of the previous administration’s misguided approach to Russia.

Under President Obama, the U.S.-Russia relationship seemed to be defined by two constants: Putin’s growing assertiveness in foreign meddling and the administration’s failure to confront it.

Putin’s 2008 invasion of the sovereign country of Georgia was met by the so-called reset in 2009, which swept the aggression under the rug. The United States may have reset our policy to
Moscow’s efforts to increase European
ons denied to them by the previous ad-
Georgia and Ukraine with arms to de-
ations. We have taken steps to provide
s and further damaged by sequestra-
begun to rebuild our military strength,
national security and defense strate-
active measures. We have adopted new
ship will not prevent America from
ized—demonstrate that such a relation-
tration continued full bore.

There was also President Obama’s re-
response to Putin’s invasion of Ukraine
in 2014. Do any of my colleagues believe
administration’s response to that
outrageous assault on the sovereignty
and the international order?
There was the debacle with the Presi-
redline in Syria, which turned out to be
like a red carpet for Russia’s influence in
and the Middle East.
And there was the President telling Putin’s puppet Medvedev that he could
have more “flexibility” to treat Russia
differently once he became a lameduck.
All during a President who
thought it was a clever laugh line to
mock our now-colleague Senator Rom-
ny for correctly labeling Russia as a
threat.
The consequences of American weak-
ness toward Russia were numerous.
The more Obama gave, the more Putin
 took.
Among those consequences, as we all
know, was that Putin felt sufficiently
emboldened to seek to interfere in our
2016 Presidential election. Through ef-
forts to divide Americans on social
media and to hack a political party,
agents of a foreign government sought
to inject division, doubt, and chaos
into our democracy—a sad and embar-
rassing episode.

President Trump has expressed an in-
interest in a better relationship with
Russia, but the actions his administra-
tion has taken—which he has author-
ized—demonstrate that such a relation-
ship will not prevent America from
pushing back against Russian aggres-
sion.
The administration has pushed back
against Russia in meaningful ways, im-
posing new costs on Putin and his cro-
nes. Of their malignant activities and im-
proving our defenses against Russian
active measures. We have adopted new
national security and defense strate-
gies that treat Russian aggression like
the serious threat that it is. We have
begun to rebuild our military strength,
which was eroded by years of budget
cuts and further damaged by sequestra-
tion. We have taken steps to provide
Georgia and Ukraine with arms to de-
fend against Russian aggression—weapons
denied to them by the previous admin-
istration—due to bipartisan support from Congress. We worked to block
Moscow’s efforts to increase European
reliance on Russian oil and gas. Sec-
retary Mattis led efforts—continued by
his successors—to reform and strengthen
NATO.

So important changes are underway
at the strategic level. Now we are back
projecting the strength, principle,
and resolve that America ought to
project.

In addition, the Trump administra-
tion has also punched back in very spe-
cific ways in response to the election
interference that happened on the pres-
ident’s watch. Thanks to the work of the Special Counsel
and the Department of Justice, 28 Russian
nationals, intelligence officers, and
corporate interests were indicted for
their participation in the interference.
And in 2018, the administration ex-
pelled another 60 Russian agents in
response to the poisoning of a former of-
icial living in the United Kingdom.
These agents are no longer free to
conduct intelligence operations or active
measures here in America.

These are important steps that pertain to our broader foreign pol-
icy efforts to defer future threats, but
there has also been significant work
done specifically on our election secu-
 rity. The administration worked quick-
l y to address vulnerabilities and ensure
that 2018 wouldn’t be a reprise of 2016.
The administration directed re-
 sources through the Department of
Homeland Security to help local elec-
tion authorities implement stronger
cybersecurity measures. Information
 sharing was streamlined between DHS,
FBI, and State and local officials.
They worked hard to gain the trust
of State election officials in my State
of Kentucky and around the country
and provide them with valuable infor-
mation through a voluntary informa-
tion-sharing program that has seen
participation from all 50 States and
1,400 localities.

Here in Congress, we appropriated
hundreds of millions of dollars in addi-
tional aid for State governments to
strengthen their systems, and our ef-
forts continue. This year’s Defense
and Intelligence authorization bills include
provisions that will help defend our-
selves and our allies against Russian
aggression.

The administration will brief us
today in classified session about the
many steps U.S. agencies have taken
since 2016 to improve our defenses and
bolster our deterrence against adver-
saries who seek to undermine our
democracy.

The smooth and secure execution of
the 2018 election illustrates the success
of these measures. This was not a coin-
cidence.
Congress has taken even further ac-
tion since then, building new legisla-
tive safeguards to increase trans-
parency and coordination with the in-
telligence community on election secu-
 rity.
In short, it is abundantly clear that
the administration and Congress take
this issue seriously. I look forward to
hearing more from the administration
today about what steps have led to this
greater success and what even further
safeguards they are working on in ad-
 vance of 2020.

Of course, Congress will need to con-
tinue closely monitoring the progress
and assess whether additional legisla-
tive steps might be needed as well. But, as
with any time when Washington politi-
cians are clamoring to grab greater
control over something this important,
we need to make sure this conversation
is clear, calm, sober and serious.

I remember it was President Obama’s
first Chief of Staff who said: “You
never want a serious crisis to go to
waste.” In other words, bad news can
give politicians cover to do things they
have wanted to do for a long time.

Remember, it was only months ago
that the new Democratic majority in
the House decided their top priority
for the entire Congress was a massive
bill I called the Democratic politici-
protection act—a sprawling Federal power
 grab over election law and citizens’
political speech.

Among other provisions, it would
make the FEC, the currently non-
partisan body that regulates political
speech, into a partisan body,
into a party.

They also want to give Washington
more power to prohibit citizens groups
from weighing in on politicians’ job
performance. They have twice passed
bills aimed at centralizing election ad-
ministration decisions in the Federal
Government, in part on the hope that
election attorneys, not voters, will get
to determine the outcome of more elec-
tions—provision after provision that
would erode longstanding safeguards.

That was the huge proposal just a few
months ago.
In light of this, it is interesting that
some of our colleagues across the aisle
seem to have already made up their
minds before we hear from the experts
later today that a brandnew, sweeping
Washington intervention is just what
the doctor ordered.
I, for one, am looking forward to lis-
tening to the experts, to hearing more
about why the Trump administration
was more successful in 2016 than the
Obama administration was in 2016. I
look forward to ensuring that any addi-
tional Federal action actually address-
 the problems at hand; that it pre-
serve, rather than undermine, the care-
f ul checks and balances that have long
been key parts of American democracy
since the beginning.

MEASURES PLACED ON THE
CALENDAR
Mr. MCCONNELL. Madam President,
I understand there are two bills at the
desk due for a second reading en bloc.
THE PRESIDING OFFICER. The
clerk will read the bills by title for the
second time.
The legislative clerk read as follows:
A bill (H.R. 2370) making appropriations
for the Departments of Labor, Health and
Human Services, and related agencies for
the fiscal year ending Sep-
tember 30, 2020, and for other purposes.
A bill (H.R. 3055) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

Mr. McCONNELL. In order to place the measures on the calendar under the provisions of rule XIV, I would object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of T. Kent Wetherell II, of Florida, to be United States District Judge for the Northern District of Florida.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Cramer). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, a new report from NBC News last night detailed the inhumane treatment of migrant children at the Arizona border stations: allegations of sexual assault, retaliation by Customs and Border Protection officers, overcrowding, lack of showers, lack of clean clothes, and lack of space to sleep. The accounts made by dozens of children at these facilities are horrifying and are completely unacceptable.

In the wake of several similar reports about the treatment of migrants by CBP officers in Texas, in the wake of revelations of secret Facebook groups where Border Patrol officers joke about the horrid treatment of migrants, it is abundantly clear that there is a toxic culture at Border Patrol that can only be changed—only be changed—by the immediate firing and replacing of top leadership at the Agency. CBP needs to clean house. The top people at CBP ought to be fired now.

In just a few days on the job, Mark Morgan, the Acting Commissioner, has already shown himself to be far too callous about the way in which children are treated and their family matters. We need committed law enforcement professionals to take over the CBP, particularly those who have training and expertise in working with vulnerable populations.

There are rumors that Mr. Morgan was chosen because he is a tough guy—a tough guy—on kids. But he is a tough guy who will tolerate an out-of-control culture in many parts of the CBP.

It is a perfectly wrong choice for what is going on there. I will say this to President Trump. He is not going to help you. Whatever Americans' views are on immigration, they don't like pictures of little children in squalid and awful conditions, whoever they are.

The Acting Secretary of Homeland Security, Kevin McAleenan, who oversees CBP, needs to take this matter into his own hands. He has shown far more balance, far more expertise, and far more moral courage about the truth—not some ideology—than Morgan or some of the others. He should take this matter into his own hands and pursue changes to the Agency that go beyond mere investigations and reports.

CBP needs a real change in personnel and in leadership, and it needs it now. The reports by NBC News and many others are a stain on this great Nation. We are not perfect. We are a lot better than most everyone else. But in the past, when there was a problem, we didn’t reveal it; we tried to solve it. We cannot allow what is happening at the border to continue.

SOCIAL MEDIA

Mr. President, on another matter, a few weeks ago, we reported that the author of a blandly, virulently anti-Semitic cartoon depicting the Rothschilds and Soros was invited—actually invited to a social media summit at the White House. Up until yesterday, when the White House was asked questions about why he was invited, we didn’t know about it. The White House was asked questions about why he was invited, there was no answer. Reportedly, some in the administration privately defended the invitation of this out-and-out bigot. Only last night when it all became public did the White House—of course—it revoke the invitation. But it is an absolute disgrace that it was extended in the first place and that it took them long to rescind.

And it is a disgrace that the White House has not rescinded the invitations to other individuals planning an anti-Semitic social media summit seeks to advance, entirely Jewish, anti-Semitic, and Islamophobic hate speech is posted online, social media sites, as private companies, should be able to remove that content. But the President seems to believe that when offensive language is coming from a rightwing source and it is taken off social media sites, that is censorship. That is the message this social media summit seeks to advance, and it is un-American.

At the same time, we hear that the White House and congressional Republicans are all too eager to decry anti-Semitism when they perceive it from a political opponent on the left. Well, for those folks who are afraid the White House does something like this? Where are they? It seems some of our friends on the other side of the aisle want to politicize the issue of anti-Semitism, which should be condemned when anywhere, but particularly when we heard silence from our Republican friends when this virulently anti-Semitic cartoonist was invited to the White House—not a peep. And what he did was despicable and reminiscent of what was done here four years ago when dictators took over in Europe.

The White House was right to revoke the invitation. It never should have been issued in the first place. A social media summit designed to give support to the most radical viewpoints on social media should never have been planned by the White House in the first place. It should be obvious, but with this President, unfortunately, the obvious bears repeating: The President of the United States should appeal to the better angels of our nature and not provide support to the basest voices in our society. It is another reason this Presidency is just a disgrace—a disgrace in terms of American values, American morals, and American honesty.

ELECTION SECURITY

Mr. President, now on election security, later this afternoon, Members from both sides of the aisle will take part in an all-Senate briefing on the election security issues faced by our country in the 2020 campaign cycle. We are all no doubt aware of the general threat to our elections from foreign interference. It is crucial to hear from our law enforcement, defense, and intelligence communities about the specific nature of those threats and, just as important—probably more important—how we can counteract them and how we can prevent foreign interference in the 2020 election, which everybody, regardless of party—Democratic, Republican, libertarian, or independent—should want to win and against. This is one of the things the Founding Fathers were most afraid of, that foreign powers would seek to
interfere in our elections. It didn’t seem too much of a problem for decades and centuries, but it has now reared its ugly head—by the way, showing the amazing wisdom of the Washingtons and the Madisons and the Franklins and the Founding Fathers.

The briefing we are going to have should serve as a turning point for this Chamber. It should focus our attention and spark an urgent debate on how to protect our democracy from future attacks. This afternoon should be a springboard for action. So I was amazed to listen to Republican Leader McConnell this morning, who, before the briefing has even taken place, seems to be prejudging the results of the meeting, saying that another Washington intervention in this matter is misguided. I was amazed to hear Leader McConnell take credit for the election security funding which Democrats fought tooth and nail to include in the Appropriations bill and ensuring Americans have absolute protections for people with preexisting conditions.

It is unbelievable that in this Trump administration, unlike any other administration—Democratic or Republican—before it, interference in the election by a foreign power is made political. It is a disgrace.

The briefing provides Members with specific information about what the departments and agencies are doing to combat the threat to our elections and what we ought to do next. After it concludes, we cannot let this issue sit on the back burner. Democrats and Republicans must roll up their sleeves and get to work—the majority leader included.

HEALTHCARE

Mr. President, on healthcare, finally, as oral arguments continue today in Texas v. the United States, we must not lose sight of what is at stake here. Republican attorneys general, with the Trump administration’s full support and backing, are trying to dismantle our healthcare system. They are arguing that millions of Americans—including 133 million Americans under 65 who live with a preexisting condition—should lose their care and their protections.

The lawsuit that President Trump supports and our Republican colleagues refuse to condemn would say to a mother or father of a child with cancer: if the insurance company wants to cut you off, tell you that you can’t get the treatment your kid so desperately needs to live, that is OK.

Where are the Republican voices? We all know the statistics, but there is a human cost and a human story behind each one. Emilie is one of my constituents, and I shared her story on the steps of the Senate yesterday. She was a healthy and active, vibrant young girl at age 7, but her life was turned upside down after a tragic accident. She fell off a horse and suffered a traumatic brain injury. Emilie had to relearn how to walk, how to talk, and how to eat—basics she had to be taught.

The biggest challenge Emilie’s family faced when her private insurance said to her: Only 60 days of rehab, Emilie, and then you are out. It doesn’t matter if you still can’t feed yourself, and it doesn’t matter if you can’t walk. But she was saved because of Medicaid. Medicaid stepped in, and the protections for Americans with preexisting conditions prevailed. Now Emilie has a great chance in the future. But the Trump administration wants to just cut this off?

What is wrong with our Republican friends here? It is the height of hypocrisy for Republicans to plead support for Americans with preexisting conditions during the campaign season and then be silent as the Trump administration sues to take away all protections.

I call on Senate Republicans, for the sake of the Emilie’s and the millions like her, to come out against this reckless lawsuit—a lawsuit that would spell disaster for millions of hardworking, fine citizens in this country.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. THUNE. Mr. President, we just heard the Democratic leader talking about the issue of healthcare and at the same time the President and Republicans for not being supportive of protections for preexisting conditions, and I can tell you that is just not true. I can’t think of a single Republican who doesn’t believe we ought to provide protections for people with preexisting conditions.

Democrats have not acknowledged that ObamaCare has failed, and I think we can all see the evidence of that.

We have seen skyrocketing premiums, copays, out-of-pocket costs, deductibles—all of these things have gone through the roof for a lot of people, particularly in the individual market—as well as a reduction in the number of choices and options. Fewer options and higher costs have been the legacy of ObamaCare, so the Democrats know it has to be replaced. The reason they know it and you can tell it has to be replaced is that they are already out there talking about a proposal—a completely one-size-fits-all, government-run monolithic approach over people’s healthcare in this country called Medicare for All, at a cost of $32 trillion, which I will come back to in just a moment.

The President and his administration have also acknowledged that ObamaCare has failed because of the skyrocketing costs and fewer choices and have chosen to try to get that repealed through the courts. Either way, we are going to be having a discussion about healthcare here and about what is the best system moving forward.

Republicans, of course, as I mentioned, believe we have to protect people with preexisting conditions. Whatever follows in ObamaCare’s wake, I think there is an agreement on both sides of the aisle—both Republicans and Democrats—that preexisting conditions will be covered.

So let’s just take that political argument off the table because that is all it is. It is nothing more, nothing less, nothing else than a political argument made by Democrats when they know full well that Republicans are on the record in support of protecting people with preexisting conditions.

The question is, What will we replace it with? We believe, obviously, that there is a much better approach that gives people more choices, more options, and creates more competition in the marketplace, which would put downward pressure on prices.

The Democrats, as I said, have endorsed and are supporting a $32 trillion government takeover of the healthcare system in this country, which will put enormous costs on the backs of working people in this country. I will come back to that in just a moment.

THE ECONOMY

Mr. President, last Friday we learned that there were 224,000 jobs that were
created in June, the latest piece of good news about our strong economy. Thanks to the historic tax reform we passed in 2017 and our efforts to lift burdensome regulations, our economy has been thriving. Economic growth is up, and wages are growing at the strongest pace in a decade. In fact, the unemployment rate is up, and unemployment is near its lowest level in half a century.

The benefits of this progress are being spread far and wide. Wages for the lowest earning workers are rising faster than for the highest earning workers. Hundreds of thousands of new blue-collar jobs have been created. Unemployment rates for minorities have fallen. The unemployment rates for Asian Americans, African Americans, and Hispanic Americans are all at or near record lows.

The Wall Street Journal notes, “Nearly one million more blacks and 2 million more Hispanics are employed than when Barack Obama left office, and 2 million more Hispanics are employed than when Barack Obama left office, and 2 million more Hispanics are employed than when Barack Obama left office.”

When Republicans took control of the Congress and the White House 2½ years ago, we had one goal: Make life better for working Americans. We knew that Americans had a tough time during President Obama’s administration, and we were determined to put more money in Americans’ pockets and to expand opportunities for working families. That is exactly what we did.

Our tax reform legislation, combined with other Republican economic policies, has created an economy that has lifted up Americans from across the economic spectrum.

There is still more work, of course, that needs to be done. Farmers and ranchers, for example, in places like my home State of South Dakota, are still struggling thanks to years of commodity and livestock prices below production costs, protracted trade disputes, and natural disasters. But overall, American workers are doing better than they have in a long time.

Now we need to focus on preserving and building on the policies that have made life better for American workers over the past 2 years, but that is not what will happen if Democrats have their way. Democrats are not only interested in eliminating a large portion, if not all, of the tax relief that Republicans are pushing. They also have a corresponding benefit for the programs that have already done a lot of work to help pay off their student loans.

As expensive as paying for these policies would be, they pale in comparison to the Democrats’ most expensive socialist fantasy, the Green New Deal, which has been estimated to cost somewhere between $51 and $93 trillion over 10 years—$93 trillion. That is more money than the economic output of every country in the entire world in 2017 combined.

How are Democrats going to pay for these policies? Well, when they have an answer, it usually involves taxing the rich. That is all very well, until one realizes there is no way to pay for these policies just by taxing the rich. Medicare for All alone would ultimately require massive tax hikes on ordinary Americans and on American businesses.

What will be the consequences of that? Well, a substantially lower standard of living for American families who would see their tax bill soar and their take-home pay shrink, plus massive tax hikes would wreak devastation on the economy. Load a small or larger business with new taxes, and its ability to grow, invest, expand, and hire new workers shrinks dramatically. That would mean lower wages, fewer jobs, and reduced opportunities for American families already burdened with new taxes.

Lowering taxes for American families and American businesses has grown Americans’ paychecks and provided them with access to new and better jobs and opportunities. Raising their taxes would have the opposite effect. Yet raising Americans’ taxes is exactly what would happen under the Democrats’ plans.

Let’s hope that Democrats think better of their proposals before the American people are forced to foot the bill. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, throughout my career, dating back to my days as Texas attorney general, I have long been a proud advocate for crime victims’ rights. I believe we all agree that those responsible for men and women impacted by such traumatic events the resources and care they need when they need it.

Right now the Congress has an opportunity to pass two separate pieces of legislation to support victims of sexual assault and domestic violence. Sadly, both bills have been caught in the crosshairs of political jockeying in the House, with Democrats using a tit-for-tat strategy that has frozen both bills. The White House has supported the Debbie Smith Act. The name sake of this legislation is a woman whom I have had the honor of working with many times over the years. She is a fierce advocate for victims of sexual assault.

For many years, her advocacy was born from a personal experience. In 1989, she was abducted from her home and raped in a wooded area. She reported the crime to police and went to the emergency room for a forensic exam. Unfortunately, at the emergency room, the nurse identified her DNA and put it in a forensic database.

Over the years, she was haunted by the fear of repeating what happened to her and wondered who her attacker was and when he would appear again. Channeling that fear and frustration, Debbie Smith went on a mission to eliminate the rape kit backlog. I have no doubt that because of her and the important legislation this Congress has passed for the past 15 years, we were making some pretty incredible progress toward her goal.

In 2004, the Debbie Smith Act was signed into law to provide State and local crime labs with the resources to end the backlog of unsolved crimes. More than $1 billion has been provided to these forensic labs because of this law, and the legislation passed by the Senate in May will provide even greater resources for the program.

While the original purpose of the legislation was to reduce the rape kit backlog, this DNA evidence serves multiple purposes. It enables law enforcement to identify and convict people who commit other violent crimes and takes more criminals off the street. It also has a corresponding benefit for the wrongfully accused. It can actually exclude the people based on the DNA test results in the forensic rape kit.

Because of the Debbie Smith Act, more than 860,000 DNA cases have been
I strongly encourage them to take the meet with leadership in the House, and the House has, once again, chosen to play the Debbie Smith Act freestanding, the cates and victims’ rights groups to pass on both sides of the aisle.

Other victims of sexual assault for obstacle.

That is why it passed the House, in legislation. It includes provisions that the bill that has passed in the House is tantamount improvements in VAWA, and our agree it is time to make some impor-
tant.

But here we are nearly 2 months later reauthorization of the Violence Against Women Act, reauthorization and what that might look like. Unfortunately, they have succumbed to the temptation of playing partisan politics with pretty important legislation and hurting a lot of innocent people in the meantime. I find that absolutely unacceptable.

I would urge our colleague Speaker PELOSI to bring the Debbie Smith Act on a vote and quit using sexual as-

I yield the floor.

NOMINATION OF T. KENT WETHERELL II

Mr. SCOTT of Florida. Mr. President, I proudly support the confirmation of Judge T. Kent Wetherell II to the U.S. District Court for the Northern Dis-

Mr. CORNYN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient se-

The clerk will call the roll. The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Indiana (Mr. YOUNG).

Further, if present and voting, the Senator from Indiana (Mr. YOUNG) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Illinois (Ms. DUCKWORTH), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. SANDERS), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber de-
siring to vote?

The result was announced—yeas 78, nays 15, as follows:

**YEAS—78**

Alexander
Barrasso
Bennet
Blackburn
Boxer
Brown
Burr
Capito
Cardin
Carper
Casey
Cassidy
Collins
Coons
Cory Booker
Cortez Masto
Cotton
Cramer
Crapo
Crus
Daines
Durbin
Enzi
Risi

**NAYS—15**

Baldwin
Bennington
Harris
Hirono
Klobuchar
McConnell
Murray
Paul
Perdue
Portman
Reed
Risch
Roberts
Romney
Rosen
Rubio
Sasse
Sasse
Shabazz
Sensenbrenner
Sullivan
Tillis
Toomey
 Udall
Whitehouse
Wicker

Executive Calendar

The Presiding Officer. The clerk will report the next nomination.
The legislative clerk read the nomi-
ation of J. Nicholas Ranjan, of Penn-
sylvania, to be United States District Judge for the Western District of Penn-
sylvania.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Ranjan nomination?

Mr. JOHNSON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient sec-

The clerk will call the roll. The senior assistant bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Indiana (Mr. YOUNG).

Further, if present and voting, the Senator from Indiana (Mr. YOUNG) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Illinois (Ms. DUCKWORTH), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Mexico (Mr. HEINRICH), and the Senator from Vermont (Mr. SAND-

There are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber de-
siring to vote?

The result was announced—yeas 80, nays 14, as follows:

**YEAS**

Alexander
Barrasso
Bennet
Blackburn
Boxer
Brown
Burr
Capito
Cardin
Carper
Casey
Cassidy
Collins
Coons
Cory Booker
Cortez Masto
Cotton
Cramer
Crapo
Crus
Daines
Durbin
Enzi
Risi

**NAYS**

Baldwin
Bennington
Harris
Hirono
Klobuchar
McConnell
Murray
Paul
Perdue
Portman
Reed
Risch
Roberts
Romney
Rosen
Rubio
Sasse
Sasse
Shabazz
Sensenbrenner
Sullivan
Tillis
Toomey
 Udall
Whitehouse
Wicker

The nomination was confirmed.
The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Wyoming.

EXECUTIVE CALENDAR

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate resume consideration of the King nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate from Wyoming.

HEALTHCARE

Mr. BARRASSO. Mr. President, I come to the floor because Democrats out on the campaign trail continue to spin their one-size-fits-all healthcare plan that they call Medicare for All. The name is misleading. I will state that as a doctor who has practiced medicine in Wyoming for 24 years.

Even many Democrats in the first Presidential debate sounded confused about their own proposal. The candidates were asked a simple question. They were asked to raise their hands if they supported eliminating private health insurance. That is the health insurance people get from work. Just four arms went up over the two nights, but "five candidates who kept their hands at their sides," the New York Times has now reported, "have signed onto bills in [this] Congress that do exactly that—take health insurance away from people who get it from work.

On one point, though, they all raised their hands. That was on the question that was asked of all 10 Democrats in reality of the debate. They all endorsed taxpayer-funded healthcare for illegal immigrants. Every hand went up.

It seems Democrats have actually been hiding their real, radical agenda. "Most Americans don't realize how dramatically Medicare-for-all would restructure the nation's health care system," he said. That is not just me talking; that is according to the latest Kaiser Family Foundation poll. We need to set the record straight, and I am ready to do that right now.

The fact is, Democrats have taken a hard left turn, and they want to take away your health insurance if you get it from work. The proposal abolishes private health insurance, the insurance people get from work. In its place, they would have one expensive, new government-run system. Still, Democrats know most of us would rather keep our own coverage that we get from work. Even the people on Medicare Advantage—30 million people—would lose it under the Democrats' proposal. The Kaiser poll confirms Americans' top concern is, of course, lowering their costs or, as the Washington Post "Health" column put it, people simply want "to pay less for their own health care."

That is what we are committed to on this side of the aisle.

Many Democrats running for President continue to promote and support this radical scheme by Senator SANDERS. The Sanders legislation would take away healthcare insurance from 180 million people who get their insurance through work, through their jobs. In addition, 20 million people who buy their insurance would lose coverage as well.

You also need to know that the Democrats' proposal ends the current government healthcare programs. Medicare for seniors would be gone. Federal employees' health insurance would be gone, TRICARE for the military would be gone, and the children's health coverage also would be gone under this Democratic healthcare, one-size-fits-all plan. That is confirmed by the Congressional Research Service.

The Congressional Research Service recently sent me a formal legal opinion. I requested it from them. It is a formal, legal opinion, stating: Medicare for All "would . . . largely displace these existing federally funded health programs" that I just mentioned—Medicare, Federal employees' health insurance, TRICARE, children's health coverage. It would largely displace these existing Federal health programs as well as private health insurance, the insurance people get from work.

Mr. President, I ask unanimous consent to have printed in the RECORD the

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MEMORANDUM

To: Senator John Barrasso, Attention: Jay Effect

From: Wen S. Shen, Legislative Attorney.

Subject: Effect of S. 1129 on Certain Federally Funded Health Programs and Private Health Insurance.

Pursuant to your request, this memorandum discusses the legal effect of S. 1129, the Medicare for All Act of 2019 (MFAA or Act) on various public and private health care programs or plans. Specifically, the memorandum analyzes whether the MFAA would authorize the following programs or plans to continue in their current form:

- Medicare (including Medicare Advantage and Part D);
- Medicaid (including the Children’s Health Insurance Program);
- TRICARE;
- Plans under the Employee Retirement Income Security Act;
- Individual, Small and Large Group Market Coverage.

For reasons discussed in greater detail below, the provisions in the Act by the MFAA would, following a phase-in period and with some limited exceptions, largely displace these existing federally funded health programs and plans.

This memorandum begins with a description of the key provisions of the MFAA before turning to its legal effect on the programs and plans that are the subject of your request.

MEDICARE FOR ALL ACT OF 2019

The MFAA aims to establish a national health insurance program (Program) that would provide comprehensive protection against the cost of health care and health-related services” in accordance with the standards set forth under the Act. Specifically, under the Program, every resident of the United States, after a four-year phase-in period following the MFAA’s enactment, would be entitled to have the Secretary of Health and Human Services (Secretary) make payments on their behalf to an eligible provider for services and items in 13 benefits categories. This memorandum begins with a description of the key provisions of the MFAA before turning to its legal effect on the programs and plans that are the subject of your request.

MEDICARE FOR ALL ACT OF 2019

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The Secretary would direct the Program to fund the American Health Security Trust Fund (Trust Fund). The Trust Fund would contain all moneys currently appropriated to Medicare, Medicaid, the Federal Employees Health Benefits Program (FEHBP), TRICARE, and a number of other federal health programs that would be appropriated to the new fund.

The MFAA also includes a number of other provisions related to the administration of the Program, including enforcement of the provisions aimed at preventing fraud and abuse, provisions relating to quality assessment, and provisions concerning budget and cost containment.

EFFECT OF THE MFAA ON CERTAIN FEDERALLY FUNDED HEALTH PROGRAMS AND PRIVATE HEALTH INSURANCE

Federally Funded Health Programs

The federal government funds currently appropriate to Medicare, Medicaid, the Children’s Health Insurance Program (CHIP), which is a federal-state cooperative program wherein states receive federal funds to generally provide health benefits to low-income enrollees, (3) the Children’s Health Insurance Program (CHIP), which is a federal-state cooperative program that provides health benefits to certain low-income children whose families earn too much to qualify for Medicaid but cannot afford private insurance; (4) the CHIP, which provides federal-state cooperative program that provides health benefits to children whose families earn too much to qualify for Medicaid but cannot afford private insurance; (5) TRICARE, which provides health insurance to the military (and their dependents). All plans under the one-size-fits-all approach that the Democrats are proposing.

That is not all. This report says the Sanders bill ends Federal employee health insurance. There are more than 8 million Federal workers, families, and retirees who rely on this Federal Employee Health Benefits Program.

The Congressional Research Service says that this bill, sponsored by over 100 Members who are Democrats in the House of Representatives and sponsored by a number of Democrats in this body, will abolish TRICARE, the insurance for the military. More than 9 million military members, their families,
and retirees rely on TRICARE for their healthcare.

The report says the bill ends the Children’s Health Insurance Program. Nine million of our Nation’s children rely on the CHIP program.

Interestingly, ObamaCare would end as well, according to the CRS report. After less than a decade, Democrats want to repeal and replace their failed ObamaCare healthcare law with a one-size-fits-all Washington plan.

Again, the Congressional Research Service says the bill bans private health insurance. One hundred eighty million people get their insurance through work.

To sum up hundreds of millions of American citizens—American citizens—stand to lose their insurance, and I believe that is just the start of the pain for American families. In the new system, we would all be at the mercy of Washington bureaucrats.

They would be paying more to wait longer for worse care—pay more to wait longer for worse care. The Democrats’ massive plan is expected to cost $32 trillion. That is trillion with a ‘t.’

That is our goal, and that is what we are going to accomplish.

I yield the floor.

The PRESIDING OFFICER (Mr. Romney). The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESCRIPTION DRUG COSTS

Mr. DURBIN. Mr. President, just a few minutes ago, four young people from the State of Illinois visited my office. They were a variety of different ages, from 10 years of age to the age of 17. They all came because they had a similar life experience, and they wanted to share it with me. Each one of them had been diagnosed with type 1 diabetes.

Ten-year-old Owen from Deerfield told a story—the cutest little kid; great reader; read me a presentation that he put together—and the young women who were with him all talked about how their lives changed when they learned at the age of 7 or 8 that they had type 1 diabetes. For each one of them from that point forward, insulin became a lifeline. They had to have access to insulin, and they had to have it sometimes many times a day, in the middle of the night. It reached a point where, through technology, they had continuous glucose monitoring devices and pumps that were keeping them alive, but every minute of every day was a test to them as to whether they were going to get sick and need help.

It was a great presentation by these young people who were transformed, and their parents, who were hanging on every word as they told me their life stories.

They brought up two points that I want to share on the floor this afternoon. The first is the importance of medical research. As one young woman said—she is about 17 now. She has lived with this for 8 or 9 years. She said she is a twin, and her brother told her when she was diagnosed that he hated the thought that, as an old woman, she would carry the responsibility of getting insulin every single day. She said: I told my brother “We are going to find a cure before I am an old woman.”

Well, I certainly hope that young girl is right, but she will be right only if we do our part here on the floor of the Senate and not just give speeches. What we have to do is appropriate money to the National Institutes of Health, which is the premier medical research agency in the world.

We have had good luck in the last 4 years. I want to salute two of my Republican colleagues and one of my Democratic colleagues for their special efforts. For the last 4 years, Senator ROY BLUNT, Republican of Missouri; Senator LAMAR ALEXANDER, Republican of Tennessee; and Senator PATTY MURRAY, Democrat of Washington, have joined forces—I have been part of that team too—to encourage an increase in medical research funding every single year, and we have done it.

The increase that Dr. Collins at NIH asked for was 5 percent real growth a year. That is stating the plain facts. Do you know what we have done in 4 years? NIH has gone up from $30 billion to $39 billion. Dramatic. A 30-percent increase in NIH research funding.

We are going to have a tough time with this coming budget, as we have in the past, but I hope we really reach a bottom line, as Democrats and Republicans, that we are committed to 5 percent real growth in medical research every single year so that we can answer these young people who come in dealing with diabetes, those who are suffering from cancer, heart disease, Alzheimer’s, Parkinson’s—the list goes on and on—that we are doing our part have joined forces—we have been part of the political battles and differences, there are things that bring us together, and that should be one.

The second point they raised—one of the young girls there, Morgan of Joliet, started telling me a story about the cost of insulin. As she was telling the story about the sacrifices being made by her family to keep her alive, she broke down and cried. What she was telling me—her personal experience, her family’s experience—was something that every family with diabetes knows: The cost of insulin—charged by the pharmaceutical companies—has gone up dramatically, without justification, over the last 20 years.

In 1999, one of the major insulin drugs—called Humalog, made by Eli Lilly—was selling for $21 a vial. That was 20 years ago. In 1999, it was $21 a vial. The price today is $329 a vial. And that 300 percent increase was caused by what? There is nothing that has happened with this drug. It is the same drug. And, I might add, Eli Lilly of Indianapolis, IN, is selling the same insulin product—Humalog—in Canada for $18. What does it cost in the United States and $39 in Canada?

These families told me they were lucky to have health insurance that covered prescription drugs. That sounds good, except they each had large copays—$8,000 a year. And what it meant was that for this young girl, this beautiful little girl who was in my office and who has juvenile diabetes,
they would spend $8,000 a year at the beginning of the year for 3 months of insulin before the health insurance kicked in and started paying for it. Of course, there are families who aren’t so lucky—they don’t have health insurance for their kids’ drugs.

So what are we going to do about it? It happens to be something the Senate is supposed to take up. We are supposed to debate these things and decide the policy for this country. We will see. Very likely we will have a chance. A bill is coming out of the Health, Education, Labor, and Pensions Committee, and we will have a chance to amend it on the floor and to deal with the cost of prescription drugs. I will have an amendment ready if my colleagues want to join me—I hope they will—on the cost of insulin, and we will have a chance if Senator McConnell, the Republican leader, will allow us—it is his decision. We will have a chance to decide whether these kids and their families are going to get ripped off by these pharmaceutical companies for years to come.

It isn’t just insulin; it is so many other products. It is time for us to stand up for these families and their kids, to get money into medical research, and to tell pharma once and for all: Enough is enough. Insulin was discovered almost 100 years ago. What you are doing in terms of increasing the cost of it for these families is unacceptable and un-American.

**Border Security**

Mr. President, in the last 2 1/2 years of this administration, we have seen an incredible situation when it comes to immigration and our border. We have seen, unfortunately, some of the saddest and most heartbreaking scenes involving children at the border between the United States and Mexico.

The pattern started with the President’s announcement shortly after he was sworn in that he was imposing a travel ban on Muslim countries. That created chaos at our airports and continues to separate thousands of American families.

Then the President stepped up and repealed DACA, the Executive order program created by President Obama that allowed more than 800,000 young immigrants to stay in this country without fear of deportation and to make a life in the only country many of them had ever known.

Then what followed was the longest government shutdown in history over the President’s demand that he was going to build a border wall, even at the cost of shutting down the Government of the United States for 5 weeks.

We’ve also seen the tragic deaths of 6 children apprehended at the border and 24 people in detention facilities in the United States.

The President then announced that he was going to block all assistance to the Northern Triangle countries—El Salvador, Guatemala, and Honduras, the source of most of the immigrants who come to our border—and that he would shut down the avenues for legal migration, driving even more refugees to our border.

Now, on President Trump’s watch, we have an unprecedented humanitarian crisis. We have seen that crisis exemplified by the horrifying image of Oscar Alberto Martinez Ramirez and his 23-month-old daughter, Valeria, who died El Salvador and drowned as they tried to cross the Rio Grande 2 weeks ago.

We have seen this crisis play out in the overcrowded and inhumane conditions at detention centers at the border.

In April, I visited El Paso, TX. What I saw in the Border Patrol’s overcrowded facilities was heartbreaking.

In May, I led 24 Senators in calling for the International Committee of the Red Cross and the inspector general of the Department of Homeland Security to investigate our Border Patrol facilities. I never dreamed that I would be asking the International Red Cross to investigate detention facilities in the United States. They do that, but usually they are asking them to look into the conditions in the overcrowded and inhumane detention facilities that has been well documented.

Later that same month, the inspector general of the Department of Homeland Security released a report detailing the inhumane and dangerous overcrowding of migrants at the El Paso port of entry. The Inspector General’s Office found that overcrowding is “an immediate risk to the health and safety” of detainees and DHS employees.

One week ago, the Inspector General’s Office issued another scathing report, this time about multiple Border Patrol facilities in the Rio Grande Valley. The Inspector General’s Office asked the Department of Homeland Security to alleviate the dangerous overcrowding and prolonged detention. They stated: “We are concerned that overcrowding and prolonged detention represent an immediate risk to the health and safety of detainees and officers, and to those detained.”

Congress recently passed legislation 2 weeks ago that included $739 million in funding to alleviate overcrowding at these CBP facilities and other funding to provide food, supplies, and medical care to migrants. The bill also includes critical funding for the Office of Refugee Resettlement to care for migrant children.

We must now make sure that this money is spent effectively by the Trump administration. We gave them over $400 million in February, and they came back to us within 90 days and said: We are out of money. I would like to see exactly how they are spending this money, and I want to make sure it is being spent where it is needed.

There is a gaping leadership vacuum at the Trump administration’s Department of Homeland Security. Think of this: In 2 1/2 years, there have already been four different people serving as head of that Department. Every position at the Department of Homeland Security with responsibility for immigration or border security is now being filled by temporary appointees. And the White House refuses to even submit nominations to fill these positions.

Two weeks ago, I met with Mark Morgan, one of those temporary appointees. In May, President Trump named him Acting Director of U.S. Immigration and Customs Enforcement. Mr. Morgan was asked at that time to carry out the mass arrests and mass deportations of millions of immigrants the President had threatened by his infamous tweets.

Shortly before I met with Mr. Morgan to ask him about the mass arrests and mass deportations, there was a change. They took him out of that position and named him Acting Director of U.S. Customs and Border Protection. He went from internal enforcement to border enforcement. Now he is in charge of solving the humanitarian crisis that President Trump has created at our border.

But the Trump administration can shuffle the deck chairs on this Titanic, but we must acknowledge the obvious: President Trump’s immigration and border security policies have failed. Tough talk isn’t enough. We need to do better.

This morning, I met with Dr. Goza, the president of the American Academy of Pediatrics. She came to give me a report about her visit to several border facilities that has been well documented and reported in the press. She said that it was heart-breaking for her, as a doctor for children, to see these things and realize they were happening in the United States.

Yes, children are being held in caged facilities with wire fences and watch-towers around them, some of them very young children. As a pediatrician, she told me those things have an impact on a child—on how that child looks at the world and how that child looks at himself.

She said that she took a lot of notes as she went through these facilities, but it wasn’t until she got on the airplane on the way home that she read...
through them. She said: Then I started crying. I am supposed to be a professional who can take this, but I couldn’t imagine what we were doing to these children at the border. There just aren’t enough medical professionals there. I have done enough. We have to have a policy that is tough, bizarre tweets just aren’t enough. We have to have a policy that gets it.

The United States is better than that. We can do better than that. We can have a secure border and respect our international obligations to provide a safe haven to those who are fleeing persecution as we have done on a bipartisan basis—Democrats and Republicans—for decades.

I stand ready, and I believe my party stands ready, to work with Republicans on smart, effective, and humane solutions to the crisis at our border. I suggest that the following be included:

Crack down on traffickers who are exploiting immigrants. That is unacceptable.

Provide assistance to stabilize the Northern Triangle countries. That is long overdue.

Provide in-country processing and third-country resettlement so that migrants have not under our laws without making the dangerous and expensive trek to our border.

Eliminate the immigration court backlog so that asylum claims can be processed more quickly.

We have authorized more than 100 immigration court judges, and this administration can’t find people to fill them. They want more judges. They have authority to hire 100 more, and they have been unable to do it. We need to ensure that children and families are treated humanely when they are in the custody of the U.S. Government.

Eventually, the history of this period will be written, and there will be accountability, not just for the officials in government but for all of us—those of us in the Senate and the House and those in journalism and other places. We are going to have to answer for the way we have chosen whatever rights they have under the laws of our country; and that at the end of the day we can hold our heads high and say that, at least from this point forward, we are going to show them that we are humane and caring people. No matter where they come from, no matter how poor they may be, we will take care that children are treated in a merciful way and a compassionate way; that the adults are given appropriate opportunities to pursue whatever rights they have under the laws of our country; and that at the end of the day we can hold our heads high because we have done this in a fashion consistent with the values of the United States of America.

We haven’t seen it yet. It is time for the President to acknowledge that tough, bizarre tweets just aren’t enough. We have to have a policy that makes sense to bring stability to our border.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Mr. President, I recently received a letter from a gentleman living in Cedar Falls, IA, who suffers from Parkinson’s disease. As I speak, he is going without his $1,450-per-month Lyrica to keep a roof over his head. That is right, folks. He must choose between making a mortgage payment and getting his prescription.

Here is another story a woman from Davenport, IA, shared with me. Last October, she was able to get a 3-month supply of blood pressure medication for $17, but when she went to the pharmacy for her refill in late December, she was told the price had nearly tripled to $55. She wrote to me and said:

Thinking this was a mistake, I refused the refill and checked online about the change in price and found I couldn’t get it cheaper anywhere. I went back in ten days and thought I would just have to pay the new cost [which was $55]. In that time . . . the prescription had gone up to $130.

Whether I am talking to folks back home in my townhalls and other events on my 99 County Tour or in meetings right here in Washington, DC, the cost of prescription drugs is the No. 1 issue I hear about from Iowans. Every day, I hear stories just like these about the outrageous costs associated with their prescription medications.

For too long, hard-working Iowans have borne the brunt of skyrocketing prescription drug prices. Stories like the man from Cedar Falls and the woman from Davenport show how consumers are coming off the norm. We have to change that, and that is exactly what we are doing here in the Senate.

We have been hard at work in advancing bills to drive down drug prices, increase competition, and close costly loopholes that are being exploited by those bad actors. I am proud to lead on these bad actors. I am proud to lead on bills to get these bills and others across the finish line and signed into law. Iowans are counting on us.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, as I am sure you know, now more than ever, the Democrats want Medicare for All, which will dramatically ruin the Medicare system and throw 150 million people off of the employer-sponsored health insurance they like. That would be a disaster. There is something we can do and must do right now to help American families: We must lower prescription drug costs.

This is very personal to me. I grew up in a family without healthcare. My mom struggled to find care for my brother who had a serious disease. Eventually she couldn’t afford his hospital 4 hours away for his treatment. I remember my mom how much lower drug costs would have to be for her to consider changing pharmacies. Without missing a beat, she said: a dollar.

This story is not uncommon. All over my State I hear the same thing: Drug prices are rising, and we are having trouble affording the lifesaving medication we need.

I recently met Sabine Rivera, a 12-year-old from Naples, FL, who was diagnosed with type 1 diabetes more than 2 years ago. She is 12 years old, and she is already worried about how she will...
afford the rising cost of insulin—something no 12-year-old should ever have to stress about.

Patients want to shop for better coverage and lower costs, but too often they can’t or don’t know how. At the same time, pharmaceutical companies are charging low prices for prescription drugs in Canada, Europe, and Japan but charging American consumers significantly more. Why? Because for too long politicians have done nothing.

American consumers are subsidizing the cost of prescription drugs in Europe and Canada and all over the world. Why should we be doing that? That certainly is not putting America first, and that is not putting American families first. That is why I am working with President Trump and Republicans and Democrats in Congress to fix this problem.

I recently introduced the Americas First Drug Pricing Plan with Senator Josh Hawley to take real steps to lower costs for patients and put the consumers back in charge of their healthcare decisions. Part one of my bill focuses on transparency.

First, we must inform patients what it will cost to purchase drugs out of pocket instead of using their insurance and copayments. If patients choose to pay out of pocket, which is sometimes cheaper, the total cost would be applied to their deductible.

Second, insurance companies should, and must, inform patients of the total cost of their prescription drugs 60 days prior to open enrollment. This allows patients to shop for the best deal.

Finally, my bill would simply require that drug companies cannot charge American consumers more for prescription drugs than the lowest price they charge consumers in other industrialized nations.

I have found that provision to be controversial in Washington. Do you know where it is not controversial? Everywhere, from Tampa and Orlando, Miami and Panama City, all over Florida, this just makes sense. I don’t spend a lot of time outside of Florida, but I would wager and say that across the country my bill would make a lot of sense too.

Why would we as American consumers, who make up 40 percent of the market for prescription drugs, pay two to six times more for drugs than consumers in Europe or Canada or Japan? That is not the future. My bill takes real steps to change this, and I believe it should have bipartisan support.

I also led seven of my colleagues in a letter to pharmaceutical companies asking them to work with us on solutions to lower the cost of prescription drugs. We are still waiting to hear back.

American consumers are facing a crisis of rising drug costs, and we can’t wait any longer. I will not and cannot accept the status quo of rising drug costs. We need to get something done this year, and I am fighting every day to make sure we do.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I am pleased to join my colleague on the Senate floor to talk about an extremely important issue, lowering the cost of prescription drugs in this country. Just a few weeks ago, on June 20, West Virginia celebrated our 156th birthday. There is plenty to celebrate about West Virginia, from its breathtaking beauty and wonderful families to our kind and hospitable West Virginia spirit.

Unfortunately, West Virginia has its challenges, too, including health challenges. We have some of the highest rates in the Nation for heart disease, diabetes, cardiovascular disease, cancer, and arthritis. While there are many nonpharmaceutical steps people are taking to prevent and control diseases, for many, their prescription medicine is the difference between wellness and illness or even between life and death.

That is why it is so important that West Virginians are able to secure their medications and that we as a Congress make sure they are not paying too much for them. One of all the issues that my constituents come to me with—is whether it is a phone call, a letter, or casually running into them at the grocery store—this is the issue I hear most about because it is something that impacts so many West Virginians’ way of life, and it is something that affects them every day. If it doesn’t affect them, it affects somebody in their family.

The same can be said for Americans across this country, and that is why it has become one of our Nation’s top priorities, one that is shared by Republicans and Democrats and one that is a significant bipartisan focus of this administration and this Congress. It is a far-reaching problem with many different factors contributing to it, and that is why we have to address it on many different fronts.

The chairman of the HELP Committee is here today. He has worked through his committee diligently, and I applaud him for his efforts and look forward to joining him on the floor in support of those efforts.

As we all know, the path a medication takes from the manufacturer to the pharmacy is extremely complex, with many factors impacting the price a consumer pays. While making changes to this pathway is very important, my constituents really don’t care about the pathway. They are more concerned with the total on their bill that their pharmacist gets ringing up. That is why I have focused a lot of my personal efforts on the important role that our pharmacists play in lowering drug costs.

In many small towns and rural communities—which is my entire State—pharmacists are the healthcare providers people go to quite regularly, and they are often some of the most trusted, friendly, and welcoming. It is essential that patients, especially seniors, are able to access the local pharmacy.

West Virginians and Americans across the country should be able to trust that their pharmacist is not being restricted about what they need, how to get the best prescription drug prices. They need to know they aren’t facing higher cost sharing for drugs and being accelerated into the coverage gap or the doughnut hole phase of Medicare Part D due to an overly complicated system of price concessions that nobody really understands—certainly not at the pharmacist’s desk.

In order to ensure that seniors have access to a pharmacy of their choice, Senator Brown and I introduced the Ensuring Seniors Access to Local Pharmacies Act last Congress. We will be reintroducing this bill, which requires that community pharmacists in medically underserved areas be allowed to participate in the Medicare Part D preferred pharmacy networks.

Why is this important? If a local pharmacy is not included in a preferred network, a senior must either switch to a preferred network pharmacy, which could be more expensive or less convenient, or pay higher copayments and coinsurance to access their local pharmacy. In some cities and towns, you can find a pharmacy on nearly every corner. In rural areas, that is not the case, and accessing a preferred pharmacy could require significant time and difficult travel.

Additionally, many seniors rely on their local pharmacies not only to access prescription drugs but also to receive those needed services like preventive screenings and medication therapy management.

As important as access to a local pharmacy is, it is also essential that patients can trust their pharmacists to look out for their best interests. My bill provides the most savings when purchasing their prescription drugs.

I was proud to join Senator Collins last year as a cosponsor of the Patient Right to Know Drug Prices Act. This commonsense bill, which the President signed into law in October, bans the use of the pharmacy gag clause. It was hard to believe this still existed. These clauses were put into place by insurers and pharmacy benefit managers, and patients did not know what they were. My bill provides the most savings when purchasing their prescription drugs.

I am also currently working with Senators Tester, Cassidy, and Brown on legislation that would help improve transparency and accuracy in Medicare Part D drug spending. Our bill would reform the application process of pharmacy price concessions, also known as direct and indirect remuneration, or DIR fees, in the Medicare Part D Program. It sounds complicated, but it is driving up the cost of our pharmaceuticals.
This will ensure that our seniors are not facing higher cost sharing for their drugs or, again, being accelerated into the coverage gap. It will also help ensure that local pharmacies are able to stay open. This is critical. We have to keep our local pharmacies open for a vast number of reasons. First, they provide the convenience and service that many patients need. This is especially true for those who do not have them continue to stay open and continue to serve Medicare beneficiaries and other communities that rely on them. It would provide needed financial certainty for these pharmacies, which are often small businesses.

My colleagues and I hope to see this legislation included in the soon-to-be-released Senate finance package. These are just a few examples of how we are working to lower prescription drug costs.

I have been listening to my colleagues and have heard a lot of other ideas. They are small but much needed steps that can be, and already are, making a difference in our constituents’ lives, but our work is far from over. We have to continue looking at both commonsense and complex solutions to the problem. This is a complex problem. While as a Congress and a country we may not agree on the best way to do that, we do all agree that it is a problem that needs to be solved.

I look forward to continuing to work with Senator Alexander and Senator Lankford, who are on the floor here today, and my other colleagues and the administration to find that pathway forward to lowering the cost of prescription drugs.

I yield back.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. Alexander. Mr. President, I thank the Senator from West Virginia for working to reduce the cost of prescription drugs. That is the question I hear most often in Tennessee: How can I reduce what I pay for out of my own pocket for healthcare costs? The most obvious way to reduce what you pay out of your own pocket for healthcare costs is to reduce the cost of prescription drugs.

Shirley, from Franklin, TN, is one of those Americans who asked me that question. This is what she said:

As a 71 year old senior with arthritis, I rely on Enbrel to keep my symptoms in check. My copay has just been increased from $65.00 to $270.00 every ninety days. At this rate I will have to begin limiting my usage in order to balance the monthly budget.

There has never been a more exciting time in biomedical research, but that progress is meaningless if patients can’t afford these new lifesaving drugs.

Last month, as Senator Grassley mentioned, our Senate Health Committee passed legislation by a vote of 20 to 3 that included 14 bipartisan provisions to increase prescription drug competition as a way of lowering generic drug costs and biosimilar drugs that reach patients.

Here is what that includes: The CREATES Act—the Senator from Iowa, Mr. Grassley, is on the floor. He, Senator Leahy, and many others have proposed the CREATES Act, which will help bring more low cost generic drugs to patients by eliminating anticompetitive practices by brand drugmakers. That is in the bill we approved. It also directs FDA to expedite the approval of new companies for speed drug development through a transparent, modernized, and searchable patent database. That was proposed by Senators Collins, Kaine, Braun, Hawley, Murkowski, Paul, Baldwin, and Bennet. This legislation we have was approved 20 to 3. There are 55 different proposals by 65 different U.S. Senators—about the same number of Republicans and Democrats—all to reduce healthcare costs.

Here are some other examples. The bill improves the Food and Drug Administration’s drug patent database by keeping it more up to date to help generic drug companies speed product development. That was proposed by Senator Cassidy and Senator Durbin.

Another provision is it prevents the abuse of citizens’ petitions. These are used to unnecessarily delay drug approvals. This was proposed by Senators Gardner, Whitehouse, Blumenthal, Crapo, and Braun. President Trump included that in his 2020 budget.

Another provision is it clarifies that the makers of brand biological products, such as insulin, are not gaming the system to lower costs of biosimilars. That came from Senators Smith, Cassidy, and Crapo.

Another provision it eliminates exclusivity loopholes. These allow drug companies to get exclusivity and delay patient access to less costly generic drugs by just making small tweaks to an old drug. That came from Senators Roberts, Cassidy, and Smith, which President Trump also proposed in his budget.

Another provision prevents the blocking of generic drugs. This is done by eliminating a loophole that allows a first generic to submit an application to FDA and block other generics from the market. Again, the President included this in his budget.

Another provision in our bill prevents delays of biosimilar drugs by excluding biological products from compliance with U.S. Pharmacopeia standards. That sounds pretty complicated, but what it means is that it could delay patient access and lower the cost of drugs. Again, that is another proposal by President Trump.

Another provision it is increases transparency on price and quality information by banning the kinds of gag clauses Senator Capito talked about. These are gag clauses in contracts between providers and health plans that prevent patients, plan sponsors, or referring physicians from seeing price and quality information.

Another provision allows pharmacy benefit managers from charging more for a drug than it paid for the same drug.

Instead of remaining stuck in a perpetual partisan argument over ObamaCare and health insurance—and I can guarantee you that is going to continue to go on for a while—we have Senators on that side of the aisle and Senate on this side of the aisle working on the same thing: trying to do the best that we can to lower the cost of what Americans pay for healthcare out of their own pockets.

Since January, Senator Murray and I have been working in parallel with Senator Grassley and Senator Wyden on a bipartisan bill. We are continuing to work on their own bipartisan bill. Last month, the Senate Judiciary Committee also voted to lower the cost of prescription drugs. In the House, the Energy and Commerce, Ways and Means, and Judiciary Committees have all reported out bipartisan bills on the cost of prescription drugs.

As I have mentioned, President Trump and Secretary Azar have been focused on this. Last year, the administration released a blueprint on steps the President would take to lower prescription drugs. Last year, the Food and Drug Administration set a new record for generic drug approvals. Generic drugs can be up to 85 percent less expensive than brand drugs.

So I believe the cost of prescription drugs is an area where Democrats and Republicans in Congress and the administration can find common ground to help Americans reduce the cost of healthcare that they pay for out of their own pockets.

I am very hopeful that our bill, with 55 proposals from 65 Senators, which has been reported to the Senate floor, will be placed by the majority and minority leaders on the Senate floor before the end of the month. We can pass it. I know the House will do their job, and we can send it to the President to lower prescription drug costs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. Lankford. Mr. President, I rise to talk to this body again about healthcare and the cost of healthcare. This has been an issue and an ongoing dialogue for a long time around the Senate and around Congress. It is an issue that was supposedly settled when the Affordable Care Act was passed, but it turns out that my Democratic colleagues have now joined Republicans in saying they want to repeal and replace the Affordable Care Act. They are not using the term “repeal and replace”; they are just saying they want to do Medicare for All. Built into that is completely taking out the Affordable Care Act and replacing it with something different.

So, ironically, in some ways, we are in the same spot. We have both come to the same realization that the Affordable Care Act did not do what it was supposed to do, but it is not working. So now the challenge is what to do with healthcare.
We are now trying to break into pieces what we can actually do together to get this done, beginning with the cost of prescription drugs.

I continue to hear from Oklahomans all over the State about how hard it is to deal with the cost of prescription drugs, how rapidly the cost is increasing, and how sporadic the cost changes really are. They will have a drug that costs a small amount one month and come back a month later and find a dramatic increase for the exact same drug. They can't get pharmacy to pharmacy and find a different price for the exact same drug or find that the pharmacy closest to them doesn't offer that drug, and a different pharmacy is the only one that is allowed to have that drug. The complexity is driving them crazy and rightfully so.

As we peel back the layers on pharmacy issues, we are finding that the complexity is that cost overruns being built into the process. For the past few months, we have looked at every step in the drug process, from the approval to research and development, to try to figure out how the cost is actually getting to the consumer.

Along the way, several things have occurred. The administration has aggressively been approving generics. In fact, the administration has approved a record number of generics. Those generic pharmaceuticals are much more expensive than the branded pharmaceuticals. Many of those have been waiting a very long time at the Food and Drug Administration to actually be approved. The Food and Drug Administration is rapidly getting those out the door, and that helps consumers.

Something else we have done in Congress is to try to address something called the gag clause. The gag clause is one of those things that was behind the scenes that no one knew about except for the pharmacists because, if you came in with your insurance card to pick up your prescription, the pharmacist knew the actual cost you would pay if you paid in cash. Often, you could get that same prescription for less by paying in cash than you could if you were to pay with your insurance card, but the pharmacist was prohibited from actually telling you that. We have addressed that in Congress, in a bipartisan way, to release that gag clause and allow pharmacists to actually tell people their options on pricing.

You might say: That is an absolutely crazy thing. Who put that gag rule in? Well, the system, and the structure behind the system that negotiates all of it, said: If you want to be a pharmacy that sells these drugs, you have to submit to these rules. As we found, the culprit behind many of these issues is a group called pharmacy benefit managers. You will hear it referred to as just the PBMs.

Those pharmacy benefit managers are supposed to negotiate between the manufacturers and the insurance plans to lower the prices. In many areas, they have lowered prices, but they have also given preferred formulary placement to some of their preferred pharmacies so some pharmacies get that drug and other pharmacies that are either not going to get access to that drug. Often, it is the drug that is the highest margin drug only their pharmacies will get and other pharmacies will not.

It has become an anti-competitive piece in the process, when it was supposed to be something that was a highly competitive piece to actually help the consumer.

Unfortunately, PBMs have created one of the most elaborate, complex, and opaque system of pricing, which has a tremendous amount of market distortion and at times has limited patients' access to those drugs. Often, it is a system they have been able to take advantage of and have created a system to help them in the bottom line in the process rather than actually help the consumer.

Many consumers have heard about rebates, but they wonder who is getting a rebate. They go to their pharmacy to pay for their drugs, they are not getting the rebate. There is a rebate going somewhere, just not to them.

Here is the challenge. We are trying to peel back with greater transparency what is happening in the pharmacy benefit managers. We are finding how a small group—it is actually three companies that have 90 percent of the market nationwide, how that middleman in the process actually handles pricing and negotiation.

If you talk to any pharmacist anywhere in the country—and certainly across my great State—who is an independent pharmacist, they will all express their frustration with pharmacy benefit managers and their access to some drugs, the rebates, and the stipulations they deliberately put there to hurt them and help others.

I have joined my colleague Senator CANTWELL in trying to shine some light on the operations of PBMs within the drug chains. Consumers deserve greater transparency. That will help us understand the actual cost of drugs and how those costs are actually getting to consumers or not to consumers in the process. The PBMs need greater examination, and we are finally taking that examination, actually getting to the bottom line in the process rather than looking at while working through this process, like the rebates, as I mentioned before, actually getting to the bottom line, not to the behind the scenes, and dealing with how to take greater advantage of biosimilar drugs—very similar to the generic drugs but just in a different category and at a reduced cost—to allow them to get to the market faster. Those drugs are often intravenous, but they are done in a hospital setting or in an inpatient setting. As we are working through that process, we are trying to find the perverse incentives that are built in because, right now, physicians are actually paid a percentage of the medicine they prescribe in Part B. That means if there are three medications that are out there, if a doctor prescribes the highest cost medication, they get a much higher reimbursement. It is not a flat amount. Now, all three may be intravenous, but whichever is the most expensive actually helps the doctor the most. I am not challenging doctors and saying they are always prescribing the branded drugs and the most expensive in the process—that is between the doctor and the patient to determine—but there is no doubt a perverse incentive is built into this; that if they prescribe a more expensive drug, the doctor and his office actually benefit from it. We need to fix that.

In Part D, there are reforms that can actually slow the growth in cost increases and allow people to have greater access to drugs. We are not interested in some kind of formula where we are actually going to decrease the patient's options of where they can actually get in their formulary. That is a great thing about being an American; that we don't have limited formularies. It is very open in the process so Americans can try different pharmaceuticals to see which one works best for them. That is not chosen by government; it is chosen by them and their doctors. The Part D definitely needs a redesign of the benefit structure because right now things like the doughnut hole drive up costs for consumers. There is a way to limit the out-of-pocket costs for beneficiaries so there is a lifetime cap sitting out there. There is an opportunity to know that if I end up with cancer or some other rare disease, I am not going to lose any control costs on the pharmaceutical side and no doubt a doughnut hole waiting for me, where when I get a couple thousand dollars in, I am suddenly going to have a very expensive year. So I can't afford my medicines in January, February, and March, but from April to August, I can't afford prescripations anymore. We can't have that. We have to address those issues because that dramatically affects the out-of-pocket costs.

There are lots of other options we are looking at while working through this process, like the rebates, as I mentioned before, actually getting to the bottom line, not to the behind the scenes, and dealing with how to take greater advantage of biosimilar drugs—very similar to the generic drugs but just in a different category and at a reduced cost—to allow them to get to the market faster. Those drugs are often intravenous, but they are done in a hospital setting or in an inpatient setting. As we are working through
idea what that is, and other folks know all too well. They look at their insurance. They go to a hospital that is in network, and their doctor is in network. So they go to a hospital that is in network, and they go to a doctor who is in network, but they get a giant bill from network. The lab has sent them to—the patient assumes they are in network, but then they find out that certain individuals have taken care of them are out of network.

We are also dealing with the issue of ambulance surprise bills, which has been a great challenge for those folks in rural America who are having to be transferred long distances to get to a hospital and then are getting an enormous bill for an out-of-network air ambulance billing. There are ways we can address this to deal with the out-of-pocket costs.

We are focused on areas where we can find agreement and things we can do to work through this process.

The work has to be done, in the area of prescription drugs and in the area of in-network, out-of-network, and surprise medical bills. We should be able to find common ground, and I am grateful I am part of this dialogue to help try to make our way to an answer. We can come together, get this resolved, and get a better situation for American consumers and patients in the days ahead.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I want to update my colleagues and the American people about efforts to reduce the cost of prescription medicine.

Last week, our country and the Administration celebrated Independence Day, marking 243 years of self-government. As elected representatives, it is our job to make the government work for the people, not the other way around.

For more than two centuries, our system of free enterprise has unleashed American innovation, investment, and ingenuity. Robust competition incubates advances in science and medicine. It leads to lifesaving cures and promises cures for cancer, Alzheimer's, diabetes, and other debilitating diseases.

However, prescription medicine too often smacks consumers with sticker shock at the pharmacy counter. The soaring prices leave taxpayers with a big tab—particularly under the Medicare and Medicaid Programs—and they weigh heavily on the minds of moms and dads all across the country.

Last week, I held meetings with my constituents in 12 counties across Iowa. The cost of prescription drugs has sent them up at nearly every single Q-and-A county meeting that I hold. Iowans want to know why prices keep climbing higher and higher. They want to know why the price of insulin keeps going up and up and up—nearly 100 years after the lifesaving discovery was made. They want to know what can be done to make prescription drugs more affordable.

I am chairman of the Senate Finance Committee, and in that position, I have been working with Ranking Member Wyden from Oregon on a comprehensive plan to do just that. We have held a series of hearings to examine the drug price supply chain. We are working on a path forward. We are taking care to follow the Hippocratic Oath: “First, do no harm.” In other words, let’s be sure we don’t try to fix what is not broken. Americans don’t want to give up high-quality lifesaving medicine. That is why I support market-driven reforms to boost competition and transparency, because with transparency brings accountability and the marketplace working more free of secrecy.

Congress needs to get rid of perverse incentives and fix problems that undermine competition in the drug pricing system, including withholding samples by brand-name pharmaceutical companies, paying doctors to prescribe certain drugs, and rebate-bundling. There is too much secrecy in the pricing supply chain. Consumers can’t make heads or tails of why they are charged what they pay for their medicine.

President Trump has made reducing drug prices a top priority of this administration, and they have taken several steps under various laws—including even under ObamaCare—to do things that give more freedom to consumers of medicine and on other healthcare priorities.

In another instance, on Monday, the Federal court took a negative move, knocking down a rule that would require drug companies to disclose the true cost of their drugs in television ads. Consumers ought to know what the advertised drug will cost. They want to know what this is going to be like. I knew it when I read it. I knew I would be able to get quotes. I knew I would be able to get the little town of Jasper, roughly, so I could see the prices that I needed to get. I am grateful I am part of this dialogue to help try to make our way to an answer. We can come together, get this resolved, and get a better situation for American consumers and patients in the days ahead.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BRAUN. Mr. President, Senator Grassley and I and attended the rollout of President Trump’s Executive order to get the healthcare industry on the right track. I am chairman of the Finance Committee, the chairman of the Health, Education, Labor, and Pension Committee, and Senators like me—I am a mainstream entrepreneur—came to the Senate to discuss issues just like this. I have probably been on the floor more than any other Senator, and every time I do it, I tell the industry: Wake up. I took you on 10, 11 years ago, in my own business, to give good healthcare coverage to my employees. Year after year, it was a litany of, you are lucky your premiums are only going up 5 to 10 percent this year. You have all heard it before. It took risk, and it took some novel thinking, but it can be done. Most entrepreneurs aren’t putting the time, the effort, to make it work for my own employees.

When you hear Democrats, Republicans, three or four committees, and the President of the United States talking about a healthcare system that should work, you get through your thick head that there need to be changes made. It shouldn’t be coming from Congress, even though it will keep coming.

I think the message is out loud and clear: Wake up and start fixing these things, or you are going to have a business partner whose name is Bernie Sanders and another idea of Medicare for All that we would regret once we got it. But, like most things here, like most big problems in this country, we wait too long to solve the issue.

To give you a few things on what led me to be passionate about it, when I had to give up my own company’s good health insurance, I had a very generic policy. I was sold. I put the time and effort into it to make it work for my own employees.

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them $150 billion worth of rebates, and through their costs and profits, less than half of that makes it to the consumer or to the pharmacy.

The case is out there. We, as Senators and Congressmen on the other side, to be going to the floors of our Chambers to tell the obvious: If you don’t do these things, I don’t believe we here—at the speed at which we normally operate—can do it quickly enough for you to save yourselves from that other business plan, which is easier.

So what do we do to prevent that? No. 1, the industry should be out there doing what all other companies do—be transparent. In any other part of our economy, where do you not ask for and have plenty of information to work with. What does it cost, and what is the quality? I know that where I live, people would drive 60 miles to save 50 bucks on a big-screen TV that costs a thousand bucks.

I put on a plan in my own business that encouraged my employees to do that, to have skin in the game, amazing things happened. Every time you pick up the phone or get on the web and look for that comparison, it is a lot of hard to find, but it is there. The industry just needs to give more of it and not hide behind a system that has benefitted them. When we created that in my own business, people shopped around for prescriptions and routinely saved 30 to 70 percent, as they do on MRIs, CAT scans, and not other procedures.

I put the time and effort into it. Most CEOs—and you always hear about how employees are happy with their employer-provided insurance. That is because the employers are generally paying for anywhere from 85 to 100 percent of it. So folks working somewhere don’t really have skin in the game.

Consumers of healthcare need to do what all other industries and in all other things that they buy—take the time to ask how much it costs, what is the quality, and then the industry get with it so that we can fix the system before the other option actually takes place. There aren’t enough CEOs and there aren’t enough legislators to, I think, get the industry in shape, and the industry itself knows what these problems are. Get with it before you have a different business partner whom you won’t like.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I, too, come to speak today regarding pharmaceutical costs and what we can do to make medications, and sometimes these medications make our lives a little bit better—more affordable to the average American.

I happen to be a doctor, and I will approach these remarks as a fellow who has seen medicines evolve who has seen the incredible, positive benefits of pharmaceutical innovation, but also as a doctor who sometimes saw that patients were unable to afford innovation. The question in my mind is, How do we give the patient the power to afford these innovative medicines, because if she cannot afford them, it is as if the innovation never occurred, and for her, it never did occur. So give the patient power.

Let me make some remarks about pharmaceutical companies. There are some incredible examples.

When I was in medical school, cutting away the belly but part of the stomach; as I would tell patients, where the food goes after you swallow it—cutting away a part of the stomach because of ulcerative disease was one of the most common procedures done in surgery. Then histamine blockers came along, H2 blockers. Cimetidine was the first. All of a sudden, a surgery that was done multiple times a week was scarcely ever done. Those medicines are now sold over the counter.

This morning, I go to a rheumatologist who is a little bit of arthritis, so I took my nonsteroidal anti-inflammatory, which used to be sold by prescription and now is over the counter, along with my H2 blocker, my Pepcid, which used to be sold by prescription morning. I got a little bit of a run in the morning, and my back feels better. All of these are medicines that are generic, routine, and we almost—in fact, we indeed take the innovation for granted.

Now hepatitis C used to be an incurable disease which, in a certain percentage of those affected, would lead to cirrhosis, vomiting blood, liver cancer, and death. Now hepatitis C is cured by taking pills for several weeks. Amazing.

Human immunodeficiency virus, AIDS. When I was in residency, if you got HIV, you died. There was no cure whatsoever. Now people live with it for decades. It is a disease you live with but you don’t do anything about it. That is not the patient having the power; it is the patient being used as a victim.

There are other things we can see. One is called evergreening. You have a drug, and you make just a little bit of a tweak to it that doesn’t improve its importance or the efficacy of the drug—no clinical benefit—but it extends the intellectual property protections. Now laws that were conceived of and passed by Congress to reward innovation and to encourage creativity are instead being used to stifle competition and to extend patent lives so that we, the patients and the taxpayers, have to pay more—not for innovation but, rather because, somebody figured out how to evergreen it.

So on the one hand, I am going to praise pharmaceutical companies for lifesaving drugs that have meant so much to me, my family, and everyone listening today, but I must also ask, why should we reward that which is not innovative but which is merely arbitraging laws meant to encourage innovation? We should not encourage arbitraging laws.

There are other issues, such as patent abuse, where companies file large numbers of patents on parts of their drugs that are not innovative but are byproducts of the production process in order to keep out competition; citizen petitions, which typically come on 6 months after a drug is about to become generic, so all of a sudden, we have all these petitions that must be navigated by the companies seeking to
introduce the generic; and the rebate mechanisms by which we can cap that exposure. If there is a senior, you don't get paid. If it does work, you get paid only if the medicine works. If the medicine doesn't work, you don't get paid. If it does work, you do. That is a value-based arrangement. We had a bill with Senator WARNER that would do that.

I would also mention attempting to cap Part D exposure. If there is a senior citizen who is in the catastrophic portion of her policy, then you can cap the medicine to all the D drugs I spoke about before. Under current law, she might be paying 5 percent of $100,000 worth of medicine. She is taking an essential drug to treat cancer, and she is paying 5 percent of that $100,000, in addition to 5 percent of the other medications she is receiving. This is something many seniors cannot afford and this is something we as Congress can find mechanisms by which we can cap that exposure.

We have to do everything we can to enhance existing markets. As you might guess, my theme is that we should enhance it in terms of giving the patient the power, but we also have to preserve the innovation that we get to the great drugs I spoke about earlier. If all we do is steal intellectual property from the pharmaceutical companies, we will lose these innovative drugs. But, again, we need to have the drugs affordable for the patients. This is the tension—promote innovation but ensure affordability.

We have a number of solutions, such as those I have just mentioned, in the HELP Committee and now in the Finance Committee. Republicans have solutions. My office continues to work on those. I look forward to working with my colleagues on their implementation.

Mr. President, I yield the floor.

RECESS UNTIL 4 P.M. TODAY

The PRESIDING OFFICER. The Senate stands in recess until 4 p.m. Thereupon, the Senate, at 3 p.m., recessed until 4:01 p.m. and reassembled when called to order by the Presiding Officer (Mrs. BLACKBURN).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Washington.

NOMINATION OF JOHN P. PALLASCH

Mrs. MURRAY. Madam President, I come to the floor today to speak about the two nominations we are about to vote on.

The first one is the nomination of John Pallasch to be the Assistant Secretary for Labor overseeing the Employment & Training Administration. This is a critically important role that manages nearly two-thirds of the Department of Labor's budget and our Nation's workforce development programs, which serve over 22 million youth, workers, jobseekers, and seniors who are working to improve their employment opportunities and the lives of their families.

This position is particularly important now as we see the Trump administration work to undermine some of the most crucial programs within the Employment & Training Administration. They are attempting to close Job Corps centers that help train at-risk youth, conserve our natural resources, and provide economic opportunities in rural areas and communities in need. They are also proposing a duplicative, lower-quality apprenticeship program that would put workers at risk and give taxpayer dollars to for-profit colleges with very little accountability.

It is clear that the Employment & Training Administration needs a leader now who is knowledgeable, who is experienced, and who is committed to providing workers with the training, support, and benefits they need to succeed in this changing economy. Unfortunately, Mr. Pallasch is not that person. Throughout this nomination process, Mr. Pallasch has shown that he has very limited experience with or understanding of the programs that he would be overseeing.

I am going to vote against this nomination, and I urge my colleagues to do the same.

At this time, I also want to once again reiterate my disappointment in the Administration's lack of support for the Equal Employment Opportunity Commission and the National Labor Relations Board.

Last Congress, Republicans refused to confirm two very highly qualified and respected nominees to additional terms on the EEOC and the NLRB.

Earlier this year, Republicans broke yet another longstanding tradition by confirming a male to go to the EEOC without a Democratic pair. Last week, the White House announced its intention to nominate a bipartisan pair of nominees to the EEOC. After a year of obstruction, I am encouraged by this small step toward bipartisanship and normalcy, but I am here today to urge the White House to formalize these nominations as quickly as possible so that the Senate can confirm them and restore balance to the EEOC.

I strongly urge the White House to nominate a full slate of nominees—Republican and Democrat—to both the NLRB and EEOC.

For those reasons and because of Mr. Pallasch's lack of experience and knowledge about the programs and the policies he would be responsible for, I will vote against his nomination.

NOMINATION OF ROBERT L. KING

Madam President, I also come to the floor today to oppose the nomination of Robert King to be the Department of Education's Assistant Secretary for Postsecondary Education. This position is especially important because so many of our Nation's students are struggling today in higher education.

Over the last few years, I have heard from students who are worried about how they are ever going to afford their textbooks or their rent or even their food, who are worried if their college is preparing them for a good education and if they are going to be able to get a good-paying job and pay off their loans.

First-generation college students are struggling to navigate their financial aid and how to succeed on a college campus free from harassment and assault on campus. Those are just a snapshot of the issues students are facing in higher education today.

These challenges are not easy to solve. That is why Chairman ALEXANDER and I are working now to address all of those issues and more in our reauthorization of the Higher Education Act. And because we need to work to update this critically important law, we cannot ignore the current actions of this Department of Education, which is loosening and eliminating rules that benefit predatory colleges instead of protecting students. Students should have an ally at the Department of Education, someone who understands the challenges they are facing and is committed to helping students succeed.

Among other responsibilities, this Assistant Secretary for Postsecondary Education is responsible for developing rules, for developing a budget and legislative proposals for higher education,
and overseeing our country's quality assurance system of accreditation—a system this Secretary is currently dismantling.

This position is also responsible for programs that help our low-income students and generation students and students with disabilities as they prepare for and try to succeed in college and programs that help support minority-serving institutions.

On these issues specifically, Mr. King’s record is particularly concerning. Mr. King blamed students for the daunting challenges in higher education today, even saying students are making “bad economic choices.” He also refused to answer questions on whether income inequality plays a role in a student’s ability to earn a degree.

There are students in higher education who are skipping meals today or living in a car. Mr. King would not acknowledge the problem.

Finally, on an issue that is so important to me and one that is imperative to a student’s ability to succeed in higher education, Mr. King blamed alcohol and bad judgment—not perpetrators—of a pervasive culture of sexual assault on college campuses.

I don’t believe Mr. King has the right understanding of what students are facing today to be our Nation’s next Assistant Secretary for Postsecondary Education. I urge my colleagues who are committed to making higher education within reach for all students to join me in voting against his nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

U.S. WOMEN’S WORLD CUP VICTORY

Mr. CARDIN. Madam President, Sunday morning, I did what I think most people in this Nation did if they were not in France. I turned on the television to watch the women’s national soccer team perform in an incredible showing of talent and commitment on the soccer field. It was an incredible victory for the women’s national team, and we are all very proud of what they were able to accomplish. This has been an incredible streak.

Since the Women’s World Cup was established in 1991, there have been eight competitions. The United States has won only once, the last two consecutively—beating the Netherlands on Sunday by a score of 2 to 0.

We all congratulate the team. We are very proud. They represented our Nation extremely well. Each of us shares that pride.

As a Maryland Senator, I want to acknowledge Rose Lavelle and Mallory Pugh, who are from the Washington Spirit, which is based in Germantown, MD.

GENDER PAY INEQUALITY

Madam President, this team represents our entire country and the best of our Nation. Their performance highlighted an issue that they raised, which I hope this body will respond to, and that is the pay inequity based upon gender in this country.

It is shocking that these women soccer players are paid less, receive less in compensation than their male counterparts, though the money they earn at the world stage has consistently outperformed the men. They have a different pay structure. In 2014, the men's total performance bonus totaled about $5.4 million, even though they were eliminated in the round of 16. The following year, the women received about one-third less than the men did, even though they were the world champions.

In 2016, this body acted by passing a resolution about the gender pay inequity—to treat all athletes with the respect and dignity they deserve. That was the right thing for us to pass in 2016, and I know my colleague Senator MANCHIN is working on legislation now that will follow that up since, obviously, the soccer league did not respond. In regard to our women’s national soccer team.

In 1963, Congress passed the Equal Pay Act. Yet, when you look at what women earn versus men for comparable work, women earn only 61 cents for every dollar a man earns. It is much worse for minorities. Native Hawaiians and Pacific Islanders versus White males are 62 cents versus a dollar; African-American women are 61 cents versus a dollar; Native Americans are 58 cents; and Latinos are 53 cents. The wage gap affects not only their current earnings, but it puts women behind men in career earnings of around $400,000 during the course of their careers, which weakens their ability to save for their retirements. It also means there being fewer Social Security benefits. It affects their ability to be compensated fairly—to have the wealth of this Nation and the security of this Nation.

We can do something to change this. I have already mentioned Senator MANCHIN’s efforts and that we could do something specifically in regard to the soccer players, but I urge us to do something a little bit more permanent, and that is to pass the Equal Rights Amendment.

I think Americans would be surprised to learn that in the Constitution of the United States, there is no protection for equal pay for women. Most Americans think we already did that. Any constitutional of a democratic State that has been created since the end of World War II has contained constitutional protections for equal rights for women. Many of our State constitutions have provisions for equal pay for a White male; not for women, but our Constitution of the United States does not.

In 1972, the Congress of the United States passed an equal rights amendment to the Constitution, particular to women. It was ratified by the States. Originally, Congress gave the States until 1979. Then Congress extended it until 1982. Now 37 States have ratified the Equal Rights Amendment. We are one State short of the 38 required for the ratification of a constitutional amendment. Yet there is a problem here. We need to get the 38th State, but we also need to extend the time for the last amendment that dealt with the pay amendments of Constitutional Amendment. Often what we adopt today is a problem that took over 200 years to ratify.

What we are saying—and I have joined with Senator MURKOWSKI in a bipartisan resolution—is to let us extend the time for the ratification of the constitutional amendment for the equal rights of women so we can really do something meaningful for the gender gap on pay that we have.

In this Congress, we celebrate the 100th anniversary of women’s suffrage—since women had the right to vote. Another concrete way to celebrate that milestone is for us to pass the Equal Rights Amendment. How a nation treats its women economically and socially is a sign of that nation’s success. Empowering women is one of the most important things we can do for the future of our country. Whether it occurs on the soccer pitch or in the factories or offices across the country, the wage disparity between American men and women is hurting our Nation.

This morning, the U.S. women’s national soccer team rolled down Broadway in a ticker tape parade befitting a world championship, and today or tomorrow, the Senate will likely pass a resolution that will commend the team. These are appropriate ways to celebrate the team. Yet, if we really want to honor the outstanding women who have just brought home the World Cup again, we should join their fight for equal pay for themselves and for all women. Pass S.J. Res. 6, and let’s finally ratify the Equal Rights Amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, I ask unanimous consent that we begin the 4:30 p.m. vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 the nomination of Robert L. King, of Kentucky, to be Assistant Secretary for Postsecondary Education, Department of Education.

Mitch McConnell, Roger F. Wicker, John Barrasso, David Perdue, James E. 

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of John L. King, of Kentucky, to be Assistant Secretary for Postsecondary Education, Department of Education, shall be brought to a close?

The yeas and nays are necessary under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Ms. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from New Mexico (Mr. HEINRICH), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. CRAMER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 39, as follows: [Rollcall Vote No. 198 Ex.]

**YEAS—56**

Alexander, Fischer, Paul
Barasso, Perdue
Barrasso, Gardner
Blackburn, Graham
Blunt, Risch
Boozman, Hoeven
Brown, Romney
Burr, Rubio
Capito, Rounds
Cassidy, Saas
Collins, Scott (FL)
Cornyn, Scott (SC)
Cotton, Shelby
Cramer, Sinema
Crapo, Thune
Cruz, Tillis
Daines, Toomey
Ernst, Wicker
Fischer, Young

**NAYS—39**

Baldwin, Hassan
Bennet, Schatz
Blumenthal, Schumer
Brown, Shaheen
Cantwell, Smith
Cardin, Snowe
Carper, Tester
Casey, Udall
Coons, Van Hollen
Cortez Masto, Warner
Duckworth, Warren
Durbin, Whitehouse
Feinstein, Wyden

Not Voting—5

Booher, Harris
Gillibrand, Heinrich

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 39. The motion is agreed to.

**CLOTURE MOTION**

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 the nomination of John P. Pallasch, of Kentucky, to be an Assistant Secretary of Labor.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of John P. Pallasch, of Kentucky, to be an Assistant Secretary of Labor, shall be brought to a close?

The yeas and nays are necessary under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Ms. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from New Mexico (Mr. HEINRICH), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. CRAMER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 41, as follows: [Rollcall Vote No. 199 Ex.]

**YEAS—54**

Alexander, Fischer, Paul
Barasso, Gardner, Perdue
Blackburn, Graham
Blunt, Risch
Boozman, Hoeven
Brown, Romney
Burr, Rubio
Capito, Rounds
Cassidy, Saas
Collins, Scott (FL)
Cornyn, Scott (SC)
Cotton, Shelby
Cramer, Tillis
Craco, Thune
Daines, Toomey
Ernst, Wicker
Fischer, Young

**NAYS—41**

Baldwin, Hassan
Bennet, Schatz
Blumenthal, Schumer
Brown, Shaheen
Cantwell, Smith
Cardin, Snowe
Carper, Tester
Casey, Udall
Coons, Van Hollen
Cortez Masto, Warner
Duckworth, Warren
Durbin, Whitehouse
Feinstein, Wyden

Not Voting—5

Booher, Harris
Gillibrand, Heinrich

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 41. The motion is agreed to.

**EXECUTIVE CALENDAR**

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of John P. Pallasch, of Kentucky, to be an Assistant Secretary of Labor.

The PRESIDING OFFICER. The Senator from Connecticut.

**PRESCRIPTION DRUG COSTS**

Mr. BLUMENTHAL. Mr. President, I am here to talk about insulin. You may wonder why someone would talk about insulin, given all the weighty and pressing issues we have before us in this Chamber and even more so in the world today. I will not begin to re- 

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Ms. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from New Mexico (Mr. HEINRICH), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. CRAMER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 41, as follows: [Rollcall Vote No. 199 Ex.]

**YEAS—54**

Alexander, Fischer, Paul
Barasso, Gardner, Perdue
Blackburn, Graham
Blunt, Risch
Boozman, Hoeven
Brown, Romney
Burr, Rubio
Capito, Rounds
Cassidy, Saas
Collins, Scott (FL)
Cornyn, Scott (SC)
Cotton, Shelby
Cramer, Tillis
Craco, Thune
Daines, Toomey
Ernst, Wicker
Fischer, Young

**NAYS—41**

Baldwin, Hassan
Bennet, Schatz
Blumenthal, Schumer
Brown, Shaheen
Cantwell, Smith
Cardin, Snowe
Carper, Tester
Casey, Udall
Coons, Van Hollen
Cortez Masto, Warner
Duckworth, Warren
Durbin, Whitehouse
Feinstein, Wyden

Not Voting—5

Booher, Harris
Gillibrand, Heinrich

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 41. The motion is agreed to.

**EXECUTIVE CALENDAR**

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of John P. Pallasch, of Ken-
He was right. Insulin belongs to the world of people, whatever their ages, whatever their circumstances, whatever their means, wherever they live. Certainly, in the greatest country in the history of the world, where that patent, about 100 years ago, was sold for $1, shouldn’t it be affordable and accessible to everyone?

Well, this story has a really discouraging sequel, which is today in real time. The price of insulin has skyrocketed, but between putting food on the table and buying insulin, there are different numbers. It doubled, according to one authoritative site, between the years 2012 and 2016. There is another study that says it has risen 10 times in price over just the last several years. Beyond question, it has risen and not just by a little bit but by literally hundreds of dollars for the average American who has to afford it, day in and day out. Those yearly costs are forcing people to choose, literally, between putting food on the table and buying insulin, between the kinds of fun that ordinary young people would enjoy and buying insulin.

I know we say this about choices made by Americans, but today in this very Capitol, just steps away, I listened to the parents of Logan and Emma talk to me, along with them, about the real-life consequences of these exploding insulin costs, and it broke my heart. Their experiences are truly heartbreaking and disheartening.

Logan is 12 years old, and he told me in the reception area right here about his diagnosis at 18 months. He talked about the advances in technology around diabetes treatment with extraordinary technological knowledge—impressive not just for someone our age but truly for somebody who is 12 years old. These advances are a tribute to American science, innovation, and ingenuity. They are groundbreaking, but at the day, in the moments when they cannot afford insulin, even the best, most groundbreaking technology means nothing. That is Logan’s reality.

His mom told me about sitting in a CVS parking lot and crying while she held a box of pasta because that was all she could afford—pasta for the rest of the week for dinner for that family. It was all she could afford after the insulin costs. For their family, Logan’s insulin costs were as high as $750 a week. That is their deductible. That is what they pay even with insurance. So they have sacrificed not only in terms of what they eat but how they live. He was with Emma, and the two of them are extraordinary ambassadors for the Juvenile Diabetes Research Foundation, the JDRF, which does so much wonderful work for diabetes patients.

Emma is 15 years old, and her father told me about a similar struggle to afford insulin. In fact, her own dad was diagnosed with type 1 diabetes in his mid-thirties after Emma’s diagnosis. He told me that “the price of insulin is illogical.”

There is no reason why the cost keeps going up. In fact, Emma and Logan, both from Connecticut, have become world-wise—not world-weary but world-wise—about the American drug industry. They know those costs are being passed on and reflected in terms of the cost to the manufacturer. There are costs and prices rising for consumers without any justification in the real cost of producing the insulin they need.

Last week, I held an event on insulin with other diabetes patients to discuss the skyrocketing costs. One of my constituents who spoke was a little bit older than Logan and Emma. Dr. Kathryn Nagel, a physician and resident at Yale University, was also diagnosed with diabetes when she was 18 months old. She is a resident now, training to become a pediatrician, among other specialties. As she put it to me, “Banting would be ashamed of the price of drugs now.” Dr. Banting said, “Insulin does not belong to me, it belongs to the world.” He would be outraged and embarrassed by what is happening in America today.

Mr. President, I am unanimous consent that Kathryn Nagel’s full remarks be printed in the RECORD. There being no objection, the material was ordered to be printed in the RECORD, as follows:

**JULY 10, 2019.**

I was diagnosed with type 1 diabetes when I was 18 months old. As you can imagine, this was terrifying for my family. But we were lucky. Where we lived, we had access to the most advanced health care in the world. I was immediately connected to a team of doctors who taught my family everything we needed to know about managing this disease. I had health insurance. Through my insurance, I received insulin and all the other supplies I would need, and my family was able to devote its attention to mastering the regimen required to keep a type 1 diabetic alive.

I was lucky.

I didn’t have to worry about where my insulin came from. I didn’t have to worry about having to scramble for a new prescription before my supply had run out. I didn’t have to switch allegiances to a different insulin company. I didn’t have to worry about how much it cost because of a high deductible, copay, or god forbid, no insurance at all.

This, unfortunately, is not the reality for many Americans living with diabetes today. I had this access, not because it is a right granted to all Americans, but because my dad was the employee of a University. When I was in high school, my parents started to impress upon me a vital truth: I must always be employed by someone who would give me good health insurance.

With the help of protections from the Affordable Care Act, a determination to purify the path to medicine, I continued to have good access to health insurance. The insulin pricing crisis and healthcare chaos in our country has become subtle, but never catastrophic ways for me.

I saw it when I went to fill my prescription, and it was told that because of some back door deals my company was no longer covering the type of insulin I had used for the past 20 years. If I wanted to take that type of insulin, I would have to pay hundreds of dollars more for insulin that cost less. For reference, when I first started this insulin, its list price was $26 a vial.

Mr. BLUMENTHAL. Mr. President, Kathryn Nagel—who will be an extraordinary physician because she has not only a great mind, but she also has a great heart—is absolutely right. Drug companies today have moved far from the outreaching motives of insulin’s original discovery. Advancements in biotechnology have allowed manufacturers to make slightly more purified and precise versions of insulin, but it works the same as Dr. Banting’s original insulin from the 1920s because that is what our body needs to do its work.
Even incremental changes to an insulin product open up new patent opportunities for manufacturers and companies that have been taking advantage of these loopholes in our patent system for too long at the expense of patients and their families.

Let me begin with one particularly egregious example. Sanofi manufactures the insulin product Lantus. Sanofi filed a total of 74 patents on Lantus, with 95 percent of those applications happening after Lantus was introduced to the market in the year 2000. That is an increase of 100 percent of patents and kicks in to a lack of affordable access to insulin. Because one in four type one diabetics have had to ration insulin, planning ahead and trying to survive as pharmacists, companies continue to unabashedly raise their prices. Because I am the one in four who have been forced to ration their insulin.

My story is a familiar one for the diabetes community. While pursuing my dream internship, I turned 26 and lost my health insurance. For weeks, I ate significantly less, exercised even more, and dangerously started rationing my insulin by cutting my dose and letting my blood sugars rise to unhealthy levels. For weeks, I ate significantly less, exercised even more, and dangerously started rationing my insulin by cutting my dose and letting my blood sugars rise to unhealthy levels.

As one of the four who have been forced to ration their insulin... It was like learning a new, complex language and continues to be a relentless disease that requires constant vigilance. So why would I devote any free time to a disease that has already taken so much? Why? Because of Alex Smith and Kevin Houseshell and Micah Fischer and the countless others who are due to a lack of affordable access to insulin. Because one in four type one diabetics have had to ration insulin, planning ahead and trying to survive as pharmacists, companies continue to unabashedly raise their prices. Because I am the one in four who have been forced to ration their insulin.

My story is a familiar one for the diabetes community. While pursuing my dream internship, I turned 26 and lost my health insurance. For weeks, I ate significantly less, exercised even more, and dangerously started rationing my insulin by cutting my dose and letting my blood sugars rise to unhealthy levels. Even as those last vials turned to the last few drops, I refused to panic. Surely this is what all the patient assistance programs promised. I called my pharmacist, my pharmacy, my insurance company, the insulin manufacturer, 3 different prescription assistance programs and faced the same answer every time: there was nothing they could do to help because I had insurance. With every call I became increasingly more desperate, finally resorting to begging and pleading. Didn't they understand we could be dead in less than 48 hours if I didn't get my insulin? I wasn't just frustrated at that moment; I wasn't just frustrated at that moment; I felt insignificant. Like my survival, my life amounted to absolutely nothing.

At the end of the day, none of those avenues helped because the reason my insulin manufacturer and pharmaceutical companies tout to the media saved me from death. No, my help came from a last-ditch visit to a government funded community health clinic. My insulin for the month of June was provided to me for $14—$2,386 less than at the pharmacy.

The insulin crisis is at a critical juncture in America. We can no longer talk about hypotheticals—diabetics have been and are continuing to die from a lack of affordable access to a drug we need just as much as oxygen. I may not have set out to be an advocate, but I refuse to sit idly by while diabetics suffer. I am a past president of the JDRF and obviously I can tell you that I'm not the only Type 1 in Connecticut who is worried about this. I'm fortunate that they still asked me to come and tell my story.

As far as background goes, I was diagnosed as Type I diabetic in 1999 and started used Humalog insulin in 2001. Just to see what we’re talking about, this is one vial of insulin and we do not know. For me, it’s about ten days of life. It being July 1st, we’re getting close to the Fourth of July—the country’s birthday, if you will—and I’ll show you this, which is three vials of insulin in a box, with a rubber band around them, that says “One of three, two of three, three of three.” That’s so that a month of life, for me, is not too cheap.

The good news is that it is a lot of gas prices at the pump, but what is it that we have to figure out how to feed my family, which includes my wife and three children, and continue to do so. And that, for even me, is quite a task at times.

So what do I do? I try to stockpile as much insulin as I can grab, while my deductible has been exhausted. Like a sucker before being fleeced, I tried to do this as I could before today. So I have about a month or two while I’m okay, or very good. But this is unacceptable. This is not the point of healthcare reform. It has not been addressed, in my opinion.

I thank Senator Blumenthal. With my years of involvement with JDRF I've met and worked with wonderful people and leaders of a number of times. I’m a past president of the JDRF and obviously I can tell you that I’m not the only Type 1 in Connecticut who is worried about this. I’m fortunate that they still asked me to come and tell my story.

So, again, this was $25 and, if I went back today, or in two weeks, it would be $1,008. And it would probably be more expensive, to tell you the truth, because the price of insulin just keeps going up. The minute you drive your car off the lot, it depreciates but, once you drive your car off the lot, it depreciates but, once you drive your car off the lot, it depreciates but...
what Kristen had to do in the face of these rising drug prices.

In order to pursue her dream internship, Kristen had to purchase the only health insurance she could afford, which was a high-deductible plan whose only payments covered 15 percent of her income. To try to prepare for the realities of this kind of coverage, she had to hoard her insulin and other diabetes supplies for months in advance, deliberately starving her body off the medicine she needed in order to keep her head above water financially.

I have submitted bipartisan legislation that was recently approved unanimously by the Judiciary Committee, along with my colleague Senator Cornyn, that would end these abusive practices surrounding patents—patent-thickening and product-hopping. You don’t need to know the details of those abuses or of our legislation to understand the need for protection and the need for security and safeguards for these kinds of patients—the 30 million who suffer from diabetes and who are paying exploding costs for insulin that are rising exponentially and astronomically for not only insulin but also many other drugs we know from listening to our constituents.

All of our colleagues understand the high cost of prescription drugs that continue to plague America across all walks of life. Every day, patients are forced to choose, in fact, between paying for the medicines they need and the needs of their families. Drugs to treat everything from depression, to arthritis, to cancer, and even basic saline solution for IVs have increased in price in recent months. They are not new, wondrous, magic discoveries; they are workhorse medicines. Insulin has been around for 100 years. Many of these other drugs have been around for decades as well. We owe it to Americans.

As citizens and as patients ourselves, we know that these rising prescription prices are ruining families, tearing apart communities, and destroying the basic trust we have in our healthcare system. Nothing is more basic.

The bill Senator Cornyn and I are hoping this Chamber will pass is just one step toward making prescription drug affordability available to all of our citizens.

Logan Merwin, Emma Del Vecchio, and all of the children in America who suffer from diabetes understand something maybe we don’t as well: that insulin is a matter of life and death and that they are alive because they live in the greatest country in the history of the world, where insulin is available when it is difficult for their families to afford. They know, too, that with the great advocacy of Kathryn Nagel, Kristin Whitney Daniels, Jonathan Chappell, and others who are taking their cause to America, as well as the JDRF, which is supporting wonderful discoveries, we will be a better country. We will make these prescription drugs affordable.

Insulin will be available to all, insulin belongs to me or to you; it belongs to the world. And I hope America will be an example of making insulin belong to the world.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McConnell. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. McConnell. Mr. President, I ask unanimous consent that at 11 a.m., Thursday, July 11, the Senate vote on the confirmation of Executive Calendar Nos. 161 and 192 in the order listed. I further ask that if confirmed, the motions to reconsider be considered made and laid upon the table and that the President be immediately notified of the Senate’s action; further, that if cloture is invoked on Executive Calendar No. 13, the postcloture time expire at 1:45 p.m.; finally, that the ranking member of the Committee on Environment and Public Works control the time from 1 p.m. until 1:40 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McConnell. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFORDABLE CARE ACT

Mr. Cardin. Mr. President, today I wish to discuss Americans’ access to healthcare and patient protections that are carelessly being threatened by President Trump and his administration, specifically, his decision to not uphold the Patient Protection and Affordable Care Act, ACA, which is the law of the land.

This week, the U.S. Court of Appeals for the fifth circuit began reviewing appeals to a December decision in the case Texas v. U.S., in which the entire ACA was ruled unconstitutional. Republican attorneys general from 18 States—and the ACA is unconstitutional because our Republican colleagues repealed the individual mandate as part of their 2017 tax bill. Instead of defending the ACA and fighting for Americans with preexisting health conditions, President Trump took the unprecedented step of not defending current law, and the Department of Justice revised its position to support full repeal of the ACA, continuing to literally rip out the heart of affordable healthcare and the monumental consumer protections created through the ACA. This includes the 133 million Americans with preexisting conditions, 17 million people who gained insurance through Medicaid expansion, 12 million seniors who pay less for prescription drugs, and over 2 million adult children who will no longer be able to stay on their parent’s health insurance.

I am particularly worried about the 2.3 million non-Marylanders who suffer from diabetes and who are taking their cause to America, including Marylander Kristen. Before the ACA, insurers denied health coverage to Americans with preexisting health conditions.

The most common preexisting conditions are pregnancy and women’s health disorders—cancers, high blood pressure, behavioral health disorders, high cholesterol, asthma, and heart conditions. Patients with preexisting conditions must know their health insurance coverage is there for them when they are particularly when they become sick. The ACA took the important step to ensure this, by protecting all patients against arbitrary, sudden loss of insurance. This security would, of course, be eliminated if the ACA is overturned.

In addition to these important consumer protections, the Affordable Care Act increased access to care for millions of people who previously were uninsured or underinsured. Through Medicaid expansion, 13 million Americans now have dependable, comprehensive healthcare, including 300,000 Marylanders. We must protect the Medicaid expansion population and other uninsured or underinsured populations from the Trump administration’s efforts to eliminate their access to affordable care.

The numerous reckless attempts by the Trump administration to sabotage the ACA disregard how much good it has done for all Americans. Before we passed the Affordable Care Act, too many people fell through the cracks with inadequate insurance coverage, annual and lifetime coverage caps, or limits to preventive health services. Too many declared bankruptcy because of healthcare costs or skipped prescribed care or medications because of the costs.

The ACA ensured that many of those people now have access to higher-quality coverage. Core elements of the law require companies to cover adults and require companies to cover children with preexisting conditions, prevent insurance companies from setting annual and lifetime limits, and
Mr. BLUMENTHAL. Mr. President, today I wish to recognize the American Legion as it celebrates 100 years of dedication to serving and advocating for veterans on a local and national level.

Chartered and incorporated by Congress in 1919, the American Legion has grown to support veterans nationwide. The American Legion Department of Connecticut was established in the same year and is home to some of the first posts in the country.

Over the past century, the American Legion has established itself as our Nation’s largest veterans service organization. As a nonpartisan and not-for-profit organization, the Legion uniquely offers a multitude of local programs devoted to our servicemembers and their communities. Through youth mentorship and athletics, reintegration assistance for wounded veterans, and many other critical activities, the Legion plays an indelible role in their communities across the United States.

With around 150 posts across Connecticut, the organization helps bring together and shape the lives of many veterans, their families, and their neighborhoods. The Department of Connecticut follows the four pillars of the American Legion: supporting Americanism, national security, advocating for veterans’ affairs and healthcare, and mentoring children throughout our state for future success.

In particular, they generously help children of all ages in Connecticut explore their potential with activities such as the State Police Youth Basketball, an oratorical contest focused on deepening high school students’ understanding of the U.S. Constitution, American Legion Baseball, and summer government education programs.

As a member who has regularly attended events for the Legion, including several of their youth programs, annual conventions, Veterans Day events, and mid-winter conferences, I can proudly attest firsthand to the impressive work they accomplish on behalf of Connecticut veterans and their families. As the American Legion and its Department of Connecticut recognize and celebrate their rich and productive 100-year history, the dedicated staff and volunteers continue to look toward the future and expand the positive impact of their outreach and programs.

Committed to serving veterans and their communities throughout our State, the American Legion Department of Connecticut provides essential advocacy and services that help to better lives and create new opportunities. I applaud the accomplishments of the American Legion’s devoted officers and volunteers, and I hope my colleagues will join me in congratulating the American Legion and the American Legion Department of Connecticut on a century of excellence.
working with local chronic disease patient advocates on July 10 to highlight contemporary challenges and opportunities, and I encourage my colleagues to join in this effort.

Chronic illness includes cancers, cardiovascular disease, and many other conditions that people with chronic illnesses can be prevented, and Chronic Disease Day is an opportunity to feature healthy lifestyles, the importance of regular health screenings, and proper self-care. In this regard, awareness and education can go a long way towards improving patient outcomes, preventing the progression of disease, and lowering healthcare costs.

Many chronic illnesses are avoidable though and have genetic components or are simply idiopathic with an unknown origin. These include rare and life-threatening conditions that require near constant access to life-sustaining care or therapies. These patients and their families rely on voluntary charitable assistance programs to maintain this access when they have no other options.

July 10 is a time to promote the importance of preventing chronic disease while reflecting on opportunities to better serve the individuals and families facing serious chronic illness. I call on my colleagues to please join me in recognizing Chronic Disease Day.

ADDITIONAL STATEMENTS

RECOGNIZING THE OUTDOOR INDUSTRY ASSOCIATION

Mr. BENNET, Mr. President, I wish to recognize the 30th anniversary of the Outdoor Industry Association, OIA. Based in Boulder, CO, OIA is the leading trade organization of the outdoor recreation apparel industry.

Founded by a group of 14 brands and specialty retailers, OIA has grown to include 1,300 companies that are the backbone of an $88 billion outdoor recreation economy supporting 7.6 million jobs across the United States. For the past three decades, OIA has represented American businesses and individuals whose vocations and avocations are connected to this Nation's best idea: our public lands and waters. OIA is motivated by a shared commitment to protecting, maintaining, and expanding outdoor recreation infrastructure and ensuring every person in the United States has equitable access to nature.

From its earliest days, OIA has partnered with conservation organizations to advocate for our public land and water. OIA helped to permanently reauthorize the Land and Water Conservation Fund, and they continue to press for full funding. They have also supported wildfire funding legislation, rail-trail conversion, and recreation infrastructure programs and continue to work toward responsible climate and energy policy. The organization also produces outdoor recreation economy report that highlights the influence of the outdoor recreation sector on the national economy, including statistics on consumer spending, tax revenue, and job creation. This report is an incredible resource for lawmakers, land managers, and local planning. As a result, over the past half decade and following Colorado's leadership, States have created State offices of outdoor recreation to ensure that government leaders and business leaders are working together to grow their recreation economies.

I am honored to continue to work with OIA to protect our public land and water. Earlier this year, OIA announced their support for the Colorado Outdoor Recreation and Economy Act, S. 241/H.R. 823, our bill to protect 400,000 acres of public land in Colorado while safeguarding existing outdoor recreation opportunities. OIA stated that they are "one hundred percent in support of the Recreational Reinvestment and Economy Act because it would protect nearly half a million acres of public lands across Colorado and support the state's $28 billion outdoor recreation economy while honoring its history in protecting Camp Hale, the origin of the 10th mountain division during WWII." I appreciate OIA's support for conserving public land in Colorado.

OIA members exemplify the collaborative and altruistic stewardship at the heart of our outdoor industry. For that, I congratulate OIA on this 30-year anniversary and thank them for their contributions to our American outdoor heritage.

TRIBUTE TO ROBERT WILLIAMS

Mr. ISAKSON, Mr. President, today, I am honored to recognize in the Senate Mr. Robert M. Williams, Jr., who recently retired after almost half a century as editor and publisher of the Blackshear Times in Blackshear, GA.

While he may be a small-town newspaperman, Robert Williams is known throughout south Georgia and across much of our State because of his work ethic, his devotion to the printed word, and his dedication to the newspaper business and what it means to a community. For more than 48 years, Robert has worked to be accurate, fair, and to provide his readers with the news that affects them and the community they all cherish. He has personally written more than 2,000 columns during his career.

It is worth mentioning that the newspaper's motto, printed at the top of the front page of the printed publication and online, is one Robert has also claimed as his own: "Liked by Many, Cussed by Some, Read by Them All." With the weekly newspaper also turning 150 years this year under Robert's leadership, both have long been widely read.

At Just 20 years old, Robert began his career at the Blackshear Times after coming down to the community from the University of Georgia in Athens, GA. He was brought in by two legendary Georgians themselves, Roy Chalker, Sr., and Wilkes Williams of Waynesboro, to turn their investment around. Turn it around he did, settling well into the community at the same time. A short 5 years later, Robert purchased the Blackshear Times. Under Robert's leadership during the last 48 years, the newspaper has won hundreds of awards in a variety of categories.

Robert and his wife Cheryl have both loyally and successfully served not only this publication, but the newspaper industry as a whole. The Blackshear Times is one of five newspapers that Robert and Cheryl have owned as part of their SouthFire Newspapers organization, which also includes the Alma Times, the Charlton County Herald, the Telfair Enterprise, and the Monroe County Reporter in Georgia. Robert and Cheryl have both served on the Leadership Georgia Program Association, our State's newspaper industry advocacy organization.

Robert was also president of the 2,300-member National Newspaper Association in 2014, serving nationally as the voice of small-town newspapers.

Locally, Robert Williams served two terms on the Blackshear City Council and served as executive director of both the Pierce County Industrial Development Authority and the Pierce County Chamber of Commerce. Robert is also a graduate of the Leadership Georgia program, an organization we both hold dear and that has guided our service to the State. Robert has found countless ways to give back. Whether it was as a member of the Georgia Agriculture Exposition Authority that governs the Georgia National Fairgrounds in Perry or the local college foundation board, Robert and Cheryl have made an impact well beyond Blackshear both professionally and personally.

Last week, Robert announced the sale of the Blackshear Times, bidding farewell after one of the longest editorial tenures in Georgia. With his final column as editor and publisher, Robert was incredibly gracious, thanking his colleagues, employees, mentors, and the fine bankers who gave him those first loans.

I speak for all Georgians when I say thank you to Robert and Cheryl for the difference you have made in our State. I count myself lucky to call you a friend, and Diane and I wish you both the very best as you plan your future.

REMEMBERING CHRIS CLINE

Mr. MANCHIN, Mr. President, I can't express enough what Chris Cline meant to our home State of West Virginia. He represented the very best of the Mountain State, which is saying a lot. Born in Mingo County and raised a stone's throw from the train tracks in the coalfields of Beckley, Chris's family was wealthy beyond measure in the
only currency that truly matters: love, work ethic, and profound strength of character.

One of my favorite stories about Chris is, when he was a child, he filled bags with dirt for his father, Paul, to use for the fields at the mine. His father paid him a penny per bag. It was once the front porch caved in that his father realized he had been getting the dirt from beneath it. Chris said that was how he learned the importance of infrastructure.

He never lost touch with the days he would come home from a shift in the mines as a young man of only 15, his face caked in coal dust. In fact, he kept his first hard hat, battered from years of hard labor, in a place of honor at his home in Beckley. From this foundation, he built an opportunity empire. From the early days of Pioneer Fuel to when Chris founded Foresight Energy, much of the success he gained was returned to the men and women who keep him in mind. He treated his workforce as family, knowing very well what it was like to be in their shoes, and so invested in the safest, most innovative, and efficient tools and methods.

His coal enterprises took him from Appalachia to Illinois to Canada. He offered cash incentives to his miners, installed advanced and safe mining equipment, and was ahead of his time in anticipating the market for coal. Chris believed it was not enough to be innovative, you need a little luck. At Foresight, his four mine complexes were the most productive underground operations in the Nation. He bought docks on the Mississippi River and built rail spurs to haul coal onto ships bound for India, Europe, and Asia.

Chris understood opponents of burning coal while defending coal and his role in supplying the world with it. He was an adventure junkie, always looking forward to the next thing he could drive a fast car or ride a four-wheeler through the West Virginia hills.

I can’t speak enough to what a good-hearted, wonderful person he truly was. I always thought of him as a man for all seasons. No matter the circumstances, he kept a cool head and a warm demeanor, always able to discern the most honorable path forward. It was an honor to call him my friend, and I miss him dearly.

I extend my sincere thanks and appreciation to Meredith for all of the fine work she has done and wish her continued success in the years to come.

TRIBUTE TO RYDER FUHRMAN

- Mr. THUNE. Mr. President, today I recognize Ryder Fuhrman, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several weeks.

Ryder is a graduate of Warner High School in Warner, SD. Currently, he is attending Northern State University in Aberdeen where he is majoring in political science and economics and legal studies. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Ryder for all of the fine work she has done and wish her continued success in the years to come.

TRIBUTE TO KIERA LEDDY

- Mr. THUNE. Mr. President, today I recognize Kiera Leddy, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several weeks.

Kiera is a recent graduate of Oklahoma State University in Stillwater, OK, having earned a degree in agricultural communications. This fall, Kiera plans to attend Drake University Law School in Des Moines, IA. She is a hard worker who has been dedicated to getting the most out of her internship experience.
I extend my sincere thanks and appreciation to Kiera for all of the fine work she has done and wish her continued success in the years to come.

TRIBUTE TO GEORGE MICKELSON
• Mr. THUNE, Mr. President, today I recognize George Mickelson, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several weeks.

George is a graduate of Lincoln High School in Sioux Falls, SD. Currently, he is attending Creighton University in Omaha, NE, where he is majoring in finance and technology. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to George for all of the fine work he has done and wish him continued success in the years to come.

MESSAGE FROM THE HOUSE

At 10:30 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1749. An act to clarify seasoning requirements for certain refinanced mortgage loans, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2740. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

H.R. 3053. An act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2182. An act to require the Secretary of Housing and Urban Development to discount FHA single-family mortgage insurance premium payments for first-time homebuyers who complete a financial literacy housing counseling program; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2409. An act to amend the Securities Exchange Act of 1934 to expand access to capital for rural-area small businesses, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 285. An act to amend the Securities and Exchange Act of 1934 to amend the definition of whistleblower, to extend the anti-retaliation protections provided to whistleblowers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3050. An act to require the Securities and Exchange Commission to carry out a study of the 10 per centum threshold limitation applicable to the definition of a diversified company under the Investment Company Act of 1940, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with any necessary papers and documents, and were referred as indicated:

EC–1863. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acetic Acid Ethyl Ester, Polymer with Ethene and Ethanol; Tolerance Exemption" (FRL No. 9995–SI–OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1864. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acrylamide-Sodium Acrylamidomethylpropanesulfonate Copolymer; Tolerance Exemption" (FRL No. 9996–SI–OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1866. A communication from the Acting Principal Deputy Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of the Assistant Secretary of Defense (Acquisition), transmitting, pursuant to law, a notice of additional time required to complete an independent analysis report of developing a budget request for the full Future Years Defense Program; to the Committee on Armed Services.

EC–1867. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report entitled "Report to Congress on Distribution of Department of Defense Depot Maintenance Workloads for Fiscal Year 2018 through 2020"; to the Committee on Armed Services.

EC–1868. A communication from the Acting Principal Deputy Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Repeal of DFARS Clause ‘Price Adjustment’" (FRS No.0750–AK08) (DFARS Case 2019–D048) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2019; to the Committee on Armed Services.

EC–1869. A communication from the Acting Principal Deputy Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Annual Representations and Certifications-Alternate A" (FRS No.0750–AK09) (DFARS Case 2019–D030) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2019; to the Committee on Armed Services.

EC–1870. A communication from the Secretary of the Treasury, transmitting pursuant to law, a six-month periodic report on the national emergency with respect to transnational criminal organizations that the President declared on July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.
EC-1871. A communication from the Secretary, Department of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to the Import and Export of Goods under the Trading with the Enemy Act.

EC-1872. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Board’s semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-1873. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report entitled “Reporting, Procedures and Penalties Regulations” (31 CFR Part 501) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2019, to the Committee on Banking, Housing, and Urban Affairs.

EC-1874. A communication from the Assistant Secretary for Export Administration, Bureau and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Revisions to the Unverifiable List” (UVL) (RINNO 1545–BM77) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2019, to the Committee on Banking, Housing, and Urban Affairs.

EC-1875. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation of an emergency requirement funding so designated by the Congress in the Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Border Request for FY2019 (P.L. 116–9) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019, to the Committee on Banking, Housing, and Urban Affairs.

EC-1876. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the title of hydropower facilities and emergency requirements, including information about any delays by the Commission with respect to extensions and the reasons for such delays; to the Committee on Energy and Natural Resources.

EC-1877. A communication from a Senior Official performing the duties of the Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “National Capital Region; Event at the Washington Monument; Notice of Proposed Rulemaking” (84 FR No. 24–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019, to the Committee on Energy and Natural Resources.

EC-1878. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Kentucky; Jefferson County Existing and New VOC Water Separators Rule Revisions” (FR No. 9996–21–OAR) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019, to the Committee on Energy and Natural Resources.

EC-1879. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Missouri; Measurement of Emissions of Air Contaminants” (FRL No. 9996–61–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019, to the Committee on Environment and Public Works.

EC-1880. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Delaware; Emissions Standards Rule Certification for the 2016 National Ambient Air Quality Standard” (FR No. 9996–07–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019, to the Committee on Environment and Public Works.

EC-1881. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Delaware; Negative Declaration for the Oil and Natural Gas Industry Control Techniques Guidelines” (FR No. 9996–26–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019, to the Committee on Environment and Public Works.

EC-1882. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Draft Air Quality Plan; California; Coachella Valley 8-Hour Ozone Nonattainment Area; Reclassification to Extreme” (FR No. 9996–31–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019, to the Committee on Environment and Public Works.

EC-1883. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Standards of Performance for Stationary Compression Ignition Internal Combustion Engines Amendments” (FR No. 9996–11–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019, to the Committee on Environment and Public Works.

EC-1884. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled “Title I—Improving the Academic Achievement of the Disadvantaged and General Provisions; Technical Amendments” (RIN1810–AB47 and RIN1810–AB53) received in the Office of the President of the Senate on July 3, 2019, to the Committee on Foreign Relations.

EC-1885. A communication from the Assistant Secretary for Legislation, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled “Title I—Improving the Academic Achievement of the Disadvantaged and General Provisions; Technical Amendments” (RIN1810–AB47 and RIN1810–AB53) received in the Office of the President of the Senate on July 3, 2019, to the Committee on Foreign Relations.

EC-1886. A communication from the Acting Assistant Secretary for Legislation, Department of State, transmitting, pursuant to law, the report of a rule entitled “Report to Congress on Nurse Education, Practice, Quality and Retention Programs; Fiscal Year 2019” (RIN1810–AB29) received in the Office of the President of the Senate on July 3, 2019, to the Committee on Health, Education, Labor, and Pensions.

EC-1887. A communication from the Acting Assistant Secretary for Legislation, Department of State, transmitting, pursuant to law, the report of a rule entitled “Title I—Improving the Academic Achievement of the Disadvantaged and General Provisions; Technical Amendments” (RIN1810–AB47 and RIN1810–AB53) received in the Office of the President of the Senate on July 3, 2019, to the Committee on Foreign Relations.

EC-1888. A communication from the Acting Assistant Secretary for Legislation, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (P.L. 107–243) and the Authorization for Use of Military Force Against Iraq Resolution of 1991 (P.L. 102–1) for the September 10, 2018 to November 9, 2018 reporting period; to the Committee on Foreign Relations.

EC-1889. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (P.L. 107–243) and the Authorization for Use of Military Force Against Iraq Resolution of 1991 (P.L. 102–1) for the September 10, 2018 to November 9, 2018 reporting period; to the Committee on Foreign Relations.

EC-1890. A communication from the Acting Assistant Secretary for Legislation, Department of State, transmitting, pursuant to law, the report of a petition to add workers at the Idaho National Laboratory in Scoville, Idaho, to the Special/domains for State, transmitting, pursuant to law, the report of a rule entitled “Fiscal Year 2017 Performance Report to Congress for the Office of Combination Products”; to the Committee on Health, Education, Labor, and Pensions.

EC-1891. A communication from the Acting Assistant Secretary for Legislation, Department of State, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Authorization for the Use of Military Force Against Iraq Resolution of 2002 (P.L. 107–243) and the Authorization for Use of Military Force Against Iraq Resolution of 1991 (P.L. 102–1)” for the November 10, 2018 to January 9, 2019 reporting period; to the Committee on Foreign Relations.

EC-1892. A communication from the Acting Assistant Secretary for Legislation, Department of State, transmitting, pursuant to law, the report of a rule entitled “Title I—Improving the Academic Achievement of the Disadvantaged and General Provisions; Technical Amendments” (RIN1810–AB47 and RIN1810–AB53) received in the Office of the President of the Senate on July 3, 2019, to the Committee on Health, Education, Labor, and Pensions.

EC-1893. A communication from the Assistant Secretary for Legislation, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Development of a Plan for the Rehabilitation of the Public Training Site at the Idaho National Laboratory in Idaho Falls, Idaho; to the Committee on Health, Education, Labor, and Pensions.

EC-1894. A communication from the Deputy General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Federal Charter Schools Program (CSP)—Grants for Credit Enhancement for Charter School Facilities” received in the Office of the President of the Senate on July 8, 2019, to the Committee on Health, Education, Labor, and Pensions.

EC-1895. A communication from the Deputy General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Authorization for the Use of Military Force Against Iraq Resolution of 2002 (P.L. 107–243) and the Authorization for Use of Military Force Against Iraq Resolution of 1991 (P.L. 102–1)” for the September 10, 2018 to November 9, 2018 reporting period; to the Committee on Foreign Relations.

EC-1896. A communication from the Acting Assistant Secretary, Office of Finance and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Internal Agency Review of Decisions; Requests for Supervisory Review of Certain Decisions Made by the Center for Devices and Radiological Health” (RIN1050–AH57 (Docket No. FDA–2016–N–2378)) received in the Office of the President of the Senate on July 8, 2019, to the Committee on Health, Education, Labor, and Pensions.
Operations, Department of Education, transmitting, pursuant to law, the Department’s fiscal year 2017 FAIR Act Commercial and Inherently Governmental Activities InVENTORY (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC–1897. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “2018 Annual Report to Congress on the Native Hawaiian Revolving Loan Fund”; to the Committee on Indian Affairs.

EC–1900. A communication from the Assistant Administrator, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the activities and the Uniform Community Relations Service for fiscal year 2018; to the Committee on the Judiciary.

EC–1899. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Requirement of U.S. Licensed Attorneys for Mark Application and Registrants” (RIN0651–AD30) received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2019; to the Committee on the Judiciary.

EC–1903. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; 2017–2018 Biennial Specifications; and Sub-Anual Catch Limits for 2019” (RIN0648–XC698) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1907. A communication from the Acting Deputy Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “2018 Annual Report to Congress on the Atlantic Herring Specifications and Sub-Anual Possession Limits” (RIN0648–XP290) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1904. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; 2016–2017 Biennial Specifications” (RIN0648–BH76) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1909. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Act Provisions; Fisheries of the Pacific and Alaska; Alaska Pollock Fishery: 2019 and 2020 Sector Operations Plans and 2019 Allocation of Northeast Multispecies Annual Catch Envelopes” (RIN0648–XG608) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1906. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Atlantic Herring Specifications and Sub-Anual Catch Limits for 2019” (RIN0648–XC560) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1905. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries Off West Coast States; 2018 Management Measures and a Temporary Rule” (RIN0648–BH22) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1913. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries Off West Coast States; West Coast Salmon Fisheries; 2018 Management Measures and a Temporary Rule” (RIN0648–BH22) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1914. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic and Pacific Migratory Species; Shortfin Mako Shark Management Measures; Final Amendment 11” (RIN0648–BH75) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1915. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Migratory Species; Shortfin Mako Shark Management Measures; Final Amendment 11” (RIN0648–BH75) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1102. A bill to promote security and energy partnerships in the Eastern Mediterranean, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. WICKER for the Committee on Commerce, Science, and Transportation.

For Mr. G. Schuette of Michigan, to be a Member of the Surface Transportation Board for the term of five years.

“Coast Guard nominations beginning with Rear Adm. (ih) Melvin W. Bouboulis and ending with Rear Adm. (ih) Michael P. Ryan, which nominations were received by the Senate and appeared in the Congressional Record on January 30, 2019.

*Stephen M. Dickson, of Georgia, to be Administrator of the Federal Aviation Administration for the term of five years.

*Nomination was reported with recommendation that it be confirmed subject to the nomination being referred to the Senate Committee on Commerce, Science, and Transportation to respond to requests to appear and testify before any duly constituted committee of the Senate.
The following executive reports of committee—TREATIES.

By Mr. RISCH, from the Committee on Foreign Relations:

Treaty Doc. 113–4: The Protocol Amending the Tax Convention with Spain (Ex. Rept. 116–1);

Treaty Doc. 112–1: Protocol Amending Tax Convention with Switzerland (Ex. Rept. 116–2);

Treaty Doc. 114–1: Protocol Amending the Tax Convention with Japan (Ex. Rept. 116–3); and


The text of the committee-recommended resolutions of advice and consent to ratification are as follows:

[Treaty Doc. 113–4 The Protocol Amending the Tax Convention with Spain]

As reported by the Committee on Foreign Relations:

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration and Conditions.

The advice and consent to the ratification of the Protocol Amending the Convention between the United States of America and the Kingdom of Spain for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and its Protocol, signed at Madrid on February 22, 1990, and a related Memorandum of Understanding, signed on January 14, 2013, at Madrid, together with correcting notes dated July 23, 2013, and January 31, 2014 (the “Protocol”) (Treaty Doc. 113–4), subject to the declaration of section 2 and the conditions in section 3.

Sec. 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Protocol is self-executing.

Sec. 3. Conditions.

The advice and consent of the Senate under section 1 is subject to the following conditions:

(I) Not later than 2 years after the Protocol enters into force and prior to the first arbitration conducted pursuant to the binding arbitration mechanism provided for in the Protocol, the Secretary of the Treasury shall prepare and submit to the Joint Committee on Taxation the text of the rules of procedure applicable to arbitration panels, including conflict of interest rules to be applied to members of the arbitration panel.

(II) Not later than 60 days after a determination has been reached by an arbitration panel in the tenth arbitration proceeding conducted pursuant to the Protocol or any of the treaties described in subparagraph (B), the Secretary of the Treasury shall prepare and submit to the Joint Committee on Taxation and the Committee on Finance of the Senate a report relating to taxpayer confidentiality, a detailed report regarding the operation and application of the arbitration mechanism contained in the Protocol and such treaties. The report shall include the following information:

(i) For the Protocol and each such treaty, the aggregate number of cases pending on the respective date of entry into force of the Protocol and each treaty, including the following information:

(a) The number of such cases by treaty article is listed below.

(b) The number of such cases that have been resolved by the competent authorities through a mutual agreement as of the date of the report.

(II) The number of such cases for which arbitration proceedings have commenced as of the date of the report.

(i) A list of every case presented to the competent authorities after the entry into force of the Protocol and each such treaty, including the following information regarding each case:

(a) The commencement date of the case for purposes of determining when arbitration is available.

(b) Whether the adjustment triggering the case, if any, was made by the United States or the relevant foreign authority.

(c) Which treaty the case relates to.

(d) The treaty article or articles at issue in the case.

(e) The date the case was resolved by the competent authorities through a mutual agreement, if so resolved.

(f) The date on which an arbitration proceeding commenced, if an arbitration proceeding commenced.

(g) The date on which a determination was reached by the arbitration panel, if a determination was reached, and an indication as to whether the panel found in favor of the United States or the relevant foreign authority.

(h) With respect to each dispute submitted to arbitration and for which a determination was reached by the arbitration panel pursuant to an arbitration mechanism provided for in any such treaty, the following information:

(I) In the case of a dispute submitted under the Protocol, an indication as to whether the party presented the case to the competent authority of a Contracting State submitted a Position Paper for consideration by the arbitration panel.

(II) An indication as to whether the determination of the arbitration panel was accepted by each concerned person.

(III) The amount of income, expense, or taxation at issue in the case as determined by reference to the filings that were sufficient to set the commencement date of the case.

The report shall include the text of the rules of procedure applicable to arbitration panels, including conflict of interest rules to be applied to members of the arbitration panel.

(II) Not later than 2 years after the Protocol enters into force and prior to the first arbitration conducted pursuant to the binding arbitration mechanism provided for in the Protocol, the Secretary of the Treasury shall prepare and submit to the Joint Committee on Taxation the text of the rules of procedure applicable to arbitration panels, including conflict of interest rules to be applied to members of the arbitration panel.

(III) With respect to each dispute submitted to arbitration and for which a determination was reached by the arbitration panel pursuant to the Protocol, an indication as to whether the panel found in favor of the United States or the relevant foreign authority.

(IV) The proposed resolutions (income, expense, or taxation) submitted by each competent authority to the arbitration panel.

(V) The treaties referred to in subparagraph (B) are:

(A) The treaties referred to in subparagraph (B) are:


(iii) The Convention between the United States of America and Canada with Respect to Taxes on Income and on Capital, signed at Washington September 26, 1980 (the “2007 Canada Protocol”) (Treaty Doc. 110–15); and


(3) The Secretary of the Treasury shall prepare and submit the detailed report required under paragraph (2) on March 1 of the year following the year in which the report is submitted to the Joint Committee on Taxation and the Committee on Finance of the Senate, and on an annual basis thereafter for a period of five years. In each such report, disputes that were resolved, either by a mutual agreement between the relevant competent authorities or by a determination of the arbitration mechanism, shall be noted as such in prior reports may be omitted.

(4) The reporting requirements referred to in paragraphs (2) and (3) supersede the requirements referred to in paragraphs (2) and (3) of section 3 of the resolution of advice and consent to ratification of the 2009 France Protocol approved by the Senate on December 3, 2009.

[Treaty Doc. 114–1 Protocol Amending Tax Convention with Japan]

As reported by the Committee on Foreign Relations:

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration and Conditions.

The advice and consent to the ratification of the Protocol Amending the Convention between the Government of the United States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, and a related agreement entered into by an expression of concurrence therein, both signed at Washington January 24, 2013, as corrected by exchange of notes on March 9 and 29, 2013 (the “Protocol”) (Treaty Doc. 114–1), subject to the declaration of section 2 and the conditions in section 3.

Sec. 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Protocol is self-executing.

Sec. 3. Conditions.

The advice and consent of the Senate under section 1 is subject to the following conditions:

(I) Not later than 2 years after the Protocol enters into force and prior to the first arbitration conducted pursuant to the binding arbitration mechanism provided for in the Protocol, the Secretary of the Treasury shall prepare and submit to the Joint Committee on Taxation and the Committee on Finance of the Senate a report relating to taxpayer confidentiality, a detailed report regarding the operation and application of the arbitration mechanism contained in the Protocol and such treaties. The report shall include the following information:

(i) For the Protocol and each such treaty, the aggregate number of cases pending on the respective date of entry into force of the Protocol and each treaty, including the following information:

(a) The number of such cases by treaty article is listed below.

(b) The number of such cases that have been resolved by the competent authorities through a mutual agreement as of the date of the report.

(II) The number of such cases for which arbitration proceedings have commenced as of the date of the report.

(i) A list of every case presented to the competent authorities after the entry into force of the Protocol and each such treaty, including the following information regarding each case:

(a) The commencement date of the case for purposes of determining when arbitration is available.

(b) Whether the adjustment triggering the case, if any, was made by the United States or the relevant foreign authority.

(c) Which treaty the case relates to.

(d) The treaty article or articles at issue in the case.

(e) The date the case was resolved by the competent authorities through a mutual agreement, if so resolved.

(f) The date on which an arbitration proceeding commenced, if an arbitration proceeding commenced.

(g) The date on which a determination was reached by the arbitration panel, if a determination was reached, and an indication as to whether the panel found in favor of the United States or the relevant foreign authority.

(h) With respect to each dispute submitted to arbitration and for which a determination was reached by the arbitration panel pursuant to an arbitration mechanism provided for in any such treaty, the following information:

(I) In the case of a dispute submitted under the Protocol, an indication as to whether the party presented the case to the competent authority of a Contracting State submitted a Position Paper for consideration by the arbitration panel.

(II) An indication as to whether the determination of the arbitration panel was accepted by each concerned person.

(III) The amount of income, expense, or taxation at issue in the case as determined by reference to the filings that were sufficient to set the commencement date of the case.

The report shall include the text of the rules of procedure applicable to arbitration panels, including conflict of interest rules to be applied to members of the arbitration panel.

(II) Not later than 60 days after a determination has been reached by an arbitration panel in the tenth arbitration proceeding conducted pursuant to the Protocol or any of the treaties described in subparagraph (B), the Secretary of the Treasury shall prepare and submit to the Joint Committee on Taxation and the Committee on Finance of the Senate a report relating to taxpayer confidentiality, a detailed report regarding the operation and application of the arbitration mechanism contained in the Protocol

...
Section 1. Senate Advice and Consent Subject to a Declaration and Conditions

The Senate advises and consents to the ratification of the Convention between the United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income and Capital, signed at Washington September 26, 1980 (Treaty Doc. 109–20) (the "2006 German Protocol") (Treaty Doc. 112–1), and a related agreement effected by an exchange of notes on September 23, 2009 (the "related Agreement") subject to the declaration of section 2 and the conditions in section 3. Sec. 2. Declaration. The advice and consent of the Senate under section 1 is subject to the following declaration: The Protocol is self-executing. Sec. 3. Conditions. The advice and consent of the Senate under section 1 is subject to the following conditions:

(I) Not later than 2 years after the Protocol enters into force and prior to the first arbitration proceedings have commenced, if an arbitration proceeding commenced.

(II) An indication as to whether the determination reached by the arbitration panel, if a determination was reached, and an indication as to whether the panel found in favor of the United States or the relevant treaty partner.

(III) A list of every case presented to the competent authorities after the entry into force of the Protocol and each such treaty, including the following information regarding each case:

(A) The number of such cases by treaty article or articles at issue in the case.

(B) The treaties referred to in subparagraph (A) are—

(i) the 2006 Protocol Amending the Convention between the Government of the United States of America and Canada with Respect to Taxes on Income and Capital, signed at Paris August 31, 1984 (the "2004 Canada Protocol") (Treaty Doc. 110–15); and


(IV) The proposed resolutions (income, expense, or taxation) submitted by each competent authority to the arbitration panel.

(V) The date the case was resolved by the competent authority to the arbitration panel, if the case was resolved by the competent authority to the arbitration panel.

(VI) The date on which an arbitration proceeding commenced, if an arbitration proceeding commenced.

(VII) The date on which a determination was reached by the arbitration panel, if a determination was reached, and an indication as to whether the panel found in favor of the United States or the relevant treaty partner.

(VIII) The text of the rules of procedure applicable to arbitration panels, including a description of the operation and application of the arbitration mechanism contained in the Protocol and such treaties.

The report shall include the following information:

(I) The number of such cases by treaty article or articles at issue.

(II) The number of such cases that have been resolved by the competent authorities through a mutual agreement as of the date of the report.

(III) A list of every case presented to the competent authorities after the entry into force of the Protocol and each such treaty, including the following information regarding each case:

(A) The number of such cases by treaty article or articles at issue.

(B) The treaties referred to in subparagraph (A) are—

(i) the 2006 Protocol Amending the Convention between the Government of the United States of America and the Federal Republic of Germany for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital and to Certain Other Taxes, done at Berlin June 1, 2006 (Treaty Doc. 109–20) (the "2006 German Protocol"); and

(ii) the Convention between the Government of the United States of America and the Government of the Kingdom of Belgium for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Brussels July 9, 1970 (the "Belgium Convention") (Treaty Doc. 110–3); and

(iii) the Protocol Amending the Convention between the United States of America and Canada with Respect to Taxes on Income and Capital, signed at Washington September 26, 1980 (the "2007 Canada Protocol") (Treaty Doc. 110–15); and


The Secretary of the Senate shall prepare and submit to the Committee on Finance the proposed report required under paragraph (2) on March 1 of the year following the year in which the first report is submitted to the Joint Committee on Taxation and the Committee on Finance of the Senate, and on an annual basis thereafter for a period of five years. In each such report, disputes that were resolved, either by a mutual agreement between the relevant competent authorities or by a determination of an arbitration panel, and noted as such in prior reports may be omitted.

(4) The reporting requirements referred to in paragraphs (2) and (3) supersede the reporting requirements contained in paragraphs (2) and (3) of section 3 of the resolution of the Senate of December 3, 2009.

(V) The date the case was resolved by the competent authorities through a mutual agreement, if so resolved.

(VI) The date on which an arbitration proceeding commenced, if an arbitration proceeding commenced.

(VII) The date on which a determination was reached by the arbitration panel, if a determination was reached, and an indication as to whether the panel found in favor of the United States or the relevant treaty partner.

(VIII) The following information regarding each case:

(A) The number of such cases by treaty article or articles at issue.

(B) The treaties referred to in subparagraph (A) are—

(i) the 2006 Protocol Amending the Convention between the Government of the United States of America and the Federal Republic of Germany for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital and to Certain Other Taxes, done at Berlin June 1, 2006 (Treaty Doc. 109–20) (the "2006 German Protocol"); and

(ii) the Convention between the Government of the United States of America and the Government of the Kingdom of Belgium for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Brussels July 9, 1970 (the "Belgium Convention") (Treaty Doc. 110–3); and

(iii) the Protocol Amending the Convention between the United States of America and Canada with Respect to Taxes on Income and Capital, signed at Washington September 26, 1980 (the "2007 Canada Protocol") (Treaty Doc. 110–15); and

a period of five years. In each such report, disputes that were resolved, either by a mutual agreement between the relevant competent authorities or by a determination of an arbitration panel, and noted as such in prior reports may be omitted.

(4) The reporting requirements referred to in paragraphs (2) and (3) supersede the reporting requirements contained in paragraphs (2) and (3) of section 3 of the resolution of advice and consent to ratification of the 2009 France Protocol, approved by the Senate on December 3, 2009.

[Treaty Doc. #111–8 Protocol Amending the Tax Convention with Luxembourg]

As reported by the Committee on Foreign Relations:

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Declaration.


Sec. 2. Declaration.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Protocol is self-executing.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS.

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY:

S. 2073. A bill to amend title XIX of the Social Security Act to encourage States to disregard parental income and assets when determining Medicaid eligibility for disabled children; to the Committee on Finance.

By Mr. ROBERTS:

S. 2074. A bill to prohibit the Bureau of the Census from including citizenship data in the 2020 Census that may be used to facilitate redistribution of congressional seats; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY (for himself and Mrs. BLACKBURN):

S. 2075. A bill to assist prisoners of conscription in Burma, and for other purposes; to the Committee on Foreign Relations.

By Mr. MERKLEY:

S. 2076. A bill to create a new Federal grant program that provides grants to State libraries to allow schools with summer lunch programs to provide libraries open for student use during the summer months; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROUNDS (for himself, Ms. SINEMA, and Mr. LANKFORD):

S. 2077. A bill to repeal certain obsolete laws relating to Indians; to the Committee on Indian Affairs.

By Mr. ISAKSON (for himself, Mr. TESTER, Mr. MORA, Mr. BOOZMAN, Mr. CASSIDY, Mr. ROUNDS, Mr. TILLIS, Mr. BURK, Mr. BLACKBURN, Mr. Cramer, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN, Mr. BLUMENTHAL, Ms. HIRONO, Mr. MANCHIN, and Ms. SINEMA):

S. 2078. A bill to provide for an increase, effective December 1, 2019, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOOZMAN (for himself and Mr. TESTER):

S. 2073. A bill to address fees erroneously collected by Department of Veterans Affairs for housing loans, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. HASSEAN (for herself and Ms. MURKOWSKI):

S. 2074. A bill to amend section 303(g) of the Controlled Substances Act (21 U.S.C. 823(g)) to eliminate the separate registration requirement for dispensing narcotic drugs in schedule II, III, or IV for pain management in the treatment of chronic pain, for maintenance or detoxification treatment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mr. SCHATZ, Mr. WHITEHOUSE, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. BENNET, Mr. BUCHANAN, Mr. BOOKER, Ms. HARRIS, Mr. KENNY, Mr. MERKLEY, Ms. HARRIS, Ms. SMITH, Ms. FEINSTEIN, Mr. SCHUMER, and Mr. CARPER):

S. 2075. A bill to amend the Securities Exchange Act of 1934 to require issuers to disclose certain activities relating to climate change, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HARRIS (for herself and Mr. BOOKER):

S. 2076. A bill to reform the screening and eviction policies for Federal housing assistance in order to provide fair access to housing, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, and Mr. SCHATZ):

S. 2077. A bill to establish the complete streets program, and for other purposes; to the Committee on Environment and Public Works.

By Ms. MURKOWSKI:

S. 2078. A bill to amend the Internal Revenue Code of 1986 to increase earned income for purposes of the kiddie tax; to the Committee on Finance.

By Ms. MURKOWSKI:

S. 2079. A bill to amend the Internal Revenue Code of 1986 to treat certain tribal benefits as earned income for purposes of the kiddie tax; to the Committee on Finance.

By Ms. BALDWIN (for herself, Mrs. CAPITTO, Mr. KING, Mrs. HYDE-SMITH, Ms. SINEMA, Mr. Cramer, Mrs. SHADHEEN, and Mr. HORVEN):

S. 2080. A bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself and Ms. STABENOW):

S. 2081. A bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide rebates for drugs furnished under Medicare, Part B for which the growth in average sales price has exceeded inflation, and for other purposes; to the Committee on Finance.

By Mr. COONS (for himself, Mr. COTTON, Mr. DURBIN, Ms. HIRONO, Mr. KENNEDY, and Mr. Cramer):

S. 2082. A bill to strengthen the position of the United States as the world’s leading innovator by amending title 35, United States Code, to protect the property rights of the inventors that grow the country’s economy; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mr. MURRAY):

S. 2083. A bill to amend chapter 2206 of title 36, United States Code, to ensure pay equity for amateur athletes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself, Mr. CARPER, Mr. SANDERS, and Mr. DURBIN):

S. 2084. A bill to amend title 23, United States Code, to require transportation planners to consider projects and strategies to reduce greenhouse gas emissions, and for other purposes; to the Committee on Environment and Public Works.

By Ms. ROSEN (for herself, Mr. CRAMER, Mr. RUBIO, and Mr. BLUMENTHAL):

S. 2085. A bill to authorize the Secretary of Education to award grants to eligible entities to carry out educational programs about the Holocaust, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 133

At the request of Ms. MURKOWSKI, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 133, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 135

At the request of Mr. RUBIO, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 153, a bill to promote veteran involvement in STEM education, computer science, and scientific research, and for other purposes.

S. 284

At the request of Mr. ISAKSON, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 284, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 362

At the request of Mr. WYDEN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 362, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 392

At the request of Mr. BARRASSO, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 392, a bill to authorize a special research study on the spread of vectors of chronic wasting disease in Cervidae, and for other purposes.

S. 427

At the request of Mr. MENENDEZ, the names of the Senator from Connecticut
...(continued from previous page)

plans to provide for cost sharing for oral anticancer drugs on terms no less favorable than the cost sharing provided for anticancer medications administered by a health care provider.

S. 750

At the request of Mr. BLUNT, the name of the Senator from Louisiana (Mr. KENNEDY) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 750, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 792

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 792, a bill to require enforcement against misbranded milk alternatives.

S. 800

At the request of Mr. MORAN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 785, a bill to improve mental health care provided by the Department of Veterans Affairs, and for other purposes.

S. 861

At the request of Ms. HIRONO, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 661, a bill to provide for enhanced protections for vulnerable alien children, and for other purposes.

S. 873

At the request of Ms. BALDWIN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 679, a bill to exempt from the calculation of monthly income certain benefit paid by the Department of Veterans Affairs and the Department of Defense.

S. 899

At the request of Mr. CRAMER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 849, a bill to provide for the inclusion on the Vietnam Veterans Memorial Wall of the names of the lost crew members of the U.S.S. Frank E. Evans killed on June 3, 1969.

S. 986

At the request of Mr. GRASSLEY, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 888, a bill to require a standard financial aid offer form, and for other purposes.

S. 1003

At the request of Mr. BURR, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 980, a bill to amend title 38, United States Code, to improve the provision of services for homeless veterans, and for other purposes.

S. 1015

At the request of Mr. BURR, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1015, a bill to require the Director of the Office of Management and Budget to review and make certain revisions to the Standard Occupational Classification System, and for other purposes.

S. 1081

At the request of Mr. MANCHIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1081, a bill to amend title 54, United States Code, to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

S. 1088

At the request of Mr. MARKEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1088, a bill to amend the Immigration and Nationality Act to require the President to set a minimum annual goal for the number of refugees to be admitted, and for other purposes.

S. 1132

At the request of Mr. BOOZMAN, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 1152, a bill to provide for the transfer of certain jurisdiction over entities that make errors in identifying controlled substances to the U.S. Attorney General, and for other purposes.

S. 1168

At the request of Ms. SMITH, the name of the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Alaska (Mr. SULLIVAN) and the Senator from Minnesota (Ms. BLACKBURN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1152, a bill to establish an energy storage and microgrid grant and technical assistance program.

S. 1190

At the request of Mr. CAPITO, the name of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 1190, a bill to amend title XVIII of the Social Security Act to provide for payments for certain rural health clinic and Federally qualified health center services furnished to hospice patients under the Medicare program.

S. 1200

At the request of Mr. MERKLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1200, a bill to create protections for depository institutions that provide financial services to cannabis-related legitimate businesses and service providers for such businesses, and for other purposes.

S. 1252

At the request of Ms. SHAHEEN, the name of the Senator from New Hampshire (Mr. SHAFRIR) was added as a cosponsor of S. 1252, a bill to direct the Secretary of State to review the termination characterization of former personnel of the Department of State who were fired by reason of the sexual orientation of the official, and for other purposes.

S. 1390

At the request of Mr. CARDIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1390, a bill to require the Director of the Office of Management and Budget to review and make certain revisions to the Social Security Act to require drug manufacturers to publicly justify unnecessary price increases.

S. 1359

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1359, a bill to provide permanently for certain parcels of Federal land in Arlington, Virginia, for other purposes.

S. 1373

At the request of Mr. KLOBUCHAR, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1373, a bill to provide for the inclusion on the Vietnam Veterans Memorial Wall of the names of the lost crew members of the U.S.S. Frank E. Evans killed on June 3, 1969.

S. 1497

At the request of Mr. BURR, the name of the Senator from Virginia (Mr. SCOTT) was added as a cosponsor of S. 1497, a bill to amend title XI of the Social Security Act to require drug manufacturers to publicly justify unnecessary price increases.

S. 1577

At the request of Ms. KIRK, the name of the Senator from Minnesota (Ms. KIRK) was added as a cosponsor of S. 1577, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 1608

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1608, a bill to amend the Higher Education Act of 1965 to ensure campus access at public institutions of higher education for religious groups.

S. 1633

At the request of Mr. MOYNIHAN, the names of the Senator from Alaska (Mr. JONES) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1633, a bill to provide for the inclusion on the Vietnam Veterans Memorial Wall of the names of the lost crew members of the U.S.S. Frank E. Evans killed on June 3, 1969.

S. 1664

At the request of Mr. BURR, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1664, a bill to extend the new markets tax credit, and for other purposes.

S. 1785

At the request of Mr. SHAFRIR, the name of the Senator from New Hampshire (Mr. SHAFRIR) was added as a cosponsor of S. 1785, a bill to require the Director of the Office of Management and Budget to review and make certain revisions to the Social Security Act to require drug manufacturers to publicly justify unnecessary price increases.

S. 1813

At the request of Mr. BURR, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1813, a bill to amend title XVIII of the Social Security Act to provide for payments for certain rural health clinic and Federally qualified health center services furnished to hospice patients under the Medicare program.

S. 1834

At the request of Mr. CARDIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1834, a bill to require the Director of the Office of Management and Budget to review and make certain revisions to the Social Security Act to require drug manufacturers to publicly justify unnecessary price increases.

S. 1845

At the request of Mr. BURR, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1845, a bill to extend the new markets tax credit, and for other purposes.

S. 1888

At the request of Mr. CRAMER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1888, a bill to require a standard financial aid offer form, and for other purposes.

S. 1960

At the request of Mr. BURR, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1960, a bill to amend title 38, United States Code, to improve the provision of services for homeless veterans, and for other purposes.

S. 2015

At the request of Mr. BURR, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2015, a bill to require the Director of the Office of Management and Budget to review and make certain revisions to the Standard Occupational Classification System, and for other purposes.

S. 2041

At the request of Mr. BURR, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2041, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health
At the request of Mr. Cruz, the names of the Senator from North Dakota (Mr. Cramer) and the Senator from Utah (Mr. Lee) were added as cosponsors of S. 1328, a bill to amend the Internal Revenue Code of 1986 to repeal certain rules related to the determination of unrelated business taxable income.

At the request of Ms. Murkowski, the names of the Senator from Wyoming (Mr. Barrasso) and the Senator from West Virginia (Mr. Capito) were added as cosponsors of S. 1337, a bill to facilitate the availability, development, and environmentally responsible production of domestic resources to meet national material or critical mineral needs, and for other purposes.

At the request of Mr. Hoeven, the name of the Senator from West Virginia (Mr. Manchin) was added as a cosponsor of S. 1326, a bill to amend the Animal Health Protection Act to establish a grant program for research on chronic wasting disease, and for other purposes.

At the request of Ms. McSally, the names of the Senator from West Virginia (Ms. Capito) and the Senator from New York (Mrs. Gillibrand) were added as cosponsors of S. 1374, a bill to amend title II of the Social Security Act to eliminate the waiting periods for disability insurance benefits and Medicare coverage for individuals with metastatic breast cancer, and for other purposes.

At the request of Mr. Casey, the name of the Senator from Massachusetts (Mr. Markey) was added as a cosponsor of S. 1902, a bill to require the Consumer Product Safety Commission to promulgate a consumer product safety rule for free-standing clothing storage units to protect children from tip-over related death or injury, and for other purposes.

At the request of Mr. Boozman, the name of the Senator from Arizona (Ms. McSally) was added as a cosponsor of S. 1906, a bill to require the Secretary of Veterans Affairs to provide financial assistance to eligible entities to provide and coordinate the provision of suicide prevention services for veterans at risk of suicide and veteran families through the award of grants to such entities, and for other purposes.

At the request of Mr. Risch, the name of the Senator from Alaska (Ms. Murkowski) was added as a cosponsor of S. 2023, a bill to modify the Federal and State Technology Partnership Program of the Small Business Administration, and for other purposes.

At the request of Mr. Markley, the names of the Senator from Nevada (Ms. Rosen), the Senator from Maine (Ms. Collins) and the Senator from North Carolina (Mr. Burr) were added as cosponsors of S. 2064, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyronwyn M. Wood, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

At the request of Mr. Manchin, the names of the Senator from Oregon (Mr. Wyden), the Senator from Massachusetts (Mr. Markey), the Senator from Minnesota (Ms. Klobuchar), the Senator from Ohio (Mr. Brown), the Senator from Vermont (Mr. Sanders) and the Senator from New York (Ms. Gillibrand) were added as cosponsors of S. 2062, a bill to prohibit the use of funds for the 2026 World Cup unless the United States Soccer Federation provides equitable pay to the members of the United States Women's National Team and the United States Men's National Team.

At the request of Mr. Roberts, the name of the Senator from Wisconsin (Mr. Johnson) was added as a cosponsor of S. Con. Res. 9, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

At the request of Mr. Markley, the names of the Senator from Minnesota (Ms. Smith) and the Senator from Vermont (Mr. Leahy) were added as cosponsors of S. Res. 142, a resolution condemning the Government of the Philippines for its continued detention of Senator Leila De Lima, calling for her immediate release, and for other purposes.

At the request of Mr. Grassley, the names of the Senator from Tennessee (Mrs. Blackburn) and the Senator from Illinois (Mr. Durbin) were added as cosponsors of S. Res. 194, a resolution designating July 30, 2019, as "National Whistleblower Appreciation Day".

At the request of Mr. Graham, the name of the Senator from Missouri (Mr. Smith) was added as a cosponsor of S. Res. 252, a resolution designating September 19 as National Democracy Month as a time to reflect on the contributions of the system of government of the United States to a more free and stable world.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. Feinstein (for herself and Mr. Murray):

S. 2083. A bill to amend chapter 2205 of title 36, United States Code, to ensure pay equity for amateur athletes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mrs. feinstein. Mr. President, I rise today to introduce the Athletics Fair Pay Act of 2019 with my colleague Senator Murray.

Women and girls have made great strides in sports. Before Title IX of the Civil Rights Act was passed 47 years ago, athletic programs for girls and women were virtually non-existent. Now, women are world class athletes and compete in a wide range of sports including soccer, basketball, hockey, and tennis.

In the 2016 Olympic Games in Rio de Janeiro, a record 40 percent of the athletes competing at the games were women, and this year, the U.S. Women's National Soccer Team won a historic fourth FIFA Women's World Cup title. Despite the incredible advancements made by women, female athletes are paid significantly less than their male counterparts and are given fewer opportunities to succeed.

Sports organizations in the United States still do not invest equally in girls' and women's athletics. This lack of investment means that many female athletes never reach their full potential. In addition, studies show that sports participation has a positive influence on girls' academic performance, employment opportunities, and their physical and mental health. The inequalities faced by female athletes were highlighted in a wage discrimination lawsuit recently filed by the U.S. Women's Soccer Team against their employer, the U.S. Soccer Federation.

In addition to winning four FIFA Women's World Cup titles, the Women's Soccer Team has won four Olympic gold medals and has been ranked number one by FIFA for 10 of the last 11 years. By contrast, the U.S. Men's Soccer Team failed to qualify for last year's World Cup and has not won an Olympic medal since 1994. Yet, according to the lawsuit filed by the Women's Team, the U.S. Soccer Federation pays the women an average of 38 cents on the dollar compared to the male players.

Unfortunately, the Women's Soccer Team is not alone. In 2017, the U.S. Women's Hockey Team received a pay raise from its national governing body, USA Hockey, only after the team threatened to boycott a major competition.

Prior to the boycott, USA Hockey did not pay female athletes as all in non-Olympic years and paid each just $6,000 in the year leading up to an Olympic Games.

It is clear that we must do more to ensure that female athletes are paid equally and treated with the respect and dignity they deserve. This legislation gets us closer to that goal.

Sponsorship of Women's Olympic and Amateur Sports Act to mandate that the national governing bodies charter under the Ted
AUTHORITY FOR COMMITTEES TO MEET

Mr. BARRASSO. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES
The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, July 10, 2019, at 10 a.m., to conduct a hearing pending military nominations.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, July 10, 2019, at 10 a.m., to conduct a hearing pending military nominations.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, July 10, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS
The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, July 10, 2019, at 10:15 a.m., to conduct a hearing.

SPECIAL COMMITTEE ON AGING
The Special Committee on Aging is authorized to meet during the session of the Senate on Wednesday, July 10, 2019, at 9:30 a.m., to conduct a hearing.

NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2019 second quarter Mass Mailing report is Thursday, July 25, 2019. An electronic option is available on Webster that will allow forms to be submitted via a fillable PDF document. If your office did no mass mailings during this period, please submit a form that states “none.”


The Senate Office of Public Records is open from 9:00 a.m. to 6:00 p.m. (9:00 a.m. to 5:00 p.m. when the Senate is not in session). For further information, please contact the Senate Office of Public Records at (202) 224-0322.

MAKING TECHNICAL CORRECTIONS TO THE AMERICA'S WATER INFRASTRUCTURE ACT OF 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 1811 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1811) to make technical corrections to the America’s Water Infrastructure Act of 2018, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1811) was passed, as follows:

S. 1811
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NON-FEDERAL IMPLEMENTATION PILOT PROGRAM.

Section 104(b)(7) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note) is amended by striking “5 years” and inserting “10 years”.

SEC. 2. MAINTENANCE AND CONSTRUCTION OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 204(c)(1) of the Water Resources Reform and Development Act of 1986 (33 U.S.C. 2232(c)(1)) is amended by striking “under subsection (b)” and inserting “under this section”.

SEC. 3. WATERCRAFT INSPECTION STATIONS.


SEC. 4. LOCAL GOVERNMENT RESERVOIR PERMIT REVIEW.

Section 111(b) of the America’s Water Infrastructure Act of 2018 (Public Law 115-270) is amended by striking “owned or operated by the Secretary”.

SEC. 5. UPPER MISSISSIPPI RIVER PROTECTION.


SEC. 6. BENEFICIAL USE OF DREDGED MATERI.

Section 114(b) of the America’s Water Infrastructure Act of 2018 (Public Law 115-270) is amended—

(1) in subsection (a)—
(A) by striking “grant” and inserting “approve”; and
(B) by striking “granting” and inserting “approving”; and
(2) in subsection (b), by striking “grants” and inserting “approves”.

SEC. 7. KLAMATH BASIN WATER SUPPLY ENHANCEMENT ACT OF 2000 TECHNICAL CORRECTIONS.

Section 4(b) of the Klamath Basin Water Supply Enhancement Act of 2000 (114 Stat. 2222) is amended—

(1) in paragraph (1)—
(A) in the matter preceding subparagraph (A)—
(i) by striking “Pursuant to the reclamation laws and subject” and inserting “Subject”;
and
(ii) by striking “may” and inserting “is authorized to”; and
(B) in subparagraph (A), by inserting “, including conservation and efficiency measures, land idling, and use of groundwater,” after “administer programs”; and
(2) in paragraph (3)(A), by inserting “and” after the semicolon at the end;
(3) by redesignating the second paragraph (4) relating to the effect of the subsection) as paragraph (5); and
(4) in paragraph (5) (as so redesignated)—
(A) by striking subparagraph (B); and
(B) in subparagraph (A) by striking “or” and inserting a period; and
(C) by striking “the Secretary—” and all that follows through “to develop in sub-paragraph (A)” and inserting “the Secretary to develop”.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JULY 11, 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, July 11; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to
executive session and resume consideration of the King nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:16 p.m., adjourned until Thursday, July 11, 2019, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 10, 2019:

THE JUDICIARY

T. KENT WETHERELL II, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF FLORIDA.

DAMON RAY LEICHTY, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF INDIANA.

J. NICHOLAS RANJAN, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA.
EXTENSIONS OF REMARKS

CELEBRATING THE 200TH ANNIVERSARY OF THE VILLAGE OF CALEDONIA

HON. JASON SMITH
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Mr. SMITH of Missouri. Madam Speaker, I rise today to honor the Village of Caledonia in Washington County, Mo. Caledonia was established in 1819 when Alexander Craighead named the village after his native Scotland and built a home there that still stands today. Caledonia is Latin for Scotland.

Caledonia was officially organized as an incorporated village on November 6, 1874 and the first appointed mayor was Alexander C. Relfe, son of Congressman James H. Relfe. The little town was home to history in our country’s expansion west of the Mississippi. The first Presbyterian Church, the first Maconite Lodge, and the second Methodist Church west of the river are all located in the village. Its first two businesses were Tom Sloan’s blacksmith and Fergus Sloan’s brewery. Caledonia was also home to the Bellevue Collegiate Institute that operated from 1864 until 1902. One of its first presidents, Willard Duncan Vandiver, went on to become a U.S. Congressman and is credited with coining the phrase, “I’m from Missouri—you’ll have to show me!”

The Village of Caledonia was designated in 1984 by the Department of the Interior as a Place of Historical Designation. Today, Caledonia is a quaint little village of shops, eateries and places to stay that has kept this charming community of 130 people thriving in the 21st century. It is my great pleasure to celebrate Caledonia today on the occasion of its bicentennial birthday before the U.S. House of Representatives.

IN HONOR OF MS. MAGGIE KATIE BROWN-KIDD

HON. DAVID SCOTT
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Mr. DAVID SCOTT of Georgia. Madam Speaker, I rise today to honor the life of an extraordinary Georgian, Ms. Maggie Katie Brown-Kidd.

Ms. Kidd, the youngest of 12 children, was born on December 8, 1904, to William and Lucy Brown. While she spent much of her life living and working on her family’s farm in Oglethorpe County, Georgia, she was most recently a resident of the city of Riverdale, Georgia, which I have the honor of representing here in Congress. She was the oldest living resident of the State of Georgia, the oldest African American person in the United States, and the tenth oldest person in the world.

Ms. Kidd was a lifetime member of the Frank Bailey Senior Center in Clayton County, in which the recreation room has been dedicated in her honor. She was deputized as an honorary sheriff and served as the Grand Marshall in the City of Riverdale’s 2017 Christmas Parade. In March of this year, the Georgia House of Representatives held a ceremony in her honor to recognize and celebrate her 114 years of life.

Ms. Kidd witnessed a dramatic change in the world over the course of her long life, and through her selfless service to her family and local community, she has made Riverdale and the entire Metro-Atlanta community a better place. Ms. Kidd inspired many throughout her life by sharing her kindness, wisdom, and concern for her fellow citizens. We have lost an example of moral integrity and unending love. It is fitting and proper to reflect and commemorate Ms. Kidd’s contribution to our community.

Madam Speaker, I ask that you join me in offering our sincerest condolences to Ms. Kidd’s family and friends. She will be greatly missed.

May God continue to bless the family of Ms. Maggie Katie Brown-Kidd.

HONORING THE LIFE OF DR. ELOISE KAILIN

HON. DEREK KILMER
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Mr. KILMER. Madam Speaker, I would like to take a moment to commemorate the life of Dr. Eloise Whittlesey Kailin—a champion of public health, good governance, and environmental issues who recently passed away on June 1, 2019 at the age of 100.

Dr. Kailin was born in New London, Connecticut, but moved frequently during her father’s career in the U.S. Coast Guard. From the age of eleven, she expressed her desire to become a physician, and that dream was realized when she became one of the few women accepted into the George Washington University Medical School class of 1943.

She married Harold Kailin, Sr. in 1942, the year before her graduation, and began her distinguished medical career in Washington, D.C. She became board certified in allergy and immunology, served for over thirty years as a writer and editor of medical abstracts for the Journal of Allergy, and testified on Capitol Hill for the Clean Air Act. After the family moved to Maryland, Dr. Kailin developed a friendship with Rachel Carson, author of the seminal 1962 work about the impact of pesticides on the food chain, Silent Spring. This friendship likely strengthened Dr. Kailin’s commitment to addressing environmental issues both for the health of her patients and for people throughout our country.

Dr. Kailin and her husband retired to Sequim in 1971 based on her recollection of “Sunny Sequim” from high school years in Seattle in the 1930s. Living on the North Olympic Peninsula, she saw the critical need to protect its pristine beauty and spent nearly fifty years in service to that cause.

Shortly after their arrival in Sequim, the Kailins became involved in the fight against a proposed nuclear power plant on the Miller Peninsula east of Sequim, which led to the founding of Protect the Peninsula’s Future (PPF)—a nonprofit dedicated to the protection of the North Olympic Peninsula. The opposition prevailed, and the site once considered for that power plant is now a part of Miller Peninsula State Park. Dr. Kailin remained a board member of the organization she helped found until her passing.

Through PPF, Dr. Kailin was instrumental in addressing countless environmental concerns. Many believe one of their most significant achievements was the fifteen-year court battle with the city of Sequim over sewage treatment. In 1998, that fight resulted in the construction of a state-of-the-art water reclamation facility which was expanded in 2010, nearly doubling its capacity.

This centenarian was the recipient of many awards including the Caledon Valley Community Service Award, People for Puget Sound’s Warren Magnuson Puget Marine Protection Award, Washington Environmental Council’s Environmental Heroes Award, and the Eleanor Stoops Environmental Leadership Award. Before her passing, she was also recognized by the City of Sequim.

I am humbled to speak in recognition of Dr. Eloise Kailin—who is often referred to as the “matriarch of environmental activism” on the North Olympic Peninsula. I join her children, Harvey, David, and Janet, and the citizens of our region’s beautiful peninsula in mourning her passing, but also in recognizing that her good work will contribute to the health and well-being of the citizens in this gem of the Northwest for generations to come.

RECOGNIZING THE ELLINGTON WHIPPETS

HON. JASON SMITH
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Mr. SMITH of Missouri. Madam Speaker, I rise today to honor the Ellington High School Whippets who made school history May 31, 2019 when they won the Class 2 Missouri State Baseball Championship.

The team achieved its year-long goal as they claimed their final victory of the season, playing a nearly perfect game to shut out Seymour with a score of 9–0. From a leadoff ground-rule double to the final out of the game, all of Ellington was behind the team.

The championship is the first ever for any Southern Reynolds County High School team in any sport. I applaud the Whippets for their winning season record of 29 and 1.

Congratulations to Reece Bourma, Cameron Brewer, Dillon Buckner, Kaleb Richards, Garret Morris, Ely Crocker, Carson McNair, Josh...

It is my great privilege to recognize the Ellington High School Whippets as the 2019 Class 2 Missouri State Championship Baseball team today before the United States House of Representatives.

ALZHEIMER’S AND BRAIN AWARENESS MONTH RECOGNITION

HON. LLOYD SMUCKER OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. SMUCKER. Madam Speaker, I rise today to honor Pennsylvania’s 11th Congressional District’s local advocates with the Alzheimer’s Association with the Greater Pennsylvania Chapter.

“Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has,” Madam Speaker, this quotation, often attributed to anthropologist Margaret Mead is befitting of the local group of advocates with the Alzheimer’s Association that my staff and I have come to know during my time in office.

Mary Read, Linda & Mary Reheard, Sharon Floey, Sandy Heisey, Joni Schenk, Frances Gibbons, Candy Yingling, John and LuAnn Goldfus—these are all dedicated individuals in the community who advocate effectively on behalf of nearby 50 million people across the globe and 5 million Americans who are living with Alzheimer’s and other dementias.

I am proud to say that the District is continually striving to educate our community on the benefits of water conservation and aquifer protection. One of the ways they accomplish this goal is by maintaining a drought-tolerant demonstration garden at the District’s office. Visitors from the local community are shown how drip irrigation reduces water loss and permeable gravel paths encourage groundwater recharge and rain water catchment, all while achieving this without the use of herbicides or pesticides. This garden is in downtown Aromas and is open and easily accessible to the public year-round.

The District is proud to have consistently served high-quality water to customers in both Monterey and San Benito counties for the last 60 years, as well as moving forward into the future. Madam Speaker, it is my pleasure to recognize the Aromas Water District for their service to the Central Coast on the occasion of their 60th Anniversary.

HONORING THE AROMAS WATER DISTRICT

HON. JIMMY PANETTA OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. PANETTA. Madam Speaker, I rise today to recognize the Aromas Water District as they celebrate their 60th anniversary. For 60 years, the Aromas Water District has dedicated itself to the enrichment of our community on the central coast of California by serving the water needs of the greater Aromas area.

The Aromas Water District was established on July 24, 1959 by a Resolution of the State of California, Office of the Secretary of State. It was formed as a County Water District and ultimately became a California Multi-County Special District. Originally there was one well, one storage tank and a small distribution system serving less than 150 parcels. In the past 60 years, the District has grown to serve our expanding community and now serves approximately 3,000 people on over 900 parcels, utilizing three wells, 35 miles of distribution system, and nine storage sites with over 1,200,000 gallons of water storage and fire protection.

The District is governed by an elected five-member, at-large, board of directors. Community members serving on the Board of Directors of the Aromas Water District have helped successfully usher in the latest improvements in their treatment plant like the removal of iron and manganese from the water source. The rigorous water testing is conducted under the oversight of the State Water Resources Control board and successfully meets all health and safety standards.

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RECOGNIZING THE 150TH ANNIVERSARY OF GREENTREE CHRISTIAN CHURCH

HON. JASON SMITH OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. SMITH of Missouri. Madam Speaker, I rise today to celebrate the 150th anniversary of Greentree Christian Church (GCC)—in Rolla, Missouri. The church has grown from a few to 2,000 members over the course of its existence. It is a rare occasion for a church to reach its sesquicentennial milestone and can only happen when a church is unaltering in carrying out God’s work.

Although it is not yet called GCC, this church took root in 1869, the same year President Ulysses S. Grant took office, and was located on the farmland of Harvey and Charles Drennon near Blues Lake. These men, along with “Aunt Fanny” were the first members of the church. Over the next 132 years, the church, later known as First Christian Church, met in several locations, most notably at the corner of 8th and Main, which housed the services for the better part of its history. During this time, the building was twice destroyed by fire and once by tornado. Despite this, the church continued to rebuild after each crisis and continuing to grow.

In 1991, the church built a facility at 10th and Greentree Road that housed Greentree Learning and Childcare Center. A decade later, construction was completed on a large expansion of that facility, and the congregation began meeting in what is now the church gymnasium. In 2011, after another large expansion, the church began meeting in the sanctuary, where it meets today, and was renamed Greentree Christian Church.

Over the years, this church has seen many pastors come and go. Current Senior Minister Tim Cook has been there since 1982 and is retiring this June. It seems fitting that the church’s longest-serving minister would get to witness this rare milestone. Mr. Cook, I congratulate you on your outstanding service and thank you and the members of your congregation for your service to GCC, the Rolla Community, and the whole church body at large. It is my honor to acknowledge this historic birthday today before the United States House of Representatives.

HONORING CAPTAIN GREG HANSEN

HON. JIMMY PANETTA OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. PANETTA. Madam Speaker, I rise today on behalf of Captain Greg Hansen, who has given over four decades of altruistic and indispensable service to the central coast of California. Working as a firefighter in Aptos, California from 1980, and acting as Fire Captain for Aptos since 1990, Mr. Hansen has demonstrated an outstanding commitment to public safety over the course of his prolific career, now ending with his retirement from Fire Captain position.

Since he began his career as a firefighter in 1977, Mr. Hansen has worked tirelessly to ensure public safety. Not only has Mr. Hansen continued to respond to the public’s fire safety issues with bravery and urgency, he has also worked to better the community he serves through education and outreach, such as his provision of CPR training for middle school students. Through this ability to combine efficient public protection with significant public engagement, he has fostered an admirable commitment to public safety in his community and effectively utilized his position as Fire Captain to ensure the wellbeing of his neighbors.

Throughout his career, Mr. Hansen’s outstanding contributions have earned him many accolades, including the VFV’s Firefighter of the Year on three occasions, Man of the Year from the Santa Cruz County Board of Supervisors, California State Assembly, and California State Senate on four occasions, and the Congressional Award from the United States Congress. He was also honored with the National Gold Medal Award as EMT of the Year for directly saving the life of an injured young man.

Now, Madam Speaker, I am proud to recognize the dedication and incredible service of Greg Hansen. I ask my distinguished colleagues to join in thanking him and all that he has done for our community.
CONGRESSIONAL RECORD — Extensions of Remarks

E887

RECOGNIZING THE BICENTENNIAL OF GREENVILLE, MO

HON. JASON SMITH
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Mr. SMITH of Missouri. Madam Speaker, I rise today to honor the city of Greenville, Missouri as it celebrates its 200th anniversary. Greenville’s history can be traced as far back as 1841 when the De Soto Expedition explored the upper reaches of the St. Francis River. In 1819, the city was laid out by David Logan and Elijah Bettis, Jr. in a cornfield in the area known as Bettis Ford. Greenville is the seat of Wayne County and was named for the Ohio town where General Anthony Wayne signed a treaty with Native Americans. In the Civil War, the town was the scene of the “Surprise on Greenville” when Confederate soldiers captured the Union encampment and took away horses, guns and supplies in 1862. In the decades since, Greenville has grown as churches, schools and businesses were established and some of them are still in operation today. Floods and fires have forced the city to band together to rebuild and it is that community spirit that keeps Greenville thriving today. It is my great pleasure to celebrate Greenville, Missouri as it begins its second century today before the United States House of Representatives.

IN RECOGNITION OF THE WRIGHTSTOWN COMMUNITY

HON. MIKE GALLAGHER
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Mr. GALLAGHER. Madam Speaker, I rise today to congratulate the Wrightstown Community School District for receiving recognition as a Patriotic Employer by the Office of the Secretary of Defense. The Patriot Employer Award reflects the efforts made to support deployed employees through a wide-range of measures including flexible schedules, family care, and granting leaves of absence. Wrightstown Superintendent of Schools, Carla Buboltz, was recognized for supporting newly-employed teacher, Logan Gruszynski, during his deployment to the Middle East with the National Guard. Community members in Northeast Wisconsin have an incredible tradition of looking out for one another, and our community is fortunate to have employers such as Ms. Buboltz who recognize the sacrifices of service. I am confident that the Wrightstown Community School District will continue thriving under her leadership.

I would also like to thank Logan Gruszynski for his service with the National Guard. His service took him away from his work and family, he honorably represented his community and the State of Wisconsin. As a dedicated service member and teacher, Mr. Gruszynski is a positive role model to us all.

Madam Speaker, I urge all members of this body to join me in commending the efforts of the Wrightstown Community School District and thanking Mr. Gruszynski for his service to our country.

IN RECOGNITION OF ELIZABETH WITHERS RECEIVING THE NATIONAL ASSOCIATION OF AGRICULTURAL EDUCATORS TEACHERS TURN KEY AWARD

HON. LIZ CHENEY
OF WYOMING
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Ms. CHENEY. Madam Speaker, I rise today to recognize and congratulate Elizabeth Withers on receiving the Teachers Turn Key Award from the National Association of Agricultural Educators. Agricultural education plays a vital role in shaping the future of the farming industry and ensuring that the legacy of Wyoming farmers and ranchers continues through the generations. Elizabeth, serving as agricultural educator at Green River High School, has mentored and guided members of the Future Farmers of America chapter there. This award recognizes her hard work to foster leadership skills among her students, and to provide them with practical experience through hands on projects.

Again, Madam Speaker, I want to congratulate Elizabeth Withers on this national recognition, and thank her for all that she does to inspire the next generation of farmers.

HONORING LIEUTENANT COLONEL NICHOLAS HALUPKA ON HIS RETIREMENT FROM THE UNITED STATES AIR FORCE

HON. MAC THORNBERRY
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Mr. THORNBERRY. Madam Speaker, I rise today to honor Lieutenant Colonel Nicholas Halupka for his outstanding contributions as a United States Air Force officer for his more than 22 years of service. In May 1997, he received his Bachelor of Science from Auburn University in Auburn, AL where the Auburn University “Flying Tigers” Air Force Reserve Officer Training Corps commissioned him into the U.S. Air Force as a nuclear and missile operations officer. He then joined the 10th Missile Squadron at Malmstrom Air Force Base leading some of America’s most important strategic nuclear deterrence forces, as a missile combat crew commander. After advanced training in space operations, he transitioned to a space operations officer and was assigned as a defensive counter-space flight commander at NORAD, the North American Air Defense Command, in Cheyenne Mountain where he was in charge of protecting America by providing early missile warning and space object detection.

Branching out, he was selected to deploy to Afghanistan to set up a new training command to teach Afghan and U.S. forces how to operate the F-22 Raptors. He then served as senior advisor and analyst to the U.S. Air Force and the Department of Defense. He then transitioned to a space operations officer. He then joined the 10th Missile Squadron at Malmstrom Air Force Base leading some of America’s most important strategic nuclear deterrence forces, as a missile combat crew commander. After advanced training in space operations, he transitioned to a space operations officer and was assigned as a defensive counter-space flight commander at NORAD, the North American Air Defense Command, in Cheyenne Mountain where he was in charge of protecting America by providing early missile warning and space object detection.

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Beale Air Force Base, boosting U.S. and Allied awareness of space by tracking nearly two million space objects. He then took his accumulated knowledge to work as a space and counter-space senior advisor and analyst embedded with the State Department, where his advice and analysis informed some of our nation’s most important strategic foreign policy decisions.

In his relentless pursuit of excellence, Lieutenant Colonel Halupka dedicated his free time to pursue additional educational opportunities, earning a Master of Science in Business Management in 2006, and a Master of Arts in International and Security Studies in 2012 from the Naval Postgraduate School. Lieutenant Colonel Halupka concluded his career serving as a congressional liaison at the Defense Intelligence Agency. It was during this last assignment that I had the opportunity to get to know Nick. His tireless efforts ensured members of the House Armed Services Committee received timely and critical intelligence that was crucial to informing lawmakers during both moments of crisis and everyday legislative operations. These efforts supported the creation of many bills and enabled the passage of the National Defense Authorization Act. I am personally thankful for the time he has devoted to this task and the vigor and professionalism with which he executed it.

I thank Lieutenant Colonel Halupka for his dedication in service to the security of our nation. While many pursue careers in military, Lieutenant Colonel Halupka viewed the military not as a job, but a calling to service. He is in the less than one percent who serve in the nation’s military, and an even smaller percent who give their full service until retirement. The United States owes him a great debt of gratitude.

Madam Speaker, I honor Nicholas A. Halupka for his lifetime of public service. I ask my colleagues to join me in wishing him a happy retirement as we celebrate his legacy of selfless service to the nation.

PERSONAL EXPLANATION

HON. ELISE M. STEFANIK
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Ms. STEFANIK. Madam Speaker, on the evening of July 9, 2019 I was on the House Floor participating in the evening vote series. I cast a YEA vote on Roll Call No. 433 but unfortunately, my voting card did not register the vote.

IN RECOGNITION OF THE CAREER OF GEORGE “TONY” MORRISON

HON. WILLIAM R. KEATING
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Mr. KEATING. Madam Speaker, I rise today in recognition of the retirement and service of George Morrison, a treasured principal who has impacted the lives of innumerable students at Dennis-Yarmouth Regional High School.
Morrison is a Cape Cod native whose passion for giving back and heart for service led him to an enlistment with the U.S. Marines for four years before he returned to the Cape to pursue a career in education. Once back in Massachusetts, Morrison maintained a close working relationship with the military, continuing to serve with the Army National Guard’s Aviation branch during his tenure as an assistant principal. In 2005 Morrison was called to Iraq and Kuwait, where he would serve nearly 18 months with the 3rd Battalion 126th Aviation Regiment.

While serving his country on a national scale, Morrison also maintained a personal connection with the student body of Dennis-Yarmouth Regional High School, where he served as assistant principal from 2001 until his promotion to principal in 2017. A certified social worker, Morrison’s 18 years with the school have been defined by his ability to engage freely and openly with his students, a fact many of them have attested to. In his tenure with the Massachusetts school system, Morrison has truly gone above and beyond the role of administrator by fostering a space where his students can not only learn, but truly grow.

Madam Speaker, I am proud to honor the retirement of George “Tony” Morrison and offer my sincere gratitude for his dedication to improving the lives of those in our community. I ask that my colleagues join me in thanking him for his service and wishing him all the best in the years to come.

HONORING THE LIFE AND LEGACY OF MR. DAVE BARTHOLOMEW

HON. CEDRIC L. RICHMOND
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. RICHMOND. Madam Speaker, I rise to honor the life and legacy of Mr. Dave Bartholomew, a legendary New Orleans musician, who passed away on Sunday, June 23, 2019, at the age of 91.

Mr. Bartholomew was born on December 24, 1918 in Edgard, Louisiana, the seat of St. John the Baptist Parish. He was the son of a trumpet player, and his family’s influence led to Mr. Bartholomew learning how to play the tuba before moving on to trumpet.

Mr. Bartholomew wore several hats in his career including music producer, arranger, and songwriter. He also served our nation’s Army and played a key role as one of the architects of rock ’n’ roll and the unique soundscape that defines New Orleans music today. His accomplishments throughout his career earned him recognition from the Rock and Roll Hall of Fame, the Grammys, and the Songwriters Hall of Fame.

It was Mr. Bartholomew’s work in the 1950’s and 1960’s with Antoine “Fats” Domino that served as his most celebrated of accolades. His music produced quality music. Mr. Bartholomew was a musical trailblazer and his musical legacy along with spirit will remain a guiding force for all future musicians. Mr. Bartholomew is survived by his wife, Rhea Bartholomew. He also survived by his five sons; Dave Jr., Don, Ron, Darrell, and Alvin in addition to his three daughters; Debrah, Diane, and Jacqueline, and grandchildren and great-grandchildren.

Madam Speaker, I celebrate the life and legacy of Mr. Dave Bartholomew.

IN CELEBRATION OF PASTOR SIDNEY R. CRAWFORD’S 101ST BIRTHDAY

HON. SANFORD B. BISHOP, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. BISHOP of Georgia. Madam Speaker, I rise today to extend my sincerest congratulations and Happy Birthday wishes to an inspirational leader and true man of God, Pastor Sidney R. Crawford, who celebrated his 101st birthday on Wednesday, June 6, 2019, with his family and friends.

Sidney Richard Crawford was born on June 6, 1918, in Bonneau, South Carolina to the union of the late Mr. William Henry and Mrs. Mary Elizabeth “Lizzie” Hodge Crawford. He graduated from Berkeley County High School in 1937 and went on to attend college in Spartanburg, South Carolina.

In 1941, he married the love of his life, Ms. Iva Elizabeth “Betty” Harper, in Heath Springs, South Carolina. That same year, he responded to God’s call to preach the Gospel of Jesus Christ, by becoming an ordained Baptist Minister at Emanuel Baptist Church in Summerville, South Carolina. He pastored several churches in the Charleston and Summerville areas until 1947, when he decided that he wanted to serve not only his community, but his country. That year, he enlisted in the U.S. Army and honorably served his country for seven years. In 1954, he was called back into the ministry to preach in Adamsville, Alabama. Over the years, Pastor Crawford successfully balanced the role of Pastor at several churches in Alabama and Georgia until 1970, when he decided to return to college to enhance his studies. His hard work and dedication paid off in 1972, when he graduated with a degree from Charleston Southern University. But even with his newfound wealth of knowledge, he continued pastoring in churches and teaching at schools in South Carolina.

George Washington Carver once said, “How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving, and tolerant of the weak and strong because someday in your life you will have been all of these.” Pastor Crawford has advanced far in life because he never forgot these lessons and always kept God first.

The race of life isn’t given to the swift or to the strong, but to those who endure until the end. Pastor Crawford has continued to run the race of life with zeal and dignity and God has blessed him over his lifetime.

Madam Speaker, I ask my colleagues in the U.S. House of Representatives to join my wife, Vivian, and me, along with the almost 730,000 people of Georgia’s Second Congressional District, in honoring an outstanding citizen and man of God, Pastor Sidney R. Crawford, for a lifetime of selfless service to God, the church, and to humankind. We extend our best wishes to him on the occasion of his 101st birthday and without reservation exclaim: To God be the Glory.

PERSONAL EXPLANATION

HON. TIM RYAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. RYAN. Madam Speaker, I rise today to honor the life of Bernard “Gene” Helmick, 78, who passed away on Sunday, June 2, 2019, at Mercy Health St. Joseph’s Warren Hospital.

Gene was born on November 4, 1940 in Cowen, West Virginia, and was a 1960 graduate of Niles McKinley High School, where he played football under Coach Tony Mason, whom he greatly admired. Gene then went on to attend and play football at Arizona State University.

He later returned to the Valley where he was employed at the General Motors Lordstown plant as a waste water treatment technician for 41 years, retiring in December of 2006. Gene was a member of Our Lady of Mount Carmel Parish in Niles, where he was a pizza sale and festival volunteer. He was also a member of the Niles Jaycees, Niles Rebounders and Frontliners.

Gene was known to enjoy yard work, home repairs, and attending his grandchildren’s sporting events and theatrical performances. He was also a dedicated Ohio State and Duke basketball fan.

Memories of Gene will be carried on by his wife, Jennie Nardo Helmick, whom he married Oct. 26, 1963; his son, Kevin T. Helmick and his wife, Regina of Niles; his daughter, Gina Price of Girard; his brother, David L. Helmick and his wife, Joan of Cleveland; and his three grandchildren, Makenzie and Matthew Price, and Kasen Helmick.

Gene was a quiet, gentle man who loved his family with peaceful and unwavering devotion. We were raised in the same small-town community of Niles, Ohio, and he and his family are lifelong friends of mine. We were all very lucky to have him in our lives and, as much as he will be missed by us all, Gene will remain with us every day.
CARVER SENIOR CENTER IN GARLAND, TX

HON. COLIN Z. ALLRED OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Mr. ALLRED. Madam Speaker, I congratulate the people of Garland on the re-opening of the Carver Senior Center. This building has been a pillar of the community for decades, and I commend the City of Garland and Carver Alumni Programs and Services for investing in this facility and keeping its legacy alive.

This building holds historical significance for the City of Garland, as it previously served African-American students as the George Washington Carver School for Negros before Garland schools desegregated. Throughout that time, the building also served as a cultural center for Garland’s African American community.

I commend the alumni of the Carver School, the City of Garland, and community leaders who, through a partnership with the Council of Governments, the U.S. Department of Housing and Urban Development, and the U.S. Department of Agriculture, were able to secure federal funds to renovate the facility and fight to keep the center open for the seniors that needed it.

The center will now be able to provide recreation, wellness check-ups, nutrition programs, and companionship for low-income senior citizens in Garland. I thank everyone who came together to ensure this building could continue to serve our community. They represent the best of Texas.

HONORING THE FRENCH LAUNDRY

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize The French Laundry for providing 25 years of exceptional service and world-class cuisine to residents and visitors of Napa Valley, California, and to honor the restaurant for its commitment to excellence for every dish prepared and every guest served.

Owner and Chef Thomas Keller began exploring his love of food cooking in restaurants in Florida and New York. He then honed his skills and talents at Michelin-starred restaurants and, in France, Keller had dreams of opening a destination restaurant specializing in French Cuisine in the Napa Valley and chose the historic two-story cottage in Yountville to open the French Laundry in 1994. The building dates from 1900 and is in the National Register of Historic Places, just one of the reasons the building is known locally and world-wide. Within several months of its opening, the restaurant’s delectable cuisine and exquisite service was being recognized by publications such as the San Francisco Chronicle.

The French Laundry has received numerous hard-earned and well-deserved honors over the past 25 years. It was named the “Best Restaurant in the World” by Restaurant Magazine in both 2003 and 2004, earned the prestigious “Outstanding Restaurant Award” from the James Beard Foundation in 2007, and has received three stars, the highest possible rating, from the Michelin Guide every year since 2007. The French Laundry has also earned the Wine Spectator’s Grand Award every year since 2007 and was inducted into the Culinary Hall of Fame in 2012. The French Laundry has become a world-renowned culinary destination and its international accolades highlight Napa Valley’s outstanding culinary community.

Chef Keller is a revered internationally known chef and the only American born chef to earn multiple three-star ratings from the Michelin Guide. He has also received The Culinary Institute of America’s “Chef of the Year” Award, the James Beard Foundation’s “Outstanding Chef” and “Outstanding Restaurateur” Awards, and has been designated a Chevalier of The French Legion of Honor. For his menus he uses the finest fresh ingredients and wine from our community, bringing attention to the Napa Valley’s agricultural heritage.

Madam Speaker, The French Laundry is an important restaurant and institution in our community that is committed to providing the best food and service to their guests. It is therefore fitting and proper that we honor The French Laundry on its 25th anniversary.

IN RECOGNITION OF THE LIFE OF CAPTAIN THOMAS KENNEY

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 2019

Mr. KEATING. Madam Speaker, I rise today in recognition of the life of Captain Thomas Kenney, a resident of Hyannis, Massachusetts and dedicated firefighter of more than 36 years.

Thomas was born in Boston and began a lifetime of public service working with the Boston Ambulance Squad, in addition to serving as an EMT and paramedic with Boston EMS. Upon graduating from Boston City Hospital, he moved to the Cape and began his career with the Hyannis Fire Department.

His commitment to serving and protecting his community led him to the admirable position of rescue team manager for the newly formed Massachusetts Task Force 1, Urban Search & Rescue. Under this role, Thomas was deployed to the 1996 Atlanta Summer Olympics, the 1999 Worcester Cold Storage fire, and more. On September 11, 2001, he and his team bravely answered the call to serve as Ground Zero responders only five hours after the first attack took place.

Thomas’ deep-seated love of giving back led him to the field of education, where he found opportunities to teach the skills that carried him throughout his career. He would go on to become a nationally recognized instructor with Heavy Rescue Incorporated, in addition to teaching EMS and fire rescue both at home in Hyannis and on the road.

Tragically, Thomas passed away on June 5, 2019. His devotion will live on through both
the family he took great pride in raising, and the enduring legacy of his service. Madam Speaker, I am proud to honor the life of Captain Thomas Kenney. I ask that my colleagues join me in recognizing his many years of dedication to his community and his country.

IN MEMORY OF MR. JAMES A.
“Bud” CODY, SR.

HON. SANFORD D. BISHOP, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. BISHOP of Georgia. Madam Speaker, it is with a heavy heart and solemn brance that I rise today to pay tribute to a dedicated leader and true champion for the law enforcement community, Mr. James A. “Bud” Cody, Sr. Sadly, Bud passed away on Thursday, June 13, 2019. A public memorial celebrating his life and legacy will be held on Saturday, July 20, 2019, at the Georgia Public Safety Training Center in Forsyth, Georgia.

James A. “Bud” Cody, Sr. was born on November 27, 1938, in Willacoochee, Georgia to the union of the late Homer and Meline Cody. At a young age, he was destined to be a part of something greater than himself. While attending Valdosta High School, he was a member of the school’s famed football program and state winning 4x4 track relay team. At the age of 18, he began working full-time at the Boys Club in Valdosta, and it was then that he realized his passion for helping underprivileged youth reach their full potential. As a full-time father and husband, Bud attended night classes at Valdosta State College and in 1961, he graduated with a Bachelor of Science degree in Sociology and Social Work. Upon his graduation, the Boys Club relocated him to Texas where he was instrumental in the establishment of several Boys Club facilities across Louisiana, Texas, and New Mexico.

Bud discovered his second passion for serving the office of Sheriff through improving law enforcement and training in 1966 when the Georgia Sheriffs’ Association (GSA) hired him to serve as their first Executive Director. That same year, he began his tenure as the Director of the Georgia Sheriffs’ Youth Homes’ Boys Ranch in Hahira, Georgia and as the Treasurer for the Sheriffs’ Retirement Fund of Georgia (SRFG). He actively served in all three roles until his retirement in September of 2012. During his 46-year tenure as the Executive Director of the Georgia Sheriffs’ Association, he was sought after by several Georgia governors (including W.E. Carter, Governor (succeeded by Governor Perdue)) for his advice and counsel on matters relating to improving law enforcement throughout the state.

Bud’s impact on the law enforcement community expanded in 1978, when he joined his friend and law enforcement partner, Claude Rizard, to form the company, Computer Fund Raising (CFR), which provided financial assistance to millions of officers and youth in over 30 states. In 1980, in an effort to nationally protect and preserve the Office of Sheriff, Bud worked with Bobby Tramont of the Alabama Sheriffs’ Association to form the National Sheriffs’ Association Committee of Presidents and Executive Directors. In 1982, Bud used his position as Treasurer of the SRFG to assume control of the Fund’s $9 million in assets and helped increase it to its current total of $97 million, to ensure that those who gave their lives to protect and serve receive retirement funds. Bud took his passion one step further in 1990 when he worked with state leaders, criminal justice practitioners and the then Governor to establish the Georgia Public Safety Training Center in Forsyth, Georgia, a world-class public safety training facility that trains more than 2,000 students daily. He also helped create safe havens and educational opportunities for thousands of Georgia’s youth. By overseeing the development of youth homes in Cherokee Estate, Pineland, Herrington, Homestead, and Mountain View, Georgia. Additionally, in 1995, he and the GSA created the Georgia Sheriffs’ Youth Homes Foundation, which currently holds $15 million in assets for their on-going youth homes.

Bud accomplished much in his life; but, none of it would have been possible without the Grace of God and the love and support of his family—including his children, James, Jr., Derek, Camille, Amy, and Celena (deceased); his twelve grandchildren; and his four great-grandchildren. Maya Angelou once said, “A great soul serves everyone all the time. A great soul never dies.” Bud is undoubtedly great because of his selfless service, devotion to his work, and the love he showed for his friends and loved ones. Bud’s impression on this earth extends beyond himself to the very well-being of the communities in which he lived and served.

Madam Speaker, my wife, Vivian, and I, along with the almost 730,000 people in Georgia’s Second Congressional District, salute Mr. James A. “Bud” Cody, Sr. for an outstanding career within law enforcement and his lifelong dedication to serving his community. I ask my colleagues in the House of Representatives to join us in extending our deepest sympathies to Bud’s family, friends, and loved ones during this difficult time. We pray that they will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks, and months ahead.

IN RECOGNITION OF THE AMERICAN LEGION SULLIVAN–WALLEN POST 11’S 100TH ANNIVERSARY

HON. MIKE GALLAGHER
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. GALLAGHER. Madam Speaker, I rise today to honor American Legion Sullivan–Wallen Post 11 as its members celebrate the 100th Anniversary of their charter in Green Bay, Wisconsin.

Post 11 was founded in July of 1919 as a patriotic veterans organization dedicated to supporting America’s service members and veterans. The Post was named after veterans Francis Sullivan and Earl Wallen. Francis Sullivan, who grew up in Green Bay, died serving in France during WWII. Earl Wallen of Pensacola, Wisconsin served in WWII on the USS California, during the attack on Pearl Harbor. Wallen, a Marine private first class, was killed after voluntarily climbing up to the battleship’s crow’s nest to fire a machine gun at attacking Japanese planes. The legacies of Sullivan and Wallen continue to be taught and honored by Post 11.

Post 11 also has close ties to the Green Bay Packers. In the 1920s, Post 11 became a beneficiary of the Packers in the event the team was relocated or sold. Post 11 is also the only permanent color guard in the NFL. The Post presents the colors before every home Packer game, a tradition dating back to the 1940s.

Post 11 is one of the largest American Legion posts in the area with over 600 members. The Post organizes fundraising events to support veteran programs, such as their annual Booyah Bash, a community favorite. The Post hosts youth programs including a marksmanship program to learn rifle safety, a Christmas party, and an Easter egg hunt. The Post also sponsors high school students to attend Badger Boys State.

Madam Speaker, I urge all members of this body to join me in thanking Post 11 for its 100 years of support of service members, veterans, and the Green Bay community.

HON. MARIO DIAZ-BALART
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. DIAZ-BALART. Madam Speaker, I rise today to include in record how I would have voted on H.R. 2515, H.R. 3050, and H.R. 2409. I was unable to vote yesterday because my scheduled flight was cancelled. Had I been present, I would have voted “yea” for each bill.

HONORING ASSISTANT CHIEF LUIZ CASANOVA ON THE OCCASION OF HIS RETIREMENT

HON. ROSA L. DeLAURO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Ms. DeLAURO. Madam Speaker, it is my privilege to rise today to pay tribute to an outstanding member of our community and a dear friend as he retires after years of dedicated service to the New Haven Police Department—Assistant Chief Luiz Casanova. Assistant Chief Casanova has dedicated a lifetime to public service and his presence at the Department will most certainly be missed.

In a career that has spanned decades, Assistant Chief Casanova has demonstrated a unique commitment to public service and law enforcement. He began his career at the State of Connecticut Department of Corrections and it was there where he says he first learned that the prison system was broken. It was also from his experience with the Department of Corrections that he found his true calling. He wanted to make a difference about the way people in his neighborhood were being treated by law enforcement, so he chose to try to make the change from inside the organization. Upon joining the New Haven Police Department, he rose through the ranks, dedicating himself to the community policing concept and finishing his career as Assistant Chief.

To afford us the opportunity to grant the incredible work of our law enforcement officials. I have always held a deep admiration for our community’s police officers—each day facing new
challenges and seemingly overwhelming responsibility. It takes a unique combination of bravery, compassion, and generosity to serve as a police officer and a great dedication to serve in the Department leadership. I want to extend a special note of thanks to Assistant Chief Casanova for his friendship over the years and for all of the help and patience he has provided to myself and my staff. He has always been only a phone call away and has been a tremendous resource to us as we worked together to address issues within the community.

Asst. Chief Casanova has dedicated his professional career to serving and protecting, our children, our families, and our community. I am proud to have this opportunity to join the New Haven Police Department and the New Haven community in extending my sincere thanks and appreciation to him for his outstanding service to our community. As he begins this new life chapter, I wish him all the best for many more years of health and happiness.

IN MEMORY OF SUE HARLOW
HON. JOE WILSON
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. WILSON of South Carolina. Madam Speaker, the following thoughtful obituary was published on July 3, 2019:

Sue Kolakoski Harlow passed away peacefully, surrounded by her husband, children, and sisters on July 2, 2019 in Fairfax, Virginia. She was preceded in death by her mother Jane Kolakoski and her father Charles Kolakoski. Sue passed on the tenth anniversary of her father’s death and joins both of her parents in heaven.

Sue is survived by her beloved husband; Bryce (Larry) Harlow, two children, Sandy Harlow and Bryce Harlow II, four grandchildren, Elizabeth Miller, Josh Harlow, Katie Harlow and Nate Harlow, one great-grandchild; six siblings and four nephews, Paula LaSaster, Doris Deering-Kjellevold, Mary Lewis and Janett Kolakoski.

Born on September 5, 1949 in Washington, DC, Sue was raised in Arlington, VA. A lifelong learner, Sue specialized in elementary aged children with learning disabilities at Sternwood Elementary in Dunn Loring before moving on to Freedom Hill Elementary in Vienna. Earlier, she worked at Tuckahoe Elementary in Arlington. A teacher for more than twenty years, her love of children was boundless.

Sue and her husband Larry were married for nearly fifty-two years having been wed on August 28, 1967 at St. Agnes Catholic Church in Arlington, VA. Sue and Larry met at Yorktown High School. Following their marriage, they moved to Norfolk, VA while Larry attended medical school, but returned to Arlington in 1969 when Sue went to work for Senator Gurney. In 1971, they moved to Denver, CO before returning to Virginia in 1976. Sue and Larry raised their two children, Sandy and Bryce, in Arlington and Vienna before moving to their current home in McLean.

Sue loved life and all that came along with it. She had a deep appreciation for her garden and loved her multitude of flowers surrounding their home. Sue had an extreme love for the outdoors and a good meal. She loved animals, particularly the kittens she raised over the years. Virginia Beach was Sue’s second home with her love of the ocean and the sea air. But in particular, she had a lasting love for her family and selflessly sought to enrich their lives on a daily basis. She tolerated family’s obsession with Washington sports and became a fan herself. She immersed herself in every aspect of life and the members of her family are better because of her.

Services will be held on Thursday, July 11 at 10:30 AM at St. Agnes Church, 2024 North Randolph St., Arlington, VA 22207. In lieu of flowers the family would like you to dote on your pets, hug your family, and raise a glass to Sue.

IN MEMORY OF MR. HILTON R. SEGLER
HON. SANFORD D. BISHOP, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. BISHOP of Georgia. Madam Speaker, I rise today to honor a public servant and dear friend of longstanding, Mr. Hilton R. Segler. Sadly, Hilton passed away on July 4, 2019, at the age of 82. His passing marks the close of a long and prolific life, and his departure leaves a void in the hearts of many Georgians. He leaves behind an impeccable legacy of service to his state, country, and forgotten. A funeral service was held on Saturday, July 6, 2019, at 11 a.m. at Kimbrell-Stern Funeral Directors in Albany, Georgia.

Mr. Hilton Ray Segler was born in Ozark, Alabama, on April 26, 1937, to the union of the late Mr. William Foy and Mrs. Willie Clyde (Dunn) Segler. In 1948, his family moved to Albany, Georgia, where he went on to graduate from Albany High School and pursue several correspondence degrees in Law and Business.

In 1957, Hilton started working for Southeastern Liquid Fertilizer in Albany, Georgia, before serving as the Assistant to the President of Planters Chemical Company in Virginia. He then moved back to Albany in 1964 to work for the Thompson-Hayward Chemical Company and was appointed Regional Manager for the company in 1981. Hilton also has served as a salesman for the TIDA Farm Service Center where his sales exceeded $1.5 million in his first year and $3 million in his second year, thus proving his acuity as a salesman. In the early 1990s, he purchased a pecan farm and farmed over 1,900 acres of pecan trees for almost six years. He later started a nickel nutrient supplement company, Nipan, LLC, in 2003. Products from his company have gained tremendous popularity in the last few years and are shipped all over the United States.

In 2002, Hilton, along with Bucky Geer and James Lee Adams, testified before the Risk Management Agency on behalf of pecan growers. His unyielding efforts helped pecan growers across the United States attain crop insurance. Hilton also testified before the House and Senate Committees on Agriculture in an effort to obtain larger provisions for the pecan industry in the 2008 Farm bill. Consequently, pecans were included in the Country of Origin labeling requirements and also in the most recent Farm Bill.

Hilton continued to work on expanding pecan exports to China and other agricultural economies, by partnering with the United States Department of Agriculture and Georgia Department of Agriculture, and pushing for pecan farmers’ participation in the Market Access program, a program that helps finance promotional activities for U.S. agricultural products.

In 2004, Hilton championed efforts to obtain “clean up” assistance for pecan farmers who were hurt by hurricanes that devastated parts of Georgia and Alabama. In 2010, he testified before the House Agriculture Committee on the future of the pecan industry and the importance of nutrition and trade to this industry, for the 2010 Farm bill.

Hilton accomplished much throughout his life, but none of this would have been possible without his enduring faith in God and the love and support of his wife, Faye; his children, Rhonda, Scott, and Jamie; and a host of family and friends who will miss him deeply.

On a personal note, Hilton was my friend. I will miss his sage advice and wise counsel. He never told me what I wanted to hear; he always told me what I needed to hear. The state of Georgia and our Nation have been truly blessed to benefit from Hilton’s leadership and advocacy.

Madam Speaker, I ask my colleagues to join my wife, Vivian, and me, along with the almost 77,000 people in Georgia’s Congressional District and countless others across America in paying tribute to Mr. Hilton R. Segler for a life well lived and in extending our deepest sympathies to his family, friends, and loved ones during this difficult time of bereavement. Moreover, we pray that they will be consolled and comforted by an abiding faith and the Holy Spirit in the days, weeks, and months ahead.

HONORING ALEXANDER V. MITRENKO
HON. FRED KELLER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. KELLER. Madam Speaker, it is my great honor to recognize and congratulate Alexander V. Mitrenko of Selingsgrove, Pennsylvania, who will take his oath of citizenship today in Williamsport, Pennsylvania.

Nearly 19 years ago, Alex arrived in Selingsgrove for the first time as a 16-year-old high school exchange student from the Ukraine. Upon his arrival, Alexander knew no one, had no family to accompany him but in spirit, and spoke very little English. But as Alex stood at the beginning of a journey that would eventually bring him to raising his right hand today in allegiance to our nation, he held with him what our nation’s earliest settlers had established and would take him toward a brighter and better future: the promise of America.

Alexander readily adapted to American life by forging new friendships in Central Pennsylvania and joining several groups in his school: the soccer and baseball teams, cheer club, and the school band, to name a few. He worked tirelessly to improve his English, studied hard, frequently offered a unique perspective on world events to his classmates, and was always willing to offer a helping hand to a friend in need. To this day, he continues his close friendship with his host father in the United States, George Kinney.
Upon his graduation from high school, Alexander attended Susquehanna University and earned a Bachelor’s of Science degree in Finance and Information Systems in 2005. He worked full-time after college and attended Drexel University’s LeBow College of Business at night. In 2011, he received a Master’s of Business Administration in Investment Management and International Business. In July 2015, Alex obtained his green card and married his wife, Erin, later that same year inOctober. They currently reside in Selinsgrove with their three adopted cats and are currently restoring one of the town’s historic properties on Market Street.

Today, Alexander remains a selfless member of his community. He previously served as a volunteer firefighter, takes part in 5k races and soccer games to raise money for charitable causes, and frequently participates in volunteer opportunities through his employer, Prudential Financial. He is also an avid fan of the Philadelphia Eagles, Flyers, and Phillies.

Madam Speaker, if today we were tasked with finding some living proof that demonstrated the alive and well the promise of America is today, I would respectfully reference this invitation to congratulate Alexander V. Mitrenko on becoming a citizen of the United States of America. We, as a free and democratic nation, congratulate and welcome him, as he is officially guaranteed the inalienable rights to life, liberty, and the pursuit of happiness.

RECOGNIZING THE METROPOLITAN AFRICAN METHODIST EPISCOPAL CHURCH

HON. ELEANOR HOLMES NORTON
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Ms. NORTON. Madam Speaker, I rise today to ask the House of Representatives to join me in recognizing the Metropolitan African Methodist Episcopal Church for its many contributions to the District of Columbia. Metropolitan, also known as the National Cathedral of African Methodism, was founded in 1838 and has been a leading spiritual and community resource ever since.

On July 2, 2019, Metropolitan held a well-attended and informative community meeting on D.C. statehood. This meeting at the church was an act of leadership in keeping with its long tradition of deep involvement not only with its members but also with the District.

Metropolitan began as two separate churches, Israel Bethel AME and Union Bethel AME. In 1838, these two churches came together. The combined churches received an official sanction from the Baltimore Conference of the African Methodist Episcopal Church on July 6, 1838.

The church retained the name Union Bethel until 1870 when the Baltimore Conference designated a new church name and the construction of a new “Metropolitan African Methodist Episcopal Church.” Along with the new designation, the Baltimore Conference attached two key conditions—the first was that the church needed to be located near the Capitol and White House, and the second was that each Annual Conference of AME churches was called upon to donate money for the construction of the Metropolitan African Methodist Episcopal Church. To represent the gratitude of the congregation, the church was built with stained glass windows for each contributing Annual Conference.

The church has done pathbreaking work over the years, from helping enslaved Africans in the 19th century, to educating community members about AIDS and voting rights. Metropolitan is not only a leading place of worship but also a community resource, promoting intellectual and political achievement through the Bethesda Literary and Historical Society since 1850. Metropolitan has opened its doors to many prominent visitors such as Barack Obama, Fredrick Douglass and Eleanor Roosevelt.

Madam Speaker, I ask my colleagues to join me in recognizing the Metropolitan African Methodist Episcopal Church for its 180-year history of contributions to its members and to the District of Columbia for its leadership and for encouraging discussion of the Washington, D.C. Admission Act, which would make D.C. the 51st state.

HONORING THE WORLD WAR II, KOREAN WAR, AND VIETNAM WAR VETERANS OF ILLINOIS

HON. MIKE QUIGLEY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. QUIGLEY. Madam Speaker, I rise to honor the World War II, Korean War, and Vietnam War veterans who traveled to Washington, D.C. on June 5, 2019 with Honor Flight Chicago, a program that provides World War II, Korean War, and Vietnam War veterans the opportunity to visit their memorials on The National Mall in Washington, D.C. These memorials were built to honor their courage and service to their country.

The American Veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsmen who traveled here on July 10th answered our nation’s call to service during several of its greatest times of need. Across America, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorials. I am proud to include in the RECORD the names of these men and women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

John K. Johnson; Victor J. Alvarez; Brownie J. Andrews, Jr.; Joseph J. Arcara; William J. Arndt; Gordon W. Atkins; George E. Batson; Charles Bennett; John C. Bierman; James Terry Blue, Sr.; John J. Borg; Walter L. Brooks; Robert A. Bryant; Patrick Butler; John W. Cannon; James M. Clemons; Leroy Cobb; Matthew W. Connor.

William J. Dierks; Jack H. Doyle; William Thomas Dzingel; Duane Arthur Foss; Charles W. Fruehe; Dennis W. Galloway; Richard Gardner; Philip L. Givens; Robert Wesley Godfrey; John F. Greaney; Robert L. Gurney; James A. Hanson, Sr.; Ernest R. Hanna; Edwin W. Hendry; James John Hennessy; Thomas J. Henry; Superman J. Horn; Archie Hubbard, Jr.

Michael M. Hughes; Holman B. Ingram; Angelo Irizarry; Nello D. Isabelli; Ronald J. Janiak; Robert E. Jensen; Theodore B. Knapp; Harold B. Koenen; Ronald J. Konetsky; James J. Kosinski; Richard Kowalski; Joseph Kwak; Earl M. Laib; Andrew Leverenz; James O. Lewis; William R. Lindberg; Robert B. Locknar; Stanley R. Lokaj; Bernard LoMonaco; David L. Lowe; Stewart G. Margolis; Joseph Martinez; Dwight C. McConnnell; Stuart W. McDowell; Edward W. McQuiston; Robert J. Miesovich; Fernando E. Montilla; Leonard W. Morris; Jerry I. Mosenson; Charles R. Nicholas; Earl A. Nordmeyer; Harlan W. O’Cull; William O’Neill; Paul M. Obinger; Stanley J. Penczak; Steven L. Penczak; George L. Peso; Dennis R. Pokita; Kent Romanus; Ralph H. Schnallfeld; Terrence Lee Schmidt; James Schwartz; Robin P. Schwartz; Aubrey L. Smith; Lynnwood Smith; Gerald S. Snarski; Joseph J. Stachon; Leroy E. Stahr; William Stockfisch; Myron I. Strepka; Albert F. Struska; Alexander C. Styczula; Edward Sulita; Robert Sweeney; James J. Sykucki; Donald G. Tollefson; Gregory B. Tweedy, Sr.; John J. Valverde; Hector H. Villarreal; Robert W. Vogeltanz; Leonard A. Wantauba; Lawrence Weiss; Edward K. Weyna; Edward S. Weyna; James C. Wightman; Clyde Wilson; Samuel Wilson; Leo W. Wysocki; Ascher Daniel Yates; and Daniel R. Yatsko.

PERSONAL EXPLANATION

HON. LOIS FRANKEL
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Ms. FRANKEL. Madam Speaker, on roll call votes 431, 432, and 433, I was not present because I was unavoidably detained. Had I been present, I would have voted “YEA,” “YEA,” and “YEA” respectively.

IN RECOGNITION OF DON SCHIMMELS’ 100TH BIRTHDAY

HON. MIKE GALLAGHER
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 2019

Mr. GALLAGHER. Madam Speaker, I rise today to honor Don Schimme1s of Luxemburg, Wisconsin on celebrating his 100th birthday.

Born on July 10, 1919, Don grew up in Milwaukee, Wisconsin and graduated from Messmer High School in 1938. He enlisted in the U.S. Army Air Corps in 1940 and specialized as a mechanic, repairing aircraft such as fighter jets, P39s and P40s, and bombers.

During his service, Don was stationed on Canton Island in the South Pacific Ocean for nine months. Used by the U.S. military as a refueling stop for combat aircraft travelling from Hawaii, the Island played a crucial role in supporting U.S. air forces during WWII. Don was on the Island during the pivotal Gilbert and Marshall Islands campaign that took place from November 1943 to January 1944.

After serving for five years, Don was discharged in 1945. He used the GI Bill to earn degrees in literature and history. He later
Mr. WITTMAN. Madam Speaker, I rise today to highlight the ongoing challenges facing our domestic industrial base, specifically the shipbuilding industry, and I want to urge my colleagues to consider the tough realities facing our nation and its ability to produce ships for both military missions and commercial applications in the future.

One of the key points of contention between Republicans and Democrats on the NDAA concerns the authorization level or topline for this legislation in Fiscal Year 2020. I want to highlight the state of the shipbuilding industrial base as a case study for an increased topline.

We currently have 290 deployable battle force ships in our Navy, with a plan to get us to 355 ships as soon as possible. This was codified by the SHIPS Act that I sponsored in 2017 with Sen. WICKER which was included in that year’s National Defense Authorization Act.

Consider that, over time, our national capacity to build ships has continued to decline and the remaining shipyards and suppliers are increasingly at risk. We have lost dozens of shipyards and tens of thousands of suppliers over the last 15 years, which makes it even more compelling that we do all we can to support the shipyards and suppliers that remain.

In 2018, in response to a Presidential Executive Order, the Department of Defense submitted a report entitled “Assessing and Strengthening the Manufacturing and Defense Industrial Base Supply Chain Resiliency of the United States.”

Quoting from the report, “The shipbuilding industrial base is a national asset and absolutely vital to America’s ability to build and sustain the Naval fleet. The Navy is focused on improving the health of the industrial base to meet the requirement of a 355 ship fleet with a long range plan anchored by industrial stability. The analysis performed in response to the Executive Order identified five underlying risks: dependency on single/sole source suppliers, capacity shortfalls, lack of competition, lack of workforce skills, and unstable demand.”

So you can see, Madam Speaker, that there are clearly significant challenges facing our Navy and our nation’s ability to produce warships in the future. Single/some source suppliers, capacity shortfalls, loss of competition, lack of workforce skills and unpredictable demand are all hampering our nation’s ability to build its future fleet. This is not a new issue but I’m afraid that the problems confronting our industrial base are getting worse.

So what has Congress done and what should be done going forward?

We have made significant investments throughout our Navy’s future fleet, including funds for our aircraft carrier fleet and a single contract awarded earlier this year for procurement of both CVN 80 and CVN 81, the 3rd and 4th Gerald R. Ford-class aircraft carriers.

I’m proud to have led the effort in this House to provide the necessary authorization for this contract to be awarded—this contract will save $4 billion compared to buying these ships individually and sends exactly the right message to all involved that we are serious about building more ships in this country.

We have provided consistent funding and support for our nation’s submarine programs, and in 2019 marks the first year that 2 Virginia-class Submarines have been procured via the annual authorization/appropriations process. The legislation we are considering today authorizes a 3rd Virginia-class Submarine to be procured in fiscal year 2020 as we have heard on numerous occasions about the attack submarine force structure shortfall facing our Navy. In 2028 for example, there is a forecast level of 42 attack submarines at a stated requirement for 66 submarines.

On the Columbia ballistic missile submarine program, Congress has been steadfast in its support of the Department of Defense’s No. 1 acquisition priority. Partly as a result, next year when our nation procures the first boat in the Columbia class it will have the highest percentage of design completed for a first of class ship in recent memory.

Congress has provided multiple years of Supplier Development funding for our nuclear shipbuilding programs with additional planned investment. I look forward to hearing from the Navy about these investments and how they will be helping to shore up certain parts of our nuclear shipbuilding industrial base.

Congress has also been extremely supportive for amphibious warships, with congressional authorization and funding underway for Fiscal Year 2019 and 2020. Congress has authorized the acquisition of 14 LPD-class ships, five for the 2019 fiscal year and nine for the 2020 fiscal year.

In closing, Madam Speaker, Congress continues to exercise its constitutional mandate to provide and maintain a Navy. There have been a series of congressional investments made over the last several years which demonstrates our commitment to building a robust future fleet. I call on the Pentagon and Navy leadership to recognize this commitment and make future decisions consistent with our goal of a larger more lethal Navy with a robust and viable industrial base.
SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 11, 2019 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

JULY 16

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine Facebook’s proposed digital currency and data privacy considerations.

SH-216
Committee on Energy and Natural Resources

Business meeting to consider S. 143, to authorize the Department of Energy to conduct collaborative research with the Department of Veterans Affairs in order to improve healthcare services for veterans in the United States, S. 141, to provide for the establishment of a pilot program to identify security vulnerabilities of certain entities in the energy sector, S. 233, to coordinate the provision of energy retrofitting assistance program, S. 520, to require the Secretary of Energy to establish an energy efficiency materials pilot program, S. 715, to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to develop a national smart manufacturing plan and to provide assistance to small-and medium-sized manufacturers in implementing smart manufacturing programs, S. 816, to amend the Natural Gas Act to expedite approval of exports of small volumes of natural gas, S. 890, to amend the Energy Policy Act of 2005 to reauthorize hydroelectric production incentives and hydroelectric efficiency improvement incentives, S. 903, to direct the Secretary of Energy to establish advanced nuclear goals, provide for a versatile fast neutron source, make available high-assay, low-enriched uranium for research, development, and demonstration of advanced nuclear reactor concepts, S. 983, to amend the Energy Conservation and Production Act to reauthorize the weatherization assistance program, S. 990, to authorize the Secretary of the Interior to participate in the implementation of the Platte River Recovery Implementation Program First Interim Exemptions for threatened and endangered species in the Central and Lower Platte River Basin, S. 1052, to authorize the Office of Fossil Energy to develop separation technologies for the extraction and recovery of rare earth elements and minerals from coal and coal byproducts, S. 1064, to require the Secretary of Energy to conduct a study on the national security implications of building ethane and other natural-gas liquids-related petrochemical infrastructure in the United States, S. 1085, to support research, development, and other activities to develop innovative vehicle technologies, S. 1201, to amend the fossil energy research and development provisions of the Energy Policy Act of 2005 to enhance fossil fuel technology, S. 1245, to improve energy performance in Federal buildings, S. 1266, to amend the Energy Policy Act of 2005 to facilitate the commercialization of energy and related technologies developed at Department of Energy facilities with promising commercial potential, S. 1317, to facilitate the availability, development, and environmentally responsible production of domestic resources to meet national material or critical mineral needs, S. 1655, to require the Secretary of Energy to establish a program for the research, development, and demonstration of commercially viable technologies for the capture of carbon dioxide produced during the generation of natural gas-generated power, S. 1696, to amend the National Energy Conservation Policy Act to encourage the increased use of performance contracting in Federal facilities, S. 1937, to amend the National Energy Conservation Policy Act to improve Federal energy and water performance requirements for Federal buildings and to establish a Federal Energy Management Program, H.R. 347, to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado, H.R. 762, to amend the Energy Policy and Conservation Act to provide for the dissemination of information regarding available Federal programs relating to energy efficiency projects for schools, and H.R. 1388, to reauthorize the West Valley demonstration project.

SD-366
Committee on Foreign Relations
Subcommittee on the Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women’s Issues
To hold hearings to examine United States engagement in Central America.

SD-419
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the nominations of Ann C. Fisher, of the District of Columbia, and Ashley Jay Elizabeth Poling, of North Carolina, both to be a Commissioner of the Postal Regulatory Commission, Catherine Bird, of Texas, to be General Counsel of the Federal Labor Relations Authority, and Rainey R. Brandt, and Shana Frost Matini, both to be an Associate Judge of the Superior Court of the District of Columbia.

SD-342
2:30 p.m.
Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
To hold hearings to examine long-term management options for the Bureau of Land Management’s Wild Horse and Burro Program.

SD-366
Committee on Foreign Relations
Subcommittee on Near East, South Asia, Central Asia, and Counterterrorism
To hold hearings to examine Iraq, focusing on a crossroads of United States policy.

SD-419
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the 2020 Census, focusing on conducting a secure and accurate count.

SD-342
Committee on the Judiciary
Subcommittee on the Constitution
To hold hearings to examine Google and censorship through search engines.

SD-226
JULY 17

9:15 a.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine unprecendented migration at the United States southern border, focusing on bipartisan policy recommendations from the Homeland Security Advisory Council.

SD-342
9:30 a.m.
Committee on Banking, Housing, and Urban Affairs
Subcommittee on Economic Policy
To hold hearings to examine economic mobility, focusing on whether the American dream is in crisis.

SD-538
10 a.m.
Committee on Commerce, Science, and Transportation
To hold hearings to examine National Aeronautics and Space Administration plans for deep space exploration, focusing on the Moon to Mars.

SH-216
Committee on Environment and Public Works
To hold hearings to examine electric battery production and waste, focusing on opportunities and challenges.

SD-406
To hold hearings to examine pending nominations.

2:30 p.m.
Committee on Homeland Security and Governmental Affairs
Subcommittee on Federal Spending Oversight and Emergency Management
To hold hearings to examine the Federally incurred cost of regulatory changes and how such changes are made.

Committee on Indian Affairs
To hold oversight hearings to examine the Government Accountability Office report on tribal access to spectrum, focusing on promoting communications services in Indian Country.

Committee on the Judiciary
Subcommittee on Intellectual Property
To hold an oversight hearing to examine the United States Copyright Office.

10 a.m.
Committee on Energy and Natural Resources
Subcommittee on Water and Power
To hold hearings to examine opportunities to increase water storage and conservation through rehabilitation and development of water supply infrastructure, including S. 1570, to provide flexibility to allow greater aquifer recharge, S. 1932, to support water infrastructure in Reclamation States, and S. 2044, to amend the Omnibus Public Land Management Act of 2009 to establish an Aging Infrastructure Account, to amend the Reclamation Safety of Dams Act of 1978 to provide additional funds under that Act, to establish a review of flood control rule curves pilot project within the Bureau of Reclamation.

10:30 a.m.
Committee on Agriculture, Nutrition, and Forestry
To hold hearings to examine agricultural research and 2018 Farm Bill implementation.

JULY 23
10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the United States' interests in the Freely Associated States.

2:30 p.m.
Committee on the Judiciary
Subcommittee on Antitrust, Competition Policy and Consumer Rights
To hold an oversight hearing to examine enforcement of the antitrust laws.

JULY 25
10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the importance of energy innovation to economic growth and competitiveness.
Chamber Action

Routine Proceedings, pages S4743–4777

Measures Introduced: Nineteen bills were introduced, as follows: S. 2067–2085. Page S4773

Measures Reported:
- S. 1102, to promote security and energy partnerships in the Eastern Mediterranean, with an amendment in the nature of a substitute. Page S4770

Measures Passed:

America’s Water Infrastructure Act Technical Corrections: Committee on Environment and Public Works was discharged from further consideration of S. 1811, to make technical corrections to the America’s Water Infrastructure Act of 2018, and the bill was then passed. Page S4776

Executive Reports of Committees: Senate received the following executive reports of a committee:
- Report to accompany The Protocol Amending the Tax Convention with Spain (Treaty Doc. 113–4) (Ex. Rept. 116–1);
- Report to accompany Protocol Amending Tax Convention with Swiss Confederation (Treaty Doc. 112–1) (Ex. Rept. 116–2);
- Report to accompany Protocol Amending the Tax Convention with Japan (Treaty Doc. 114–1) (Ex. Rept. 116–3); and

King Nomination—Cloture: Senate resumed consideration of the nomination of Robert L. King, of Kentucky, to be Assistant Secretary for Postsecondary Education, Department of Education. Pages S4749–59, S4759

During consideration of this nomination today, Senate also took the following action:
- By 56 yeas to 39 nays (Vote No. EX. 198), Senate agreed to the motion to close further debate on the nomination. Pages S4760–61

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 9:30 a.m., on Thursday, July 11, 2019. Pages S4776–77

Pallasch Nomination—Cloture: Senate resumed consideration of the nomination of John P. Pallasch, of Kentucky, to be an Assistant Secretary of Labor. Pages S4761–64

During consideration of this nomination today, Senate also took the following action:
- By 54 yeas to 41 nays (Vote No. EX. 199), Senate agreed to the motion to close further debate on the nomination. Page S4761

Nominations—Agreement: A unanimous-consent agreement was reached providing that at 11 a.m., on Thursday, July 11, 2019, Senate vote on confirmation of the nominations of Robert L. King, of Kentucky, to be Assistant Secretary for Postsecondary Education, Department of Education, and John P. Pallasch, of Kentucky, to be an Assistant Secretary of Labor, in the order listed; that if cloture is invoked on the nomination of Peter C. Wright, of Michigan, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency, the post-cloture time expire at 1:45 p.m.; and that the Ranking Member of the Committee on Environment and Public Works control the time from 1 p.m., until 1:40 p.m. Page S4764

Nominations Confirmed: Senate confirmed the following nominations:
- By 78 yeas to 15 nays (Vote No. EX. 195), T. Kent Wetherell II, of Florida, to be United States District Judge for the Northern District of Florida. Pages S4745–48

- By 80 yeas to 14 nays (Vote No. EX. 196), J. Nicholas Ranjan, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania. Pages S4748–49

- By 85 yeas to 10 nays (Vote No. EX. 197), Damon Ray Leichty, of Indiana, to be United States District Judge for the Northern District of Indiana. Page S4749

Messages from the House:

Measures Referred:

Measures Placed on the Calendar:

Executive Communications:
Executive Reports of Committees: Page S4770
Additional Cosponsors: Pages S4773–75
Statements on Introduced Bills/Resolutions: Pages S4775–76
Additional Statements: Pages S4766–68
Authorities for Committees to Meet: Page S4776
Record Votes: Five record votes were taken today. (Total—199) Pages S4748–49, S4761
Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:16 p.m., until 9:30 a.m. on Thursday, July 11, 2019. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S4776–77.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:
S. 149, to establish a Senior Scams Prevention Advisory Council, with an amendment in the nature of a substitute;
S. 153, to promote veteran involvement in STEM education, computer science, and scientific research, with an amendment in the nature of a substitute;
S. 384, to require the Secretary of Commerce, acting through the Director of the National Institute of Standards and Technology, to help facilitate the adoption of composite technology in infrastructure in the United States, with amendments;
S. 553, to direct the Secretary of Commerce to establish a working group to recommend to Congress a definition of blockchain technology, with amendments;
S. 1342, to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, with amendments;
S. 1427, to amend the National Institute of Standards and Technology Act to improve the Network for Manufacturing Innovation Program, with an amendment in the nature of a substitute;
S. 1601, to direct the Secretary of Transportation to issue a rule requiring all new passenger motor vehicles to be equipped with a child safety alert system;
S. 1611, to ensure appropriate prioritization, spectrum planning, and interagency coordination to support the Internet of Things, with amendments;
S. 1694, to require any Federal agency that issues licenses to conduct activities in outer space to include in the requirements for such licenses an agreement relating to the preservation and protection of the Apollo 11 landing site, with an amendment in the nature of a substitute;
S. 1881, to provide PreCheck to certain severely injured or disabled veterans; and
The nominations of Stephen M. Dickson, of Georgia, to be Administrator of the Federal Aviation Administration, Michelle A. Schultz, of Pennsylvania, to be a Member of the Surface Transportation Board, and a routine list in the Coast Guard.

AMERICA’S SURFACE TRANSPORTATION INFRASTRUCTURE

Committee on Environment and Public Works: Committee concluded a hearing to examine investing in America’s surface transportation infrastructure, focusing on the need for a multi-year reauthorization bill, after receiving testimony from Luke Reiner, Wyoming Department of Transportation Director, Cheyenne; Carlos M. Braceras, Utah Department of Transportation Executive Director, on behalf of the American Association of State Highway and Transportation Officials, and Vicki Arroyo, Georgetown Climate Center, both of Washington, D.C.; Max Kuney, Associated General Contractors of America, Spokane, Washington; and Carolann Wicks, University of Delaware School of Public Policy and Administration, Townsend.

ARMS EXPORT CONTROL ACT EMERGENCY AUTHORITIES

Committee on Foreign Relations: Committee concluded a hearing to examine defense cooperation, focusing on the use of emergency authorities under the Arms Export Control Act, after receiving testimony from R. Clarke Cooper, Assistant Secretary, Political-Military Affairs, Department of State.

SPECIAL DIABETES PROGRAM

Special Committee on Aging: Committee concluded a hearing to examine how the Special Diabetes Program is changing the lives of Americans with Type 1 diabetes, after receiving testimony from Griffin P. Rodgers, Director, National Institute of Diabetes and Digestive and Kidney Diseases, National Institutes of Health, Department of Health and Human Services; Aaron J. Kowalski, JDRF, and Victor Garber, both of New York, New York; Ruby Anderson, JDRF Children’s Congress, Yarmouth, Maine; and Adriana Richard, JDRF Central Pennsylvania Teen Task Force, Milton.
House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 33 public bills, H.R. 3661–3693; and 3 resolutions, H. Res. 481–483 were introduced.  Pages H5583–84

Additional Cosponsors:  Pages H5585–86

Report Filed: A report was filed today as follows:

H.R. 1809, to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act, to provide parity for United States territories and the District of Columbia, to make technical corrections to such Acts and related laws, and for other purposes (H. Rept. 116–144).  Pages H5582

Speaker: Read a letter from the Speaker wherein she appointed Representative Costa to act as Speaker pro tempore for today.  Page H5307

Recess: The House recessed at 10:40 a.m. and reconvened at 12 noon.  Page H5311

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rev. Asriel McLain, Little Union Baptist Church, Shreveport, Louisiana.  Pages H5311–12

Recess: The House recessed at 1:38 p.m. and reconvened at 2:51 p.m.  Page H5323

Suspensions: The House agreed to suspend the rules and pass the following measures:

Fairness for High-Skilled Immigrants Act of 2019: H.R. 1044, amended, to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, by a 2/3 yea-and-nay vote of 365 yeas to 65 nays, Roll No. 437;  Pages H5323–28, H5336

Amending title 28, United States Code, to add Flagstaff and Yuma to the list of locations in which court shall be held in the judicial district for the State of Arizona: H.R. 1569, to amend title 28, United States Code, to add Flagstaff and Yuma to the list of locations in which court shall be held in the judicial district for the State of Arizona;  Pages H5328–29

Supporting and Treating Officers In Crisis Act of 2019: S. 998, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to expand support for police officer family services, stress reduction, and suicide prevention;  Pages H5329–31

Effective Prosecution of Possession of Biological Toxins and Agents Act of 2019: S. 744, to amend section 175b of title 18, United States Code, to correct a scrivener's error; and  Pages H5331–32

21st Century President Act: H.R. 677, to amend gendered terms in Federal law relating to the President and the President's spouse.  Pages H5332–34

Committee Resignation: Read a letter from Representative Rooney (FL) wherein he resigned from the Committee on Education and Labor.  Page H5336

Committee Elections: The House agreed to H. Res. 481, electing Members to certain standing committees of the House of Representatives.  Page H5337

National Defense Authorization Act for Fiscal Year 2020: The House began consideration of H.R. 2500, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year. Consideration is expected to resume tomorrow, July 11th.  Pages H5337–H5576

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–19, modified by the amendment printed in part A of H. Rept. 116–143, shall be considered as adopted in the House and in the Committee of the Whole, in lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill.  Page H5351

Agreed to:

Smith (WA) en bloc amendment No. 1 consisting of the following amendments printed in part B of H. Rept. 116–143: Speier (No. 2) that clarifies policies affecting career paths for military service academy graduates; Brown (MD) (No. 4) that directs the Secretary of Defense to produce a report on the number of certain waivers received by transgender individuals; Speier (No. 5) that clarifies the contraception coverage parity provision in the bill text to ensure all methods of contraception approved by the FDA are covered by TRICARE without copay, including contraceptive counseling, insertion and removal; Speier (No. 7) that removes an exemption that would exclude federal civilian employees from representation in negotiations of career path requirements for the defense acquisition workforce; Speier (No. 8) that places limitations on the issuance of non-recurring cost waivers to certain Foreign Military Sales customers; requires Defense and State Department reports on reforms on various aspects of the Foreign Military Sales enterprise; Gabbard (No. 13)
that expands access to infertility treatment to all servicemembers; Meeks (No. 15) that prohibits the Secretary of Defense from naming a DOD asset after a person who served or held a leadership position in the Confederacy, a city or battlefield made significant by a confederate victory; Cunningham (No. 16) that authorizes the Coast Guard to establish a Coast Guard Junior Reserve Officers Training Corps program at Lucy Garrett Beckham High School in Charleston County, South Carolina; Clark (MA) (No. 18) that prohibits the Secretary of Veterans Affairs from using the fact that a veteran's income derives from a State legalized marijuana industry as a factor in determining whether to issue a VA home loan; Sherman (No. 22) that prevents funds from being spent on the production of a Nonproliferation Assessment Statement with a country that has not signed an Additional Protocol agreement with the International Atomic Energy Agency; Engel (No. 28) that preserves Congressional review of arms export licenses by restricting the President's emergency export authority under the Arms Export Control Act to situations in which defense items are transferred only within 90 days of an emergency determination and to limit use of an emergency determination to approve overseas manufacturing or co-production of defense items to extensions or renewals of existing licenses; Engel (No. 30) that limits military to military cooperation between the US military and the Burma Army, applies sanctions to perpetrators of human rights abuses including against the Rohingya, encourages reform in the military-dominated Burmese gemstone sector, and calls for a determination of crimes perpetrated against the Rohingya, and authorizes support for preservation of evidence and transitional justice efforts; McNerney (No. 36) that states that a pay raise for military personnel shall take effect on January 1, 2020, even if the president attempts to change it; Keating (No. 41) that authorizes funds for a pilot program to support nonprofits operating on bases to providing food, clothing, and related assistance to active duty personnel; Huffman (No. 42) that amends Section 2831 to restrict any energy sourced from Russia and repeals another Section from FY19 NDAA dealing with preference for domestic sources at one specific European base; Aguilar (No. 51) that expands the types of associate degrees and certifications covered by the Military Spouse Career Advancement Account program; Aguilar (No. 52) that calls for budget officials from the Department of Defense, Office of Management and Budget, and National Nuclear Security Administration to be present at Nuclear Weapons Council and Standing and Safety Committee meetings, thereby ensuring budgetary concerns are taken into account when decisions are made; Aguilar (No. 53) that expands the Department of Defense Cyber Scholarship Program (formerly known as the Information Assurance Scholarship Program) to include students attending certificate programs that span 1 to 2 years; Aguilar (No. 54) that codifies existing practice at DOD to debrief veterans during TAP counselling on how to file claims and where to send paperwork when they transition out of the military; Allred (No. 55) that directs the Secretary of Defense to increase Basic Operational Medical Research Science by $5 million for the purpose of partnering with universities to study brain injuries; Allred (No. 56) that directs the Secretary of Defense to increase University Research Initiatives by $5 million for the purpose of studying ways to increase the longevity and resilience of infrastructure on military bases; Armstrong (No. 57) that directs the SECDEF to include the names of the seventy-four crew of the USS Frank E. Evans killed on June 3, 1969 on the Vietnam Veterans Memorial Wall; Arrington (No. 58) that inserts text that requires Secretary of the Air Force to make available and conduct military type certifications for light attack experimentation aircraft as needed; Bacon (No. 59) that authorizes senior officials of the armed forces to endorse and participate in activities of charitable foundations that support the armed forces service academies; Bacon (No. 60) that authorizes Department of Defense civilian academic faculty at covered institutions to retain copyright for scholarly works completed outside of their assigned instructional duties; Bacon (No. 61) that authorizes an increase to Air Force procurement to replace RC–135 training and ground mission equipment destroyed in recent storms; Banks (No. 62) that mandates that the General Counsel of the Department of the Army begin a preliminary inquiry to investigate the burial of Jack Edward Dunlap at Arlington Cemetery; Banks (No. 63) that requires the Department of Defense, Coast Guard, and the Department of Veterans Affairs to develop jointly a comprehensive enterprise interoperability strategy, 180 days after enactment, to achieve nine goals, principally interoperability sufficient for seamless health care with TRICARE providers and community care providers under the MISSION Act; additionally, defines the term, ‘‘interoperability’’; Bera (No. 64) that requires DoD to do a study on extending the parent's level of TRICARE health coverage to their newborn child; Bera (No. 65) that increases DoD funding to partner nations to help them prevent, detect, and respond to biological threats and infectious disease before they come to the U.S. by $20 million to match DoD Approps; Bera (No. 66) that requires report on defense cooperation between U.S. and India in the Western Indian Ocean; Bera (No. 67) that requires a report on the
implementation of the Global Health Security Strategy and the National Biodefense Strategy, including follow up actions from pending GAO report on the Biodefense Strategy; Bera (No. 68) that requires DoD and VA to submit a report to Congress evaluating best practices for providing financial literacy education to separating servicemembers and Veterans; and Horn (No. 190) that requires DoD to treat disclosures of disciplinary matters from audit firms confidentially and makes statutory the DoD’s interim guidance issued in March of 2019 which preserves the confidentiality of these proceedings; Pages H5534–46

Connolly amendment (No. 12 printed in part B of H. Rept. 116–143) that codifies a DOD policy to report to the National Instant Criminal Background Check System (NICS) servicemembers who are prohibited from purchasing firearms; Pages H5552–54

Smith (WA) en bloc amendment No. 2 consisting of the following amendments printed in part B of H. Rept. 116–143: Malinowski (No. 25) that requires an ODNI determination of parties responsible for the pre-mediated murder of Washington Post journalist Jamal Khashoggi, imposes visa sanctions with a national security waiver, and requires a report on human rights in Saudi Arabia; Beyer (No. 69) that requires DoD to fulfill one of the recommendations of its 2018 report entitled “Report on the Effects of Military Helicopter Noise on National Capital Region Communities” by establishing a noise inquiry website to track and analyze complaints; Beyer (No. 70) that requires DoD to submit a report to Congress on the frequency of helicopters used for executive travel in the National Capital Region; Biggs (No. 71) that requires the Secretary of Defense to submit a report to Congress on annual defense spending by ally and partner countries; Biggs (No. 72) that expresses a sense of Congress about the importance of the U.S.-Israel relationship; Blumenauer (No. 73) that improves flood risk assessments for military construction projects by incorporating projected current and future mean sea level fluctuations; Blumenauer (No. 74) that requires the Secretary to submit a quarterly report regarding ex gratia payments or lack of ex gratia payments; Blumenauer (No. 75) that requires the State Department Inspector General to submit a report to Congress on the obstacles to effective protection of Afghan and Iraqi allies through the Special Immigrant Visa (SIV) programs and provide suggestions for improvements to the program; Blumenauer (No. 76) that codifies President Obama’s Executive Order 13653 to require the Secretary to identify and seek to remove barriers that discourage investments to increase resiliency to climate change; Brindisi (No. 77) that requires the Comptroller General to report on the implementa-

Pages H5534–46

Pages H5552–54
Smith (WA) en bloc amendment No. 3 consisting of the following amendments printed in part B of H. Rept. 116–143: Case (No. 94) that requires the Assistant Secretary of Defense for Sustainment to provide a report regarding the security risks posed by non-military aircraft overflying military installations inside the United States; Case (No. 95) that requires the Secretary of Defense to report on current and possible expansion of security cooperation and assistance with Pacific island countries, including Papua New Guinea, Vanuatu, the Solomon Islands, Fiji, the Federated States of Micronesia, Palau, Kiribati, the Marshall Islands, Nauru, and Tonga; Case (No. 96) that requires a report from the Defense Intelligence Agency detailing actions by foreign military operating in the Pacific Island countries, gaps in intelligence collection capabilities for these countries, and plans to overcome any current intelligence collection deficiencies; Judy Chu (CA) (No. 97) that supports the measures to continue the cease fire in Nagorno Karabakh, including the non-deployment of snipers, heavy arms, and new weaponry; encourages the deployment of gun-fire locator systems and an increase in OSCE observers along the line-of-contact; Cicilline (No. 98) that requires the Secretary of Defense to produce a report analyzing the effects of automation within the Defense Industrial Base over the next ten years; Cicilline (No. 99) that requires written consent from all parties involved in a dispute under the Servicemembers Civil Relief Act before settling said conflict through arbitration; Cisneros (No. 100) that increases Navy university basic research by $5,000,000 in order to support innovative scientific research to help the U.S. military maintain technical superiority; Clark (MA) (No. 101) that ensures that federal employees may enroll in federal employee health benefits program (FEHBP) should they experience a qualifying life event during a lapse in appropriations and prohibits the loss of life insurance coverage, dental, vision, and long-term care benefits for federal employees in the case of a lapse in federal appropriations; Clyburn (No. 102) that allows all 8th grade students across the country to participate in the Junior Reserve Officers’ Training Corps; Cohen (No. 103) that directs the Department of Defense to pursue compensation from the contractor for costs of non-RFI spare parts that it failed to deliver since 2015 as described in the June 13, 2019 DoD Inspector General Report No. DODIG-2019-094; DoD received non-RFI spare parts and spent up to $303 million in DoD labor costs since 2015; Cohen (No. 104) that directs the Department of Defense to conduct a study analyzing the cost growth of major defense acquisition programs over the last fifteen years; Connolly (No. 105) that delegates to a single Board member or the agency General Counsel the authority to stay an agency action that the Office of Special Counsel suspects was taken as a result of a prohibit personnel practice in order to better protect whistleblowers when the Merit Systems Protection Board lacks a confirmed member or a quorum; Connolly (No. 106) that prohibits states from coercing military technicians into accepting an offer of realignment or conversion to any other military status; prohibits retaliation against military technicians who decline to participate in such realignment or conversion; Connolly (No. 107) that requires a report on any individuals or security force units who have participated in security cooperation training programs and received security assistance training provided by the United States and were subsequently sanctioned by the United States for human rights violations or terrorist activities; Connolly (No. 108) that provides $2,000,000 in funding for the European Center of Excellence for Countering Hybrid Threats, a NATO–EU joint venture to combat threats based on a combination of military and nonmilitary means, including but not limited to cyberattacks, election interference, and disinformation campaigns; Connolly (No. 109) that requires periodic reporting on security clearance adjudication backlogs; Cooper (No. 110) that directs DOD, CIA, and the State Department to each generate a report detailing progress towards reducing the backlog in legally required historical declassification obligations, offer solutions, and consider new
approaches (both technology and policy) to return to productivity; Correa (No. 111) that requires the Secretary of Defense to provide the congressional defense committees a report on cyber-attacks and intrusions against the Department of Defense systems in the previous 12 months by agents or associates of the Governments of the Russian Federation, the People's Republic of China, the Islamic Republic of Iran, and the Democratic People's Republic of Korea; Correa (No. 112) that requires the “National Security Commission on Defense Research at Historically Black Colleges and Universities and other Minority Institutions,” to evaluate the effectiveness of the Department of Defense in attracting and retaining STEM students from covered institutions for the Department’s programs on emerging capabilities and technologies; Courtney (No. 113) that requires a report regarding US, Russian, and Chinese nuclear systems; Courtney (No. 114) that adds the United States Coast Guard Academy to the list of military service academies covered by Section 538; Craig (No. 115) that adds $30 Million to the Army Community Services account to provide family assistance, victim advocacy, financial counseling, employment readiness, and other similar support services at installations where 500 or more military members are assigned; Crenshaw (No. 116) that provides for the inclusion of home schooled students in Junior Reserve Officers’ Training Corps (JROTC) units by adding criteria under Title 10 and would in return give the JROTC unit credit toward an existing requirement for the standing of their unit; and Crenshaw (No. 117) that waives time limitation and authorizes the award of the Medal of Honor to SFC Alwyn Cashe for valor, described within, during combat in Operation Iraqi Freedom; and

Smith (WA) en bloc amendment No. 4 consisting of the following amendments printed in part B of H. Rept. 116–143: Crist (No. 118) that requires the Secretary to account for sea level rise projections and future flood risk when creating guidelines for energy and climate resiliency at military facilities; Cuellar (No. 119) that requests an independent assessment of the United States’ funding and resources available to the Department of Defense, the Department of State and the United States Agency for International Development, for use in the Western Hemisphere; will also focus on investments made by China, Iran, and Russia in the Western Hemisphere; Cummings (No. 120) that prohibits federal employers and contractors from asking about the criminal history of job applicants until they receive conditional offers of employment; includes exceptions for positions related to law enforcement and national security, positions requiring access to classified information, and positions for which access to criminal history information is required by law; Cummings (No. 121) that requires the Secretary of Defense to carry out activities to improve the ability of the Department of Defense to detect and address racial, ethnic, and gender disparities in the military justice system; Cunningham (No. 122) that expands eligibility in the My Career Advancement Account Scholarship Program to spouses of members of the Coast Guard and to the spouses of enlisted servicemembers of all grades; Cunningham (No. 123) that authorizes the Department of Defense to give preference to contractors that employ veterans on a full-time basis; Cunningham (No. 124) that requires the Secretary of the Navy to issue a report on plans to support and maintain aircraft assigned to Marine Corps air stations that will be transitioning from F–18s to F–35s; Delgado (No.127) that requires a report within 90 days of enactment on current Defense Logistics Agency and Defense Commissary Agency programs, policies, and practices relating to small farms, farms owned by new and beginning farmers, veteran farmers, and minority farmers, and opportunities and barriers to expanding their use; Delgado (No. 128) that increases funding for the University and Industry Research Centers by $5 million; DeSaulnier (No. 129) that requires the Departments of Defense and Veterans Affairs to conduct a joint study on the impact of the current policy of withholding disability pay from veterans who receive separation pay; DeSaulnier (No. 130) that expresses the sense of Congress that the Port Chicago 50 should be exonerated of any charges brought against them in the aftermath of the deadliest home front explosion in World War II; Doggett (No. 132) that ensures an assessment of the policy and operational necessity, risks, benefits and costs of establishing military-to-military discussions with Iran; Duffy (No. 133) that expands and renames the Troops to Teachers program to assist troops transition into any role in education setting; Dunn (No. 134) that requires the Secretary of Defense, in consultation with the head of the Joint Artificial intelligence center, to submit a report to Congress regarding the use and future use of A.I. in DoD; Engel (No. 135) that requires the Secretary of Defense and Secretary of State to report on the implications of Russian military or private military corporation involvement in the U.S. Africa Command Area of Responsibility, provide an analysis of the implications of such activity for U.S. interests, and develop a plan to counteract destabilizing Russian activity in Africa; Engel (No. 136) that requires Secretary of Defense and the Secretary of State to develop a strategy to improve the efforts of the Nigerian military to prevent, mitigate, and respond to civilian harm in the operation of the
Super Tucano aircraft and associated weapons acquired from the United States; Engel (No. 137) that requires the development of common standards for implementing human right vetting and integrating civilian protection into the assessment, monitoring, and evaluation of security cooperation; Escobar (No. 138) that clarifies that certain standards must be met before DoD may assist HHS in providing housing for unaccompanied migrant children; Escobar (No. 139) that allows installations to use funds derived from energy cost savings for operational energy programs; Escobar (No. 140) that requires the Department of Defense to specify climate-related mitigation and recovery costs in its annual budget submission to Congress; Finkenauer (No. 141) that directs Procurement Center Representatives and other acquisition personnel to assist small business in the SBIR and STTR program in terms of researching applicable solicitations for small business concerns and technical assistance when bidding for contracts; Fitzpatrick (No. 142) that directs the Secretary of Defense to raise the priority of completing DOD Directive 2310.07E in order to clarify processes and efficiencies in recovering the remains of heroes missing in action, via the POW/MIA Accounting Agency; Fitzpatrick (No. 143) that directs DOD to conduct a review of the foreign currency rates used at disbursement to determine whether cost-savings opportunities exist by more consistently selecting cost-effective rates; Fitzpatrick (No. 144) that protects and preserves military tuition assistance programs; Fitzpatrick (No. 145) that the sense of Congress that the Secretary of Defense should work to implement a process to coordinate annual research requests between all services and offices under Department of Defense to optimize both the benefits to the Department and the efficiency of the research; and Fitzpatrick (No. 146) that ensures that GPS M-code modernization efforts promote interoperability and efficiency while avoiding unnecessary duplication.

Proceedings Postponed:

Smith (WA) amendment (No. 1 printed in part B of H. Rept. 116–143) that seeks to increase oversight and transparency of civilian casualties; Pages H5533–34

Speier amendment (No. 3 printed in part B of H. Rept. 116–143) that seeks to require that qualifications for eligibility to serve in an armed force account only for the ability of an individual to meet gender-neutral occupational standards and not include any criteria relating to the race, color, national origin, religion, or sex (including gender identity or sexual orientation) of an individual; Pages H5546–47

Speier amendment (No. 6 printed in part B of H. Rept. 116–143) that seeks to enhance access to high-quality family planning education by requiring DOD to establish a standardized educational program across all branches of the military to be provided during the first year of service for a member; Pages H5547–49

Brindisi amendment (No. 9 printed in part B of H. Rept. 116–143) that seeks to reinstate the Berry Amendment’s DoD domestic sourcing requirement for stainless steel flatware, also adding a “dinner ware” domestic sourcing requirement; Pages H5549–50

Torres (CA) amendment (No. 10 printed in part B of H. Rept. 116–143) that seeks to prohibit the President from removing items from Categories 1–3 of the United States Munitions List; Pages H5550–51

Connolly amendment (No. 11 printed in part B of H. Rept. 116–143) that seeks to prohibit the elimination of the Office of Personnel Management; Pages H5551–52

Shalala amendment (No. 14 printed in part B of H. Rept. 116–143) that seeks to require the DOD Secretary to publish on its website the distribution of DOD Tuition Assistance Funds at institutions of higher education; audit any proprietary institution receiving DOD Tuition Assistance funds that fails to meet the Financial Responsibility Standards in the Higher Education Act of 1965 under Section 498(c) and publish the results of the audit on its website; Pages H5554–55

Omar amendment (No. 17 printed in part B of H. Rept. 116–143) that seeks to require reporting on financial costs and national security benefits for overseas military operations, including permanent military installations and bases; and Pages H5555–57

Smith (WA) amendment (No. 19 printed in part B of H. Rept. 116–143) that seeks to amend the current statutory prohibition on members of Congress contracting with the federal government to include the President, Vice President, and any Cabinet member.

H. Res. 476, the rule providing for consideration of the bill (H.R. 2500) was agreed to, as amended, by a yea-and-nay vote of 234 yeas to 197 nays, Roll No. 436, after the McGovern amendment was agreed to by a recorded vote of 234 ayes to 197 noes, Roll No. 435, after the previous question was ordered on the amendment and the resolution by a yea-and-nay vote of 232 yeas to 197 nays, Roll No. 434.

Pages H5550–51

Senate Referral: S. 239 was held at the desk.

Page H5314

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H5314.

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings...
of today and appear on pages H5334, H5334–35, H5335–36, and H5336. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:39 p.m.

Committee Meetings

UNITED STATES EFFORTS TO COUNTER RUSSIAN DISINFORMATION AND MALIGN INFLUENCE

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs held a hearing entitled “United States Efforts to Counter Russian Disinformation and Malign Influence”. Testimony was heard from Lea Gabrielle, Special Envoy and Coordinator of the Global Engagement Center, Department of State; Jim Kulikowski, Coordinator for U.S. Assistance to Europe, Eurasia, and Central Asia, Department of State; John F. Lansing, Chief Executive Officer, U.S. Agency for Global Media; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Consumer Protection and Commerce held a markup on H.R. 2211, the “STURDY Act”; H.R. 3172, the “Safe Sleep Act of 2019”; H.R. 3170, the “Safe Cribs Act of 2019”; H.R. 1618, the “Nicholas and Zachary Burt Carbon Monoxide Poisoning Prevention Act of 2019”; H.R. 806, the “Portable Fuel Container Safety Act of 2019”; and H.R. 2647, the “SOFSA”. H.R. 2211, H.R. 3172, H.R. 3170, H.R. 1618, and H.R. 806 were forwarded to the full Committee, as amended. H.R. 2647 was forwarded to the full Committee, without amendment.

MONETARY POLICY AND THE STATE OF THE ECONOMY

Committee on Financial Services: Full Committee held a hearing entitled “Monetary Policy and the State of the Economy”. Testimony was heard from Jerome H. Powell, Chairman, Board of Governors of the Federal Reserve System.

BUILDING A SUSTAINABLE AND COMPETITIVE ECONOMY: AN EXAMINATION OF PROPOSALS TO IMPROVE ENVIRONMENTAL, SOCIAL, AND GOVERNANCE DISCLOSURES

Committee on Financial Services: Subcommittee on Investor Protection, Entrepreneurship, and Capital Markets held a hearing entitled “Building a Sustainable and Competitive Economy: An Examination of Proposals to Improve Environmental, Social, and Governance Disclosures”. Testimony was heard from public witnesses.

ABOUT FACE: EXAMINING THE DEPARTMENT OF HOMELAND SECURITY’S USE OF FACIAL RECOGNITION AND OTHER BIOMETRIC TECHNOLOGIES

Committee on Homeland Security: Full Committee held a hearing entitled “About Face: Examining the Department of Homeland Security’s Use of Facial Recognition and Other Biometric Technologies”. Testimony was heard from John Wagner, Deputy Executive Assistant Commissioner, Office of Field Operations, U.S. Customs and Border Protection, Department of Homeland Security; Austin Gould, Assistant Administrator, Requirements and Capabilities Analysis, Transportation Security Administration, Department of Homeland Security; Joseph R. DiPietro, Chief Technology Officer, U.S. Secret Service; and Charles H. Romine, Director, Information Technology Laboratory, National Institute of Standards and Technology, Department of Commerce.

MARIJUANA LAWS IN AMERICA: RACIAL JUSTICE AND THE NEED FOR REFORM

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing entitled “Marijuana Laws in America: Racial Justice and the Need for Reform”. Testimony was heard from Marilyn Mosby, State’s Attorney for Baltimore City, Maryland; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on National Parks, Forests, and Public Lands held a hearing on H.R. 252, the “Pershing County Economic Development and Conservation Act”; H.R. 1475, the “LOTTERY Act”; H.R. 2199, the “Central Coast Heritage Protection Act”; H.R. 2215, the “San Gabriel Mountains Foothills and Rivers Protection Act”; H.R. 2250, the “Northwest California Wilderness, Recreation, and Working Forests Act”; H.R. 2546, the “Colorado Wilderness Act of 2019”; and H.R. 2642, the “Wild Olympics Wilderness and Wild and Scenic Rivers Act”. Testimony was heard from Chairman Kilmer, and Representatives Judy Chu of California, Carabajal, Amodei, Stauber, DeGette, and Huffman; Frank Beum, Acting Associated Deputy Chief, National Forest System, U.S. Forest Service, Department of Agriculture; Leah Baker, Acting Assistant Director, Resources and Planning, Bureau of Land Management, Department of the Interior; Keenan Ertel, Chair, Board of Commissioners, Montezuma County, Colorado; Keith Groves, Supervisor, District 1, Board of Supervisors, Trinity County, California; and public witnesses.
THE TRUMP ADMINISTRATION'S ATTACK ON THE ACA: REVERSAL IN COURT CASE THREATENS HEALTH CARE FOR MILLIONS OF AMERICANS

Committee on Oversight and Reform: Full Committee held a hearing entitled “The Trump Administration’s Attack on the ACA: Reversal in Court Case Threatens Health Care for Millions of Americans”. Testimony was heard from public witnesses.

KIDS IN CAGES: INHUMANE TREATMENT AT THE BORDER

Committee on Oversight and Reform: Subcommittee on Civil Rights and Civil Liberties held a hearing entitled “Kids in Cages: Inhumane Treatment at the Border”. Testimony was heard from public witnesses.

A REVIEW OF NASA’S PLANS FOR THE INTERNATIONAL SPACE STATION AND FUTURE ACTIVITIES IN LOW EARTH ORBIT

Committee on Science, Space, and Technology: Subcommittee on Space and Aeronautics held a hearing entitled “A Review of NASA’s Plans for the International Space Station and Future Activities in Low Earth Orbit”. Testimony was heard from William H. Gerstenmaier, Associate Administrator, Human Exploration and Operations Mission Directorate, National Aeronautics and Space Administration; Paul K. Martin, Inspector General, National Aeronautics and Space Administration; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Science, Space, and Technology: Subcommittee on Energy held a markup on H.R. 3597, the “Solar Energy Research and Development Act of 2019”; H.R. 3607, the “Fossil Energy Research and Development Act of 2019”; and H.R. 3609, the “Wind Energy Research and Development Act of 2019”. H.R. 3597, H.R. 3607, and H.R. 3609 were forwarded to the full Committee, as amended.

CONTINUING TO SERVE: FROM MILITARY TO ENTREPRENEUR

Committee on Small Business: Full Committee held a hearing entitled “Continuing to Serve: From Military to Entrepreneur”. Testimony was heard from public witnesses.

WATER RESOURCES DEVELOPMENT ACTS: STATUS OF IMPLEMENTATION AND ASSESSING THE FUTURE NEEDS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing entitled “Water Resources Development Acts: Status of Implementation and Assessing the Future Needs”. Testimony was heard from Rick-Daley James, Assistant Secretary of the Army (Civil Works), Office of the Assistant Secretary of the Army—Civil Works, U.S. Department of the Army; Major General Scott A. Spellmon, Deputy Commanding General, Civil and Emergency Operations, U.S. Army Corps of Engineers; and public witnesses.

ECONOMIC WELL-BEING OF WOMEN VETERANS

Committee on Veterans’ Affairs: Subcommittee on Economic Opportunity held a hearing entitled “Economic Well-being of Women Veterans”. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURE

Committee on Ways and Means: Full Committee held a markup on H.R. 397, the “Rehabilitation for Multiemployer Pensions Act of 2019”. H.R. 397 was ordered reported, as amended.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, JULY 11, 2019

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the nomination of Gen. Mark A. Milley, for reappointment to the grade of General, and to be Chairman of the Joint Chiefs of Staff in the United States Army, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the Semiannual Monetary Policy Report to the Congress, 10 a.m., SD–106.

Committee on Energy and Natural Resources: to hold hearings to examine evolving global natural gas markets, the increasingly important role of United States liquefied natural gas, and the competitive outlook, 10 a.m., SD–366.

Committee on the Judiciary: business meeting to consider S. 1273, to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, S. 1883, to improve the prohibitions on money laundering, and the nominations of Douglas Russell Cole, and Matthew Walden McFarland, both to be a United States District Judge for the Southern District of Ohio, Robert Anthony Molloy, to be Judge for the District Court of the Virgin Islands, Kea Whetzel Riggs, to be United States District Judge for the District of New Mexico, and Monica David Morris, of Florida, to be a Commissioner of the United States Parole Commission, 10 a.m., SD–226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2 p.m., SH–219.
Committee on Agriculture, Subcommittee on Commodity Exchanges, Energy, and Credit, hearing entitled “Building Opportunity in Rural America through Affordable, Reliable and High-Speed Broadband”, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on State, Foreign Operations, and Related Programs, hearing entitled “Management Challenges and Oversight of Department of State and United States Agency for International Development Programs”, 10 a.m., H–140 Capitol.

Subcommittee on Defense, hearing entitled “Southern Command”, 2 p.m., H–140 Capitol. This hearing is closed.

Committee on Education and Labor, Subcommittee on Workforce Protections, hearing entitled “From the Fields to the Factories: Preventing Workplace Injury and Death from Excessive Heat”, 10:15 a.m., 2175 Rayburn.


Committee on Financial Services, Full Committee, markup on H.R. 281, the “Ensuring Diverse Leadership Act of 2019”; H.R. 1018, the “Improving Corporate Governance through Diversity Act of 2019”; H.R. 2852, the “Homebuyer Assistance Act of 2019”; H.R. 3279, the “Diversity in Corporate Leadership Act of 2019”; H.R. 3614, the “Restricting Use of Credit Checks for Employment Decisions Act”; H.R. 3618, the “Free Credit Scores for Consumers Act of 2019”; H.R. 3619, the “Appraisal Fee Transparency Act of 2019”; H.R. 3620, the “Strategy and Investment in Rural Housing Preservation Act of 2019”; H.R. 3621, the “Student Borrower Credit Improvement Act”; H.R. 3622, the “Restoring Unfairly Impaired Credit and Protecting Consumers Act”; H.R. 3624, the “Outsourcing Accountability Act of 2019”; H.R. 3625, the “PCAOB Whistleblower Protection Act of 2019”; H.R. 3642, the “Improving Credit Reporting for All Consumers Act”; H.R. 3629, the “Clarity in Credit Score Formation Act of 2019”; and H.R. 3641, the “Stronger Enforcement of Civil Penalties Act of 2019”, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, Civilian Security, and Trade, hearing entitled “Human Rights in Cuba: Beyond the Veneer of Reform”, 10 a.m., 2172 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled “The State Department and USAID FY 2020 Operations Budget”, 3 p.m., 2172 Rayburn.


Committee on the Judiciary, Full Committee, markup on a Resolution authorizing issuance of subpoenas; H.R. 3311, the “Small Business Reorganization Act of 2019”; H.R. 3304, the “National Guard and Reservists Debr Relief Extension Act of 2019”; H.R. 2938, the “HAVEN Act”; and H.R. 2336, the “Family Farmer Relief Act of 2019”, 10 a.m., 2141 Rayburn.


Committee on Oversight and Reform, Full Committee, hearing entitled “Identifying, Preventing, and Treating Childhood Trauma: A Pervasive Public Health Issue That Needs Greater Federal Attention”, 10 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Full Committee, hearing entitled “Earth’s Thermometers: Glacial and Ice Sheet Melt in a Changing Climate”, 10 a.m., 2318 Rayburn.

Subcommittee on Research and Technology, hearing entitled “Bumper to Bumper: The Need for a National Surface Transportation Research Agenda”, 2 p.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Investigations, Oversight, and Regulations, hearing entitled “SBA Management and Oversight of SCORE”, 10 a.m., 2360 Rayburn.

Committee on Veterans’ Affairs, Full Committee, markup on H.R. 2942, to direct the Secretary of Veterans Affairs to carry out the Women’s Health Transition Training pilot program through at least fiscal year 2020, and for other purposes; H.R. 2943, to direct the Secretary of Veterans Affairs to make all fact sheets of the Department of Veterans Affairs in English and Spanish; and H.R. 3504, to amend title 38, United States Code, to provide for improvements to the specially adapted housing program of the Department of Veterans Affairs, for a resolution of the House. This hearing is closed.

Select Committee on the Modernization of Congress, Full Committee, hearing entitled “Fostering the Next Generation of Leaders: Setting Members up for Success”, 2 p.m., 2020 Rayburn.
Next Meeting of the Senate
9:30 a.m., Thursday, July 11

Senate Chamber

Program for Thursday: Senate will continue consideration of the nomination of Robert L. King, of Kentucky, to be Assistant Secretary for Postsecondary Education, Department of Education, post-cloture, and vote on confirmation of the nominations of Robert L. King, and John P. Pallasch, of Kentucky, to be an Assistant Secretary of Labor, at 11 a.m.

Following disposition of the nomination of John P. Pallasch, Senate will vote on the motion to invoke cloture on the nomination of Peter C. Wright, of Michigan, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency. If cloture is invoked on the nomination, Senate will vote on confirmation of the nomination at 1:45 p.m.

Next Meeting of the House of Representatives
10 a.m., Thursday, July 11

House Chamber


Extensions of Remarks, as inserted in this issue

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